SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

L.1 FAR 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a solicitation provision may be accessed electronically at this address:

http://www.arnet.gov/far/

Federal Acquisition Regulation (FAR) (48 CFR Chapter 1) Contract Clauses

Clause No.	Title and Date
52.204-6	DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (OCT 2003)
52.215-16	FACILITIES CAPITAL COST OF MONEY (JUN 2003)
52.215-21	REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN COST OR PRICING DATA (OCT 1997)
52.219-24	SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM – TARGETS (OCT 2000)
52.222-24	PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)
52.222-46	EVALUATION OF COMPENSATION FOR PROFESSIONAL EMPLOYEES (FEB 1993)
52.232-38	SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)

L.2. FAR 52.215-1 INSTRUCTIONS TO OFFERORS – COMPETITIVE ACQUISITION (JAN 2004) ALTERNATE I (OCT 1997)

(Note: As prescribed in the Department of Health and Human Services Acquisition Regulations (HHSAR), paragraph (e) of the FAR version of this clause is replaced by the HHSAR paragraph (e).

(a) Definitions. As used in this provision—

“Discussions” are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer’s discretion, result in the offeror being allowed to revise its proposal.

“In writing,” “writing,” or “written” means any worded or numbered expression that can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

“Proposal modification” is a change made to a proposal before the solicitation’s closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

“Proposal revision” is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

“Time,” if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) Amendments to solicitations. If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) Submission, modification, revision, and withdrawal of proposals.

(1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show—

(i) The solicitation number;

(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror’s behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) Submission, modification, revision, and withdrawal of proposals.

(i) Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii)(A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and—

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) Offer expiration date. Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

(e) Restriction on disclosure and use of data. (1) The proposal submitted in response to this request may contain data (trade secrets; business data, e.g., commercial information, financial information, and cost and pricing data; and technical data) which the offeror, including its prospective subcontractor(s), does not want used or disclosed for any purpose other than for evaluation of the proposal. The use and disclosure of any data may be so restricted; provided, that the Government determines that the data is not required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, as amended, and the offeror marks the cover sheet of the proposal with the following legend, specifying the particular portions of the proposal which are to be restricted in accordance with the conditions of the legend. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. The legend reads:

Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the Department of Health and Human Services, data contained in the portions of this proposal which have been specifically identified by page number, paragraph, etc. by the offeror as containing restricted information shall not be used or disclosed except for evaluation purposes.

The offeror acknowledges that the Department may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Department's FOI officials must make that determination. The offeror hereby agrees that the Government is not liable for disclosure if the Department has determined that disclosure is required by the Act.

If a contract is awarded to the offeror as a result of, or in connection with, the submission of this proposal, the Government shall have right to use or disclose the data to the extent provided in the contract. Proposals not resulting in a contract remain subject to the Act.

The offeror also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act. The data subject to this restriction are contained in pages (insert page numbers, paragraph designations, etc. or other identification).

(2) In addition, the offeror should mark each page of data it wishes to restrict with the following statement:

"Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this proposal or quotation."

(3) Offerors are cautioned that proposals submitted with restrictive legends or statements differing in substance from the above legend may not be considered for award. The Government reserves the right to reject any proposal submitted with a nonconforming legend.

(f) Contract award.

(1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government’s interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals have been determined to be within the competitive range. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government’s best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) If a post-award debriefing is given to requesting offerors, the Government shall disclose the following information, if applicable:

(i) The agency’s evaluation of the significant weak or deficient factors in the debriefed offeror’s offer.

(ii) The overall evaluated cost or price and technical rating of the successful and the debriefed offeror and past performance information on the debriefed offeror.

(iii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection.

(iv) A summary of the rationale for award.

(v) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(vi) Reasonable responses to relevant questions posed by the debriefed offeror as to whether source-selection procedures set forth in the solicitation, applicable regulations, and other applicable authorities were followed by the agency.

L.3. FAR 52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a contract with cost-plus-fixed-fee (CPFF) and cost-plus-award-fee (CPAF) contract provisions.

L.4. FAR 52.233-2 SERVICE OF PROTEST (SEP 2006)

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the Government Accountability Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

Centers for Medicare & Medicaid Services
ATTN: Naomi-Haney-Ceresa, Mailstop C2-21-15
7500 Security Boulevard
Baltimore, Maryland 21244-1850

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

L.5. SUBMISSION OF REPRESENTATIONS AND CERTIFICATIONS

In accordance with FAR 52.204-8, Annual Representations and Certifications (JAN 2006), Offerors are required to maintain and submit representations and certifications electronically via the Online Representations and Certfications Application (ORCA) Website. The ORCA website can be accessed via the Internet at http://www.bpn.gov

Agency-specific representations and certifications must be completed and submitted in hardcopy format. The Section K Agency-specific representations

and certifications provided in Section K as Section K.1 through K.8 must be submitted in hardcopy format as a separate section of the Offeror's business proposal. For additional details regarding electronic submission of annual representations and certifications see:

http://www.acqnet.gov/far/FAC/fac2001-26.pdf

L.6. NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODE AND SMALL BUSINESS STANDARD

The NAICS code for this acquisition is 541618, "Other Management Consulting Services."

The small business size standard if $6.5 million average annual income.

L.7. SMALL BUSINESS SUBCONTRACTING PLAN

(Note: The requirement to submit a Small Business Subcontracting Plan is not applicable to Small Business Concerns responding to this solicitation.)

In accordance with FAR 52.219-9 Small Business Subcontracting Plan incorporated by reference in RFP Section I, Offerors are required to submit a Small Business Subcontracting Plan for any contract that exceeds $500,000. For a sample plan format, refer to Section J, J-18 of this solicitation.

a. The term "subcontract" means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime Contractor or subcontractor calling for supplies or services required for the performance of the original contract or subcontract.

b. The plan shall cover the entire contract period of performance and incorporate the CMS recommendations provided below:

1. Overall, for the total dollars subcontracted, **40%** should be awarded to Small Businesses.

2. As a subset of the 40%, the following goals are recommended:

- Small Disadvantaged Businesses 6.35%
- Women-Owned Small Businesses 5.00%
- HUB Zone Businesses 3.00%
- Veteran-Owned Small Businesses 3.00%
- Service Disabled Veteran Owned Businesses 3.00%

c. The Offeror understands that:

1. No contract will be awarded unless and until an acceptable plan is negotiated with the Contracting Officer which plan will be incorporated into the contract, as a material part thereof.

2. An acceptable plan must, in the determination of the Contracting Officer, provide the maximum practicable opportunity for small business concerns and small business concerns owned and controlled by socially and economically disadvantaged persons to participate in the performance of the contract.

3. If a subcontracting plan acceptable to the Contracting Officer is not negotiated within the time limits prescribed by the contracting activity and such failure arises out of causes within the control and with the fault or negligence of the offeror, the offeror shall be ineligible for an award. The Contracting Officer shall notify the Contractor in writing of the reasons for determining a subcontracting plan unacceptable early enough in the negotiation process to allow the Contractor to modify the plan within the time limits prescribed.

4. Prior compliance of the offeror with other such subcontracting plans under previous contracts will be considered by the Contracting Officer in determining the responsibility of the offeror for award of the contract.

5. It is the offeror's responsibility to develop a satisfactory subcontracting plan with respect to both small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals and that each such aspect of the offeror's plan will be judged independent of the other.

6. The offeror will submit, as required by the Contracting Officer, subcontracting reports in accordance with the instructions thereon and as further directed by the Contracting Officer. Subcontractors will also submit these reports to the Government's Contracting Officer or as otherwise directed, with a copy to the prime Contractor's designated small and disadvantaged business liaison.

d. Small Disadvantaged Business (SDB) Participation

The Government will evaluate the Offeror’s Small Business Subcontracting Plan for total Small Disadvantaged Business (SDB) participation. This evaluation will be based on information obtained from the plan provided by the offeror, the realism of the proposal, and any information supplied by the offeror. Evaluation of the Small Business

Subcontracting Plan will be a subjective assessment based on consideration of all relevant facts and circumstances. The Government is seeking to determine whether the offeror has demonstrated commitment to use SDB concerns for the work that it intends to perform as the contractor. The Government will rely on the following areas of emphasis in evaluating the proposed SDB participation in the offeror's Small Business Subcontracting Plan:

- The extent to which SDB concerns are specifically identified - Provide names, points of contact along with the other information asked for in the above paragraph for the SDBS to be utilized on this contract.

- The extent of an Offeror's commitment to use SDB concerns - Commitments should be as specific as possible, i.e. subcontract arrangements already in place, letters of commitment, etc. Specific concerns must be identified with points of contact and telephone numbers. In addition, the SDB must provide proof of its certification as a SDB. Targets expressed as dollars and a percentage of total contract value for each SDB participating will be incorporated into and become part of any resulting contract. Therefore, the estimated extent of participation of all SDB concerns in terms of the value of the total acquisition must be identified.

- The complexity and variety of the work SDB concerns are to perform – Provide detail on the type of work the SDB will be performing.

- The realism of the proposal – The viability of the offeror meeting the goals presented in the SDB utilization plan.

- The extent of participation of SDB concerns in terms of the value of the total acquisition – The percentage of work the offeror plans to subcontract to SDB concerns must be detailed.

L.8. FACSIMILE, ELECTRONIC, WRITTEN PROPOSALS

Submission of facsimile proposals and electronic proposals in response to this solicitation is not authorized. Use of the term written in conjunction with proposal submission shall be defined as hard paper copy and not electronic/e-mail written format.

L.9. SOLICITATION QUESTIONS

All questions concerning this solicitation shall be submitted electronically and shall be received in the CMS designated mailbox no later than 5:00 p.m. local prevailing time (Baltimore, Maryland) on February 5, 2008. Answers to questions that CMS determines to be necessary for proposal preparation will be conveyed in the form of a solicitation amendment on or about February 26, 2008. Technical questions submitted by telephone or verbally will not be honored.

A. Submission of Questions

Failure to follow these specific directions may result in questions not being answered. It is at the discretion of the Contracting Officer to answer questions submitted after the cut-off date and time.

B. Content of Questions

Offerors shall, as a part of their question(s), cite the specific solicitation Section, paragraph, subparagraph (if applicable) and page number (e.g., page 82). For questions of a "General Question" nature, Offerors shall identify the question as "General".

C. Procedures for Submission

Offerors must utilize the file format specified in Attachment J-16. Offerors should send all questions electronically using Microsoft Word 2003 format to **9thSoWRFPQs&As@cms.hhs.gov** beginning January 25, 2008. Please note that the email address is case sensitive. You must utilize numbers, capital and small case letters as shown. There are no spaces between any of the numbers or characters.

When completing Attachment J-16 Offerors shall:

- submit only one file per contractor
- include only one question per row on the Attachment J-16 table
- number each question utilizing the two letter State abbreviation and question # (e.g., AK1, AK2, …)
- do not change any formatting in Attachment J-16 including column widths. Offeror may add additional rows only.
- cite the appropriate RFP section as specified above

D. Closing Date for Receipt of Questions

The closing date and time for submission of questions is February 5, 2008 at 12:00 p.m. local prevailing time (Baltimore, MD).

E. Posting of Questions

All reasonable and relevant Questions and Answers will be made available through issuance of a solicitation amendment.

L.10. ELIGIBIITY REQUIREMENT FOR PROPOSAL SUBMISSION

Offerors submitting proposals in response to this solicitation must meet the definition of a Quality Improvement Organization (formerly known as “utilization and quality control peer review organization”) in accordance with Section 1152 of the Social Security Act. Certification of Eligibility is required in RFP Section K.3. Proposals received by Offerors who do not qualify as a QIO will not be evaluated.

L.11. GENERAL INFORMATION

A. Communications Prior to Contract Award

Offerors shall direct **all** communications to the attention of the Contracting Officer cited on the cover letter of this solicitation unless amended. Communications with other officials may compromise the integrity of this acquisition and result in disqualification of your proposal and/or cancellation of the requirement.

B. FAR Clauses, Public Law, Executive Orders, etc.

Contract(s) awarded as a result of this solicitation shall include the FAR clauses applicable to the selected Offeror's organization and contract type. Additional clauses required by public law, executive order, or acquisition regulations, in effect at the time of the solicitation for the proposed contract, shall be considered to be included.

C. Central Contractor Registration (CCR Database)

In accordance with FAR 52.204-7, the Offeror shall acknowledge the requirement that a prospective awardee shall be registered in the CCR data base prior to award, during performance and through final payment of any award resulting from this solicitation. Failure to register in CCR will prohibit CMS from making an award to your organization. Offerors must certify that they have completed the registration process (refer to RFP Section K.1.).

The prospective awardee must enter all mandatory data fields, including the Data Universal Numbering System (DUNS) number or DUNS + 4 number into the CCR database (refer to FAR 52.204-6 Data Universal Numbering System (DUNS) Number). The prospective awardee must also enter all Electronic Funds Transfer (EFT) data into the CCR database.

The prospective awardee is responsible for the accuracy and completeness of the data within the CCR database. At a minimum, the prospective awardee must review and update the CCR database.

The prospective awardee is responsible for the accuracy and completeness of the data within the CCR database. At a minimum, the prospective awardee must review and update the CCR database on an annual basis.

Offerors may obtain information on registration and annual confirmation requirements via the Internet at http://www.ccr.gov or by calling 1-888-227-2423.

D. Section 508 Accessibility of Electronic and Information Technology (EIT) to Federal Employees and the General Public with Disabilities

Offerors are informed that any resultant contract awarded under this solicitation may be subject to Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) as amended by the Workforce Investment Act of 1998 (P.L. 105-220). Specifically, subsection 508(a)(1) requires that when the Federal Government procures EIT, the EIT must allow Federal employees and individuals of the public with disabilities comparable access to and use of information and data that is provided to Federal employees and individuals of the public without disabilities.

E. Costs for Proposal Submission

This solicitation does not commit the Government to pay any cost for the preparation and submission of a proposal. In addition, the Contracting Officer is the only individual who can legally commit the Government to the expenditure of public funds in connection with the proposed acquisition.

F. Double-Sided Copies and Recycled Paper

Offerors should submit proposals utilizing recycled paper and photocopied on both sides.

G. Official Contract File Documents

Offerors are informed that proposals submitted in response to this solicitation may become part of the official contract file. **The proposal must be signed by an official authorized to bind your organization.**

H. Proposal Evaluation

The Government will evaluate proposals in accordance with the proposal instructions and evaluation criteria set forth in RFP Sections L and M.

I. Statement of Acceptance of Terms and Conditions

The business proposal must stipulate that it is predicated upon all the terms and conditions of this RFP. In addition, pursuant to FAR 52.215-1, the proposal must contain a statement to the effect that it is a firm offer for a period of at least 180 days from the date specified for receipt of offers by the Government (refer to RFP Section L.15).

Therefore, Offerors are encouraged not to take exception to this RFP. However, in the event that exceptions are taken, Offerors must include a statement in their proposal transmittal cover letter stating that they are taking exception to the RFP. Additionally, Offerors must provide a detailed list of any exception(s) including the RFP Section, clause, paragraph and page number as a separate attachment to their transmittal letter.

J. Past Performance Information

Offerors are advised that CMS will evaluated past performance utilizing all or a combination of the following: (1) information obtained from the NIH Contractor Performance System (CPS) database, (2) information submitted for Offerors as provided in their technical proposal (refer to Section L.14) and (3) information available to Government through other sources known to CMS.

Offerors shall include all past performance information described in Section L.14 for the Mandatory and/or Sub-National Directed and Sub-National Optional Requirements (if proposed) for each relevant contract that it (or its major subcontractors) is currently performing or have performed during the past three (3) years. Relevant past performance is defined as “performance of work that is the same or similar in scope, size, magnitude and complexity as the work required under this solicitation.”

The Government will utilize the Section J, Attachment 19 Past Performance Questionnaire to obtain information from references. References shall submit their responses directly to the Contracting Officer with seven (7) calendar days after the proposal due date (see cover letter). CMS will inform the Offeror of those references that have not responded by the date specified. CMS reserves the right to contact references other than those identified by the Offeror to supplement the evaluation of the Offeror’s past performance.

Past performance will be evaluated utilizing the criteria in RFP Section M.13.

L.12. STATEMENT OF WORK MANDATORY REQUIREMENTS

Offerors are advised that the following Section C Statement of Work requirements are mandatory:

C.1. Background and Overview
C.2. Contract Purpose
C.3. Technical Considerations
C.4. General Requirements
C.5. Overall Evaluation
C.6. Theme Requirements and Evaluation
- Theme 6.1 Beneficiary Protection
- Theme 6.2 Patient Safety
  - Pressure Ulcers
  - Physical Restraints
  - Surgical Care Improvement Project
  - Methicillin-resistant Staphylococcus aureus
  - Drug Safety
  - Poorly Performing Nursing Homes
- Theme 6.3 Prevention

1. Eligibility to Submit Proposals for Sub-National Optional Requirements (Theme 7.2 and Theme 7.3)

Offerors must submit proposals that address these mandatory requirements in order to be eligible to submit proposals for the Sub-National Optional requirements, Theme 7.2 Patient Pathways (Care Transitions) and/or Theme 7.3 Prevention Chronic Kidney Disease.

2. Eligibility to Submit Proposals for Sub-National Directed Requirement (Theme 7.1)

Theme 7.1 Prevention Disparities Sub-National Directed Requirement is restricted to Offerors submitting competitive proposals for the states of California, Mississippi, North Carolina, New York, Oklahoma, and South Carolina. Offerors submitting proposals for these states must submit a proposal to perform the Theme 7.1 Prevention Disparities Sub-National requirement.

3. Evaluation of Sub-National Requirements Proposals

In order for CMS to evaluate and give consideration to proposals submitted for the Sub-National requirements, (Theme 7.1 Prevention Disparities (limited to the states identified in paragraph 2, above), Theme 7.2 Patient Pathways (Care Transitions) and/or Theme 7.3 Prevention Chronic Kidney Disease, the Offeror's proposal for the "Mandatory

Requirements" must be determined to be technically acceptable. Refer to Section L.14 and Section M for additional information concerning the technical and business evaluations.

4. Award of Sub-National Requirements

Offerors are informed that CMS will award the Sub-National requirements based upon the authority provided in Section 1153(e)(2) and Section 1154(a)(8) of the Social Security Act. Accordingly, CMS will first award the 9th SOW QIO contract for the "Mandatory Requirements" to the successful QIO for each of the competitive states. After contract award, CMS will modify the successful QIO's 9th SOW QIO contract to incorporate the Sub-National Requirement(s) provided the successful QIO is determined to have submitted a Sub-National Requirement(s) proposal that is in the "Sub-National Requirement Competitive Range" and eligible for contract award through the modification process. Refer to Section M for additional information concerning the technical and business evaluations and award.

L.13. PROPOSAL FORMAT

A. Binding and Labeling

Offerors shall use three-ring binders for each volume of their technical and business proposals. Volume numbers and contents are detailed in paragraph C. Proposal Volumes, below. A binder cover sheet shall be affixed to each volume, which clearly identifies the RFP number, the Offeror's name and address, the volume contents (i.e., technical proposal or business proposal), volume number, copy number (i.e., cop 2 of 4). The original volumes shall be marked **"ORIGINAL"** and all other copies shall be marked **"COPY # ___ of ____."** Offerors shall label boxes with the Offeror's name, and **"box #___ of ___."**

B. Page Size, Typing, Spacing and Page Numbering (Applies to Technical Proposal Only)

1. Page size shall be 8.5 by 11 inches unless otherwise indicated. Foldouts will count as two pages.
2. The proposal shall be page numbered.
3. Submit proposals, to the extent possible, on high-grade white paper, which can berecycled.
4. Type size shall not be less than 12-point font type Times New Roman.
5. Each page shall be single-spaced and shall not be compressed. Each page shall have a 1" margin on all 4 sides; header and footer information may be contained within the 1" area.

6. Proposal text headings shall be no smaller than 10-point Arial Narrow Bold.
7. Table text shall be no smaller than 8-point Arial-Narrow, single-line spacing, and no compression.
8. Proposal Graphics shall be no smaller than 8-point Arial Narrow, single-line spacing, and no compression.
9. The Contracting Officer, at his/her discretion, shall have the authority to waive minor deviations from the above specifications. If an Offeror would like to request a deviation from the listed specifications, then the Offeror must submit this request in writing to the Contracting Officer at least two (2) weeks prior to the date proposals are due.

C. Proposal Volumes

Technical and business proposals shall be submitted in separate volumes and clearly labeled, "Technical Proposal" and "Business Proposal" as instructed in paragraph "A. Binding and Labeling," above. Each of the proposals shall be separate and complete in itself so that evaluation of one may be accomplished independently of evaluation of the other. Under no circumstances shall the Offeror include costs in the technical proposal. Resource information should be provided so that the Offeror's understanding of the scope of the work may be evaluated.

The original volumes of the technical proposals listed below shall also include one (1) CD-ROM version of the technical proposal in Word-Version 2003. The original volumes of the business proposals listed below shall also include three (3) CD-ROM versions of the business proposal in Excel-Version 2003.

The proposals shall be organized in volumes as follows:

Volume	**Contents**	**Number of Copies**
1 Technical	Theme 6.1 Beneficiary Protection Theme 6.2 Patient Safety Theme 6.3 Prevention	1 original and 6 copies
2 Business	Theme 6.1 Beneficiary Protection Theme 6.2 Patient Safety Theme 6.3 Prevention Information Systems	1 original and 6 copies
3 Technical	Theme 7.1 Prevention—Disparities**	1 original and 6 copies
4 Business	Theme 7.1 Prevention—Disparities**	1 original and 6 copies

(Proposal submission for Theme 7.1 is restricted under this**

competitive RFP. Offerors submitting proposals for the States of California, Mississippi, North Carolina, New York, Oklahoma, and South Carolina must also submit a proposal for Theme 7.1.)

5 Technical	Theme 7.2 Patient Pathways (Care Transitions)—Optional	1 original and 6 copies
6 Business	Theme 7.2 Patient Pathways (Care Transitions)—Optional	1 original and 6 copies
7 Technical	Theme 7.3 Prevention Chronic Kidney Disease--Optional	1 original and 6 copies
8 Business	Theme 7.3 Prevention Chronic Kidney Disease—Optional	1 original and 6 copies
9 Governance	Corporate Governance Policies (Section H.9)	1 original and 3 copies
10 IT Security	Information Systems Security Plan	1 original and 3 copies

L.14 TECHNICAL PROPOSAL ORGANIZATION AND CONTENT

The following instructions establish the acceptable minimum requirements for the format and content of proposals. Offerors are informed that pages provided beyond the limits may be discarded and not reviewed or evaluated.

A. Volume 1 - Theme 6.1 Beneficiary Protection, Theme 6.2 Patient Safety, and Theme 6.3 Prevention

1. Organization

Tab	Content	Page Limit
1	Table of Contents	N/A
2	Technical Understanding and Approach	30 pages
3	Project/Management Plan • Performance Management Process And System	10 pages
4	Add'l Technical Considerations for Theme 6.2 Patient Safety	10 pages
5	Add'l Technical Considerations for Theme 6.3 Prevention	10 pages
6	Personnel (page limit includes Staffing Plan) • Staffing Plan • Resumes of Key Staff to manage	10 pages N/A

	the Theme	
	(Include Letters of Commitment if proposed Staff are not currently employed by your organization.)	N/A
7	Past Performance	N/A

2. Content

Volume 1 – Tab 1 Table of Contents

Volume 1 – Tab 2 Technical Understanding and Approach

The technical proposal shall demonstrate that the Offeror possesses a clear specific understanding of the work to be performed utilizing a sound technical approach for each of the Theme areas including Theme 6.1- Beneficiary Protection, Theme 6.2 - Patient Safety, Theme 6.3 - Prevention. CMS will evaluate and assess the Offeror's understanding of the work statement and approach to meet the technical requirements based upon the Offeror's proposal. CMS will consider the following characteristics of your technical proposal during the evaluation process:

a. Technical quality of the Offeror's proposed strategies to accomplish each task and subtask of the work statement—this includes feasibility, efficiency, and degree of uniqueness/innovation displayed by proposed strategies;

b. Specific major activities proposed by Offeror in discussion of how strategies will be implemented to fit with and support feasibility of proposed strategies;

c. Perceived impediments/barriers/challenges identified in work statement are in fact substantial challenges and are correctly classified as general or contract-specific challenges to success in QIO work;

d. Offeror identifies feasible, practical responses/solutions to identified impediments/barriers/challenges to contract success;

e. For all requirements to submit documentation of stakeholder support, the presence and content of stakeholder support documented in submission; and

f. Where an environmental scan is required, CMS will specifically consider its quality, thoroughness, and the depth of understanding of the task as demonstrated by depth and completeness of understanding of relevant environmental factors as reflected by environmental scan and the degree to which proposed technical approach fits with variables and conditions identified by the scan.

Volume 1 – Tab 3 Project/Management Plan

a. Offeror's management structure supports proposed project/ management plan and efficient, effective implementation of proposed strategies.

b. Explain in detail the performance management process and system that will be used to monitor, in real-time, progress at meeting desired goals.

Volume 1 – Tab 4 Additional Technical Considerations for Theme 6.2 Patient Safety

In addition to the information noted above, you must supply the following information so that we may assess your ability to maximize the recruitment of nursing homes and hospitals in your contract region.

In responding to this requirement, each QIO must:

a. submit an Excel spreadsheet containing the two letter abbreviation for the QIO state in cell A2 and a number corresponding to the total number of Nursing Homes the QIO is agreeing to recruit for working on Pressure Ulcers for this RFP in cell B2. Cell B3 should include an estimate of the total number of hospitals located in the same county as these nursing homes the QIO is agreeing to recruit for purposes of working on hospital pressure ulcers for this RFP. Cell C2 should include an estimate of the total number of nursing homes the QIO is agreeing to recruit for working to reduce the use of physical restraints for this RFP. Cell D2 should include an estimate of the total number of hospitals the QIO is agreeing to recruit for purposes of working on the SCIP outcome measures. Cell A1 should contain the date the proposal was prepared, Cell B1 should contain the name of the QIO submitting the proposal, Cell C1 should contain the name of the point of contact for the QIO should there be any questions, and Cell D1 should contain the point of contact's telephone number.

b. Submit a separate list for each component reflecting the names of all facilities identified from Attachment J-17 as intended provider groups for recruitment. Submit a companion list for each of the "J-17" lists reflecting the names of all facilities identified as part of the "up to 15% of total" allowance as intended provider groups for recruitment. Indicate on each list the percentage of total facilities intended for recruitment under each component represented by that list. In no case may the total number of facilities chosen for recruitment under any component be greater than the "maximum" number listed in Table A in the SOW for that state, except as

indicated in explanatory comments. Submit a separate list of all facilities from the J-17, by component that reflects the names of those facilities that are erroneously on the list, as indicated in the explanatory comments for Table A.

c. Outline how you will structure yourself to align with the Patient Safety Theme and effectively work with your chosen provider groups in each of the different components of Patient Safety, including how you will allocate travel funds for key staff members

c. As outlined under the Patient Safety Activities Section, #7- Describe how you will incorporate available resources (including existing CMS initiatives and staff) to convene and organize meetings of key staff members to advance quality improvement initiative and patient safety

d. Describe your team's plan for moving the Patient Safety measures and how your designated staff will assist in achieving the Patient Safety goals

e. As outlined under the Patient Safety Activities Section, #5, describe how you will structure yourself to obtain executive leadership agreement (CEO/CFO/Medical Director) for participation in Patient Safety quality improvement initiatives and how this will be maintained throughout the contract period.

f. Describe cost-effective methods you will use to transfer knowledge and gain acceptance from participating providers of the Patient Safety work in your respective area

g. Methicillian resistant staphylococcus aureus (MRSA): The proposal shall describe how the Offeror will work with the Centers for Disease Controls' National Healthcare Safety Network (NHSN). The NHSN system involves roughly 600 hospitals. Potential contractors should be prepared to make contact with NHSN hospitals who voluntarily report hospital infections though the CDC's electronic system as well as recruit other hospitals within the QIO catchment area to participate as an NHSN hospital. QIOs should be prepared to assist participating hospitals in expanding MRSA reporting as outlined by the CDC.

h. Nursing Homes In Need: The proposal shall provide a brief statement of this component in the QIO's own words. The QIO shall demonstrate an understanding of quality problems in poorly performing nursing homes, the ability to perform root cause analyses, ability to assist in the development and implementation of

action plans based on the analyses, and providing effective intervention strategies.

i. The QIO shall prepare a clear, concise presentation of the technical approach chosen for each Sub-Task. This must be complete and address the required elements of each Sub-Task. The QIO should provide sufficient detail indicating technical understanding and capability for performing the requirements of each Sub-Task.

The technical approach should be specific and complete enough to clearly demonstrate that the QIO understands and can respond to the intent of the contract. Proposals will be considered technically unacceptable if the Sub-Task is simply restated or promises to carry out requested activities without providing substantial descriptions of the strategy. Similarly, proposals that merely represent extensive discussions that elaborate on general principles of performance evaluation designs are not acceptable.

Specific topics to be addressed include:

- A statement of the background and need for the Task and a discussion of potential problems that can arise in the process of performing this Task.
- The proposed technical approach to carrying out the work described in the Task, including a detailed outline of the tasks to be undertaken.
- A detailed description of how data will be managed for this project.
- A discussion of the specific analyses to be undertaken, including a discussion of why these were selected over other possibilities.

Volume 1 – Tab 5 Additional Technical Considerations for Theme 6.3 Prevention (Core Contract or Mandatory Requirements)

Greater consideration will be given for these evaluation criteria to those QIOs that can demonstrate an ability to recruit practices in an efficient and effective manner that meet the eligibility criteria as is outlined in the statement of work.

Number and identity of practices:
In responding to this RFP for this component, each QIO must first prepare two documents:

a. The first document will be an Excel spreadsheet containing the name and two letter abbreviation of the QIO submitting the proposal in cell A2; the name of the point of contact for the QIO

should there be any questions in A3; the point of contact's telephone number in A4; the total number of Physician Practices the QIO is agreeing to recruit for this RFP in cell B2; and the proposed cost for working with each practice in cell B3.

b. The second document will be an Excel spreadsheet identifying the practices the QIO believes it can recruit for this work. The Excel spreadsheet shall contain the two letter abbreviation for the state of each practice in cell A2; the name of each practice in cell B2; the address of each practice in cell C2; and the definition of the practice, e.g. solo, group, etc. as outlined in the statement of work in cell D2.

Volume 1 – Tab 6 Personnel

CMS will evaluate the Offeror's description of proposed staff (key, non-key and subcontractor personnel) for extent to which the Offeror demonstrates and documents the necessary expertise to successfully perform the contract. This includes the degree to which the Offeror demonstrates it can acquire and train the appropriate staff with limited learning curve during the three (3) year effort.

In additional, the contractor is required to submit a staffing chart for the proposed FTE for each of the theme area. Labor hours and FTEs are required. Do not include labor rates and indirect rates in this section.

The offeror's proposal will be evaluated on the degree to which the staffing plan demonstrates the offeror's ability to provide qualified personnel in sufficient numbers to perform the work under the contract. The Government will evaluate the degree to which:

- the offeror demonstrates its ability to assemble a team with the appropriate skills to meet the requirements of the SOW;
- the offeror's proposed labor mix accurately reflects the offeror's technical understanding of the SOW; and
- the offeror's proposal presents and describes its rationale and method for staffing the contract that can be accomplished.

The offeror shall identify and provide resumes for all key personnel for each Theme. Each resume shall contain sufficient detail to clearly demonstrate the candidate is qualified for the position proposed. Each resume shall contain, at a minimum, the following information:

- Name and position.
- Educational background, including academic degrees and the year conferred.

- Technical training, including program year completions.
- Years of applicable experience.
- Citizenship.
- Immediate availability
- History of applicable employment experience and the technical qualifications relevant to the SOW and labor categories.
- History of other experience and professional accomplishments that the offeror may wish to present to demonstrate the qualifications of the proposed candidate. (Note: Include a Letter of Commitment for each proposed staff who is not currently employed by your organization.)

The offeror shall submit a staffing plan for each Theme area that presents its methodologies for providing qualified personnel in sufficient numbers for each CLIN of the contract and for ensuring its proposed team, including subcontractors, has the skills to meet the requirements stated in the SOW. The offeror shall provide a proposed labor mix that demonstrates an accurate and effective understanding of the technical requirements of the SOW. The offeror shall demonstrate an appropriate understanding to handling the workloads for the number and types of providers in the jurisdiction, including the FTEs (labeled as prime or subcontractor) required to perform the tasks within the business functions. The offeror shall provide a summary of the roles and responsibilities of each labor category with the associated FTEs, including subcontractor labor categories.

Volume 1 – Tab 7 Past Performance

The Offeror shall describe in detail the commercial and/or government contracts it has performed in the past three years that demonstrate experience in completing requirements similar or related to this solicitation. At a minimum, offerors shall furnish the following information for each project/contract cited:

- A brief description of the project/contract. Include any additional information that will further describe the activities/functions performed and demonstrate the relationship of such experience to the requirements of this solicitation;
- Show the type of contract, dollar value of contract at time of award, cumulative dollar value of contract at closure, and period of performance. Indicate whether or not contract renewal options were exercised;
- The name, address (including city, state and zip code), telephone number (with area code), and e-mail address of the Government Project Officer/Contracting Officer's Technical Representative (COTR) or comparable official; AND of the cognizant Government

Contracting Officer or comparable official. The offeror shall be responsible for ensuring those names, phone numbers, and e-mail addresses are current as of the date of proposal submission.

In order to facilitate the Government's evaluation of the offeror's past performance, the following protocol is hereby established for this solicitation. The Government may also use past performance information from sources other than those included in the offeror's proposal. The Government reserves the right to make only 2 attempts to contact any given reference. Therefore, it is the responsibility of the offeror to ensure that the appropriate point of contact for any and all references is aware that they may be contacted relative to this solicitation.

B. Volume 3 – Theme 7.1 Prevention—Disparities
(Proposal submission for Theme 7.1 is restricted under this competitive RFP to the States of California, Mississippi, North Carolina, New York, Oklahoma, and South Carolina.)

1. Organization

Tab	Content	Page Limit
1	Table of Contents	N/A
2	Technical Understanding and Approach	20 pages
3	Number and Identity of Participating Practices	N/A
4	Personnel (page limit includes Staffing Plan)	10 pages
	• Staffing Plan	
	• Resumes of Key Staff to manage the Theme	N/A
	(include Letters of Commitment for all Proposed staff if not currently employed by your organization)	N/A
5	Internal Evaluation Plan (page limit excludes Excel Spreadsheets)	6 pages
6	Past Performance	N/A

2. Content
Volume 3 – Tab 1 Table of Contents

Volume 3 – Tab 2 Technical Understanding and Approach
The proposal should include, at a minimum, the contractor's strategy for recruitment of practices and beneficiaries, any potential barriers to recruitment, a marketing/recruitment plan, a work plan that includes proposed trainings, and training sites for CMS approved diabetes self-management programs, and any potential barriers to trainings. Additionally, each contractor will state proposed stakeholders, resources,

and experts they will partner with to improve diabetes measures among Medicare underserved populations

Volume 3 – Tab 3 Number and Identity of Participating Practices
The proposal for this component, must include two documents:

a. The first document will be an Excel spreadsheet. Cell A2 will contain the two letter abbreviation for the QIO state. Cell B2 will contain a number corresponding to the total number of Physician Practices the QIO is agreeing to recruit for this RFP. Cell B3 should include an estimate of the total number of underserved diabetes patients included within cell B2. Cell A1 should contain the date the proposal was prepared. Cell B1 should contain the name of the QIO submitting the proposal. Cell C1 should contain the name of the point of contact for the QIO should there be any questions. Cell D1 should contain the point of contact's telephone number

b. The second document will be an Excel spreadsheet containing the name and address of each organization that is expected to participate in this task. Additional documentation will include the type of organization (e.g., physician practice, health center, senior center, church, etc.), total number of Medicare diabetes patients, and number of underserved diabetes patients (note: for non-physician practice locations estimates are acceptable). Indicate whether or not this organization worked with the QIO in the 8th scope of work on Task 1d2 (yes, no, or "qualified yes", meaning yes with conditions such as "yes, but dropped out", or "yes, but not fully cooperative"). Indicator as to whether or not the physician practice now has a functioning electronic health record (EHR), and indicate whether or not the practice site is participating in PQRI, if possible. This document, should the proposal be accepted, will be forwarded to the national contractor for Prevention Evaluation at the start of the 9th scope of work.

Volume 3 – Tab 4 Personnel
CMS will evaluate the Offeror's description of proposed staff (key, non-key and subcontractor personnel) for extent to which the Offeror demonstrates and documents the necessary expertise to successfully perform the contract. This includes the degree to which the Offeror demonstrates it can acquire and train the appropriate staff with limited learning curve during the three (3) year effort.

In additional, the contractor is required to submit a staffing chart for the proposed FTE for each of the theme area. Labor hours and FTEs are required. Do not include labor rates and indirect rates in this section.

The offeror's proposal will be evaluated on the degree to which the staffing plan demonstrates the offeror's ability to provide qualified personnel in sufficient numbers to perform the work under the contract. The Government will evaluate the degree to which:

- the offeror demonstrates its ability to assemble a team with the appropriate skills to meet the requirements of the SOW;
- the offeror's proposed labor mix accurately reflects the offeror's technical understanding of the SOW; and
- the offeror's proposal presents and describes its rationale and method for staffing the contract that can be accomplished.

b. The offeror shall identify and provide resumes for all key personnel for each Theme. Each resume shall contain sufficient detail to clearly demonstrate the candidate is qualified for the position proposed. Each resume shall contain, at a minimum, the following information:

- Name and position.
- Educational background, including academic degrees and the year conferred.
- Technical training, including program year completions.
- Years of applicable experience.
- Citizenship.
- Immediate availability
- History of applicable employment experience and the technical qualifications relevant to the SOW and labor categories.
- History of other experience and professional accomplishments that the offeror may wish to present to demonstrate the qualifications of the proposed candidate. (Note: Include a Letter of Commitment for each proposed staff who is not currently employed by your organization.)

The offeror shall submit a staffing plan for each Theme area that presents its methodologies for providing qualified personnel in sufficient numbers for each CLIN of the contract and for ensuring its proposed team, including subcontractors, has the skills to meet the requirements stated in the SOW. The offeror shall provide a proposed labor mix that demonstrates an accurate and effective understanding of the technical requirements of the SOW. The offeror shall demonstrate an appropriate understanding to handling the workloads for the number and types of providers in the jurisdiction, including the FTEs (labeled as prime or subcontractor) required to perform the tasks within the business functions.

The offeror shall provide a summary of the roles and responsibilities of each labor category with the associated FTEs, including subcontractor labor categories.

Volume 3 – Tab 5 Internal Evaluation Plan
The proposal must explain in detail the performance management process and system that will be used to monitor, in real-time, progress at meeting desired goals, such as an internal quality control (IQC) plan.

Volume 3 – Tab 6 Past Performance
The Offeror shall describe in detail the commercial and/or government contracts it has performed in the past three years that demonstrate experience in completing requirements similar or related to this solicitation. At a minimum, offerors shall furnish the following information for each project/contract cited:

- A brief description of the project/contract. Include any additional information that will further describe the activities/functions performed and demonstrate the relationship of such experience to the requirements of this solicitation;
- Show the type of contract, dollar value of contract at time of award, cumulative dollar value of contract at closure, and period of performance. Indicate whether or not contract renewal options were exercised;
- The name, address (including city, state and zip code), telephone number (with area code), and e-mail address of the Government Project Officer/Contracting Officer's Technical Representative (COTR) or comparable official; AND of the cognizant Government Contracting Officer or comparable official. The offeror shall be responsible for ensuring those names, phone numbers, and e-mail addresses are current as of the date of proposal submission.

In order to facilitate the Government's evaluation of the offeror's past performance, the following protocol is hereby established for this solicitation. The Government may also use past performance information from sources other than those included in the offeror's proposal. The Government reserves the right to make only 2 attempts to contact any given reference. Therefore, it is the responsibility of the offeror to ensure that the appropriate point of contact for any and all references is aware that they may be contacted relative to this solicitation.

C. Volume 5 – Theme 7.2 Patient Pathways (Care Transitions)

1. Organization

Tab	Content	Page Limit
1	Table of Contents	N/A

2	Technical Understanding and Approach	15 pages
3	Improvement Potential	10 pages
4	Personnel and Capabilities	10 pages
	• Resumes of Key Staff	N/A
	(Include Letters of Commitment if proposed staff is not currently employed by your organization)	
6	Past Performance	N/A

2. Content

Volume 5 – Tab 1 Table of Contents

Volume 5 – Tab 2 Technical Understanding and Approach

The proposed technical approach must address the following areas:

The offeror must propose a geographic area in which to carry out the work contained in the Patient Pathways (Care Transitions) Theme and characterize the proposed geographic area in the following ways:

1. The presence of (and likelihood of sustaining) the will to pursue improvements in care across settings. This might arise from, for example, personal commitments of area leaders, demographic changes, and local plans to reduce hospital bed supply, or other considerations. The evidence may include, among other considerations:

    a. The presence of cooperative interventions across settings such as Certified Value Exchanges (CVEs), shared protocols, quality review, standards, or cooperative investment in needed services.

    b. The status of readiness for cooperation among providers on information technology, including RHIOs (Regional Health Information Organizations) and commitment to use the Continuity Assessment Record and Evaluation (CARE) instrument.

2. The presence of various drivers of unreliable, inappropriate, or wasteful services affecting re-hospitalization rates, and the degree to which they offer opportunities for improvement in quality, such as:

    a. Specific medical conditions which have a substantial prevalence and cost to Medicare, and for which coordination of care has been shown to improve outcomes;

b. Relative rates of re-hospitalization for Medicare beneficiaries;

c. Relative rates of Intensive Care Unit (ICU) services or specialist physician services for Medicare beneficiaries; and

d. Relative rates of utilization of other services for Medicare beneficiaries selected by the QIO.

3. A population that is defined with precision and that is expected to be reasonably stable for at least three years, and also that is appropriate for evaluation of a statistically significant impact of no less than 2% in the 30-day all-cause re-hospitalization after all-cause discharge measure (Measure 0-4) at the end of the contract (1% over the duration of the contract). The proposal may target a more substantial impact. The Technical proposal must show the calculation which confirms that the population is large enough to detect the targeted reduction in re-hospitalization (at least an 80% threshold for the likelihood of detecting the change at a $p<0.05$ level). QIOs may use:

   a. Geopolitical boundaries of the residence of the beneficiaries;

   b. Hospital Referral Regions (HRRs) and/or Hospital Service Areas (HSAs)

   c. Multiple hospital-associated extended hospital medical staffs

   d. Other methods by which to determine a reliable and stable denominator population that matches the provider community.

4. A characterization of the target Medicare population, including, as possible, estimate of the following elements:

   a. Age
   b. Socio-economic status
   c. Ethnicity and language
   d. Mortality
   e. Rates of illnesses, causes of hospitalization or re-hospitalization
   f. Utilization of Medicare-covered services (e.g., from the Dartmouth Atlas)
   g. Potentially avoidable hospitalizations (e.g., using Healthcare Cost and Utilization Project (HCUP) and the Agency for Healthcare Research and Quality (AHRQ) definitions)

h. Hospital-specific and regional rates of ICU use and re-hospitalization

i. Evidence as to the presence and severity of identifiable groups of beneficiaries that experience more substantial shortcomings in care at the time of transitions, or more substantial risk of re-hospitalization.

5. A description of any particular opportunities to address disparities or any particular risks of exacerbating disparities. A characterization of the health services delivery arrangements in the target population, including explanation of the leverage points for improvement.

6. An estimate of the expected size of the contribution of each institutional or organizational provider (with the provider name and Medicare provider number) to the overall number of transitions involving Medicare patients.

7. The technical approach must include a plan to overcome the resistance (e.g., this is someone else's problem, this is too hard, and Medicare isn't paying me to do this).

8. The technical approach must address concurrent forces such as payer/purchaser initiatives, Medicare activities such as Reporting Healthcare Quality Data for Annual Payment Update and value-based purchasing.

9. The technical approach must identify the priority change concepts to be employed and the community leaders who will support them and the nature of that support.

10. The technical approach must explain how quality improvement theory will be applied to the problem and what internal quality control and improvement methods will be used by the QIO. A conceptual framework is useful if it applies directly and concretely to the proposed approach and specific tasks.

11. The technical approach must include a concrete and detailed plan supported by specific collaborators, and an approach to solving anticipated and unanticipated barriers.

12. The technical approach must identify specific aims for the first 18 months of the contract. You may subcontract with trade and professional organizations to achieve these aims.

13. For members of the following groups, the proposal shall enumerate the members of each group, any working relationship that the QIO has established with each, and any commitments that these organizations will make to the project:

    a. State and Local Government: Department of health, licensing agencies, public health agencies, mayoral and welfare offices.

    b. Healthcare Practitioners and Providers: Includes dialysis facilities, health plans, hospitals, home health agencies, hospices, nursing homes, and physician practices and clinics serving the target community as well as their professional and trade organizations.

    c. Purchasers and Payers. Includes insurers, major employers, Medicaid, and related entities.

    d. Service and Advocacy. Senior centers, advocacy groups, and other groups that can convey messages to Medicare beneficiaries.

    e. Community Coordination. Regional health initiatives, community campaigns, and other activities.

Volume 5 – Tab 3 Improvement Potential

The proposal must address the following areas:

1. The community need.
2. The impact/maximum improvement in the quality of care for Medicare beneficiaries.
3. Potential to yield improvement in re-hospitalization rates.
4. Potential to provide evidence that the target community is a cohesive health care environment that will enable the QIO to carry out the work outlined in the proposal.
5. The proposal must make a credible case that, by the third year of the contract, trust fund savings through averted hospitalizations will fully offset project outlays during that year.
6. The QIO must define minimum recruitment and participation thresholds for each provider type to ensure sufficient participation to impact the re-hospitalization outcome measures at 28-months. The QIO should note that Measure O-4 is a community level measure, whereas O-5a, b, and c are measures of individual hospital accountability. If a QIO is unable to achieve maximum recruitment with the hospital providers in the geographic area, the QIO needs to provide information about the numbers of discharges (or beds) so CMS can better understand why the lack of this a

hospital is (or is not) essential to the overall impact of the project. SNFs and HHAs are also very important

Volume 5 – Tab 4 Personnel and Capabilities
The proposal shall address the following areas:

1. Describe the QIO's experience in working with the entities enumerated above. This description should focus on the QIO's role in working cooperatively and catalyzing systems change and should not simply consist of a catalog of contacts.

2. Explain precisely who will be facilitating between and among community players and his/her skill sets and experience that suggests that he/she can adequately work in this complex arena.

3. A curriculum vitae (resume) is required for key personnel. (Include Letters of Commitment if proposed staff is not currently employed by your organization.)

Volume 5 – Tab 5 Past Performance
The Offeror shall describe in detail the commercial and/or government contracts it has performed in the past three years that demonstrate experience in completing requirements similar or related to this solicitation. At a minimum, offerors shall furnish the following information for each project/contract cited:

- A brief description of the project/contract. Include any additional information that will further describe the activities/functions performed and demonstrate the relationship of such experience to the requirements of this solicitation;
- Show the type of contract, dollar value of contract at time of award, cumulative dollar value of contract at closure, and period of performance. Indicate whether or not contract renewal options were exercised;
- The name, address (including city, state and zip code), telephone number (with area code), and e-mail address of the Government Project Officer/Contracting Officer's Technical Representative (COTR) or comparable official; AND of the cognizant Government Contracting Officer or comparable official. The offeror shall be responsible for ensuring those names, phone numbers, and e-mail addresses are current as of the date of proposal submission.

In order to facilitate the Government's evaluation of the offeror's past performance, the following protocol is hereby established for this solicitation. The Government may also use past performance information from sources other than those included in the offeror's proposal. The

Government reserves the right to make only 2 attempts to contact any given reference. Therefore, it is the responsibility of the offeror to ensure that the appropriate point of contact for any and all references is aware that they may be contacted relative to this solicitation.

D. Volume 7 – Theme 7.3 Prevention Chronic Kidney Disease

1. Organization

Tab	Content	Page Limit
1	Table of Contents	N/A
2	Demonstrated Need for Improvement in the Defined Areas for CKD	15 pages
3	Proposed Design for Meeting CKD Goal (page limit includes sub-elements below) • Creativity in addressing specified tasks • Foster Medicare provider's participation • Health Information Technology • Reduction in Disparities in CKD Focus Areas	25 pages
4	Community Collaboration for System Change	10 pages
5	Contractor System Capacity and Competency in the Area of CKD (page limit includes sub-elements below) • Technical Understanding • Past Experience/Key Personnel • Project Management Plan	20 pages
6.	Past Performance	N/A

2. Content

Volume 7 – Tab 1 Table of Contents

Volume 7 – Tab 2 Demonstrated Need for Improvement in the Defined Areas for CKD

The proposal shall detail the demonstrated need in the state with a clear purpose for proposed activities. In addition, describe the problem the QIO is attempting to address and the extent of the need for the proposed program as demonstrated through baseline level population analysis and other methods.

Volume 7 – Tab 3 Proposed Design for Meeting CKD Goal

a. Creativity in addressing the specified tasks, including the selection, design, and monitoring. The proposal should include a clear work plan that addresses all the requirements of the SOW, and clearly specifies how the required activities will meet the objectives and how they will be performed and make success likely. The technical approach should address any barriers the QIO anticipates will be

material to the success of the program and strategy or methods the QIO believes likely to be effective at overcoming these barriers. Some objectives may reflect the process by which the program or activity is developed, while others will reflect the actual quality impact or outcome that results. Include the measurable and time based objectives for the project period that will help achieve the goal of the CKD area. A “logic model,” or causal relationship, should be evident among the long term objectives, process objectives, and activities. Describe in detail a plan for systems based activities, and methods for achieving each. Describe how progress, the achievement of program objectives, and the effectives of program activities will be monitored and evaluated. Describe how data will be collected, analyzed, and used to improve the program.

b. The proposal shall foster Medicare providers’ participation and performance in CMS sponsored or endorsed quality initiatives that are in-keeping with the SOW in the area of CKD, with a comprehensive plan tied to activities for meeting objective with a likelihood of success. The proposal shall be consistent with CMS quality initiatives in the same clinical area. The proposal shall describe the technical assistance to Medicare providers in the area of quality improvement and/or other permissible activities, in keeping with QIO statutory authority, for CMS sponsored or endorsed initiatives such as the Value Charter Health Exchanges and PQRI, that foster achievement of the QIO goal in the area of CKD, as outlined in the SOW. Activities proposed should be commensurate with the experience and contract responsibilities of a QIO and should not pose a conflict of interest or other areas of concern. Application should establish targets and methods for monitoring achievement on a regular basis. Achievement of targets and outcomes should be directly linked to the activities proposed.

c. Health Information Technology: The proposal should include a component that supports the HIT adoption and implementation of clinical components that align with the clinical focus areas of the CKD task. The plan must establish specific targets, and include quarterly benchmarks and deliverables that ensure achievement of CKD targets. The proposal should include the fully developed plan for recruitment of providers that will implement EHRs to improve clinical outcome measures for CKD.

d. Reduction in Disparities in the CKD Focus Areas: The proposal shall include a comprehensive plan for a reduction in disparities. It is expected that all proposals include components that monitor disparities and have provisions in-place for adjustments when

quality interventions have an inverse affect. To receive points in this area, the plan must include specific areas of focus, baseline information, and methods for monitoring on-going impact, and targets for achievement that result in a reduction in disparities, above what would normally be realized outside of the special focus.

Volume 7 – Tab 4 Community Collaborations for System Change
The proposal should describe the type and degrees of partnership supporting the QIO goal in the area of CKD, and the proposed collaboratives, coalitions, etc. that have already been established or that may be expected. The approach should include contractor knowledge and ability to contact and interact with stakeholders to obtain related information and services.

Volume 7 – Tab 5 Contractor System Capacity and Competency in the Area of CKD

a. Technical Understanding: The proposal should demonstrate a thorough understanding of the goals for the CKD task, focus areas, requirements, and tasks. Examples of factors that will be considered:
   - Scope of planned activities;
   - Risk mitigation: Potential problems that could arise during performance of the work and the plan for overcoming them;
   - Description of data, how it will be obtained and managed; and
   - Knowledge of the clinical focus area and populations involved.

b. Past Experience / Key Personnel: Describe past experience under projects for the same or similar work. Such past experience shall include related projects completed or current within the last five years. Identify key personnel to be utilized under the proposed CKD work, including: educational background; professional experience; special qualifications; whether the person is an employee, an employee of a proposed subcontractor, or a consultant; how they will be integrated organizationally; their proposed responsibilities; and the percentage of time dedicated to the work in CKD. Design what tasks will be performed by the prime contractor, by a subcontractor, and by a consultant.

c. Project Management Plan: The project management plan should lay out how the project will be organized and managed; how tasks will be sequenced, in what time frames; and what management control and coordination tools will be used to assure the timely and successful conduct of the proposed Task Order. The plan should identify the process for handling tasks

that may occur simultaneously and lines of communication among all of the responsible partners.

Volume 7 – Tab 6 Past Performance

The Offeror shall describe in detail the commercial and/or government contracts it has performed in the past three years that demonstrate experience in completing requirements similar or related to this solicitation. At a minimum, offerors shall furnish the following information for each project/contract cited:

- A brief description of the project/contract. Include any additional information that will further describe the activities/functions performed and demonstrate the relationship of such experience to the requirements of this solicitation;
- Show the type of contract, dollar value of contract at time of award, cumulative dollar value of contract at closure, and period of performance. Indicate whether or not contract renewal options were exercised;
- The name, address (including city, state and zip code), telephone number (with area code), and e-mail address of the Government Project Officer/Contracting Officer's Technical Representative (COTR) or comparable official; AND of the cognizant Government Contracting Officer or comparable official. The offeror shall be responsible for ensuring those names, phone numbers, and e-mail addresses are current as of the date of proposal submission.

In order to facilitate the Government's evaluation of the offeror's past performance, the following protocol is hereby established for this solicitation. The Government may also use past performance information from sources other than those included in the offeror's proposal. The Government reserves the right to make only 2 attempts to contact any given reference. Therefore, it is the responsibility of the offeror to ensure that the appropriate point of contact for any and all references is aware that they may be contacted relative to this solicitation.

E. Volume 9 – Corporate Governance Policies

1. Organization

Tab	Content	Page Limit
1	Table of Contents	N/A
2	Organizational Structure	N/A
3	Comparison Chart	N/A
4	Policies, Procedures, etc.	N/A
5	Waver (if required)	N/A

2. Content

Volume 9 – Tab 1 Table of Contents

Volume 9 – Tab 2 Organizational Structure
Offerors should submit an organizational structure chart that depicts the relationships between the parent company and its subsidiaries (if applicable). This structure should also include Business Units, Divisions, etc.

Volume 9 – Tab 3 Comparison Chart
The proposal shall contain a chart which compares the RFP Section H.9 Governnance Requirements against the Offerors Corporate Governance Policies, Procedures, etc. The chart shall be constructed such that it is easily apparent to the reader where there is an element of the corporate governance structure that is not in conformance with the Section H.9 requirement.

Volume 9 – Tab 4 Policies, Procedures, etc.
This tab shall contain the Corporate Governance Policies, Procedures and other documents relating to the governance of the Offeror in sufficient detail to permit a review by the Government to verify that the Offeror has met the Section H.9 requirements.

Volume 9 – Tab 5 Waiver
In the event an Offeror's Corporate Governance Policies, Procedures, etc. do not conform to Section H.9., a Waiver must be submitted at the time of proposal submission. The Waiver shall specify the specific Section H.9 Governance requirement that the Offeror has failed to achieve, the timeframe in which the Offeror will achieve the requirement, or a detailed rationale and justification for failing to achieve the Section H.9 specific requirement. Supporting documents, as necessary should also be submitted.

Offerors should note that it is not the Government's intention to request large volumes of information for this review. Therefore, only sufficient corporate governance documents (or sections of these documents) should be submitted.

F. Volume 10 – Information Systems Security Plan

1. Organization

Tab	Content	Page Limit
1	Table of Contents	N/A
2	System Security Plan	N/A
3	Management Plan	N/A
4	Attestation	N/A

2. Content

Volume 10 – Tab 1 Table of Contents

Volume 10 – Tab 2 System Security Plan
The proposal shall include the Offeror's Information Security Documentation consisting of a System Security Plan(s) for general support systems, major applications, and other systems to be used with the CMS shared systems.

Volume 10 – Tab 3 Management Plan
The proposed shall include the Offeror's proposed security management plan, organizational approach, and structure to support compliance with the security requirements.

Volume 10 – Tab 4 Attestation
An attestation signed by the Offeror's Chief Information Officer or Chief Executive Officer to demonstrate the Offeror's compliance with the Health Insurance Portability and Accountability Act security requirements set forth in 45 CFR Parts 160, 162 and 164.

L.15. BUSINESS PROPOSAL INSTRUCTIONS

The Offeror's business proposal must stipulate that it is predicated upon the terms and conditions of this solicitation. In addition, it must contain a statement to the effect that it is firm for a period of **at least 180 days** from the date specified for receipt of offers by the Government.

Section L Business Proposal Instructions are further supplemented by the following Section J Attachments:

- Attachment J-7 Budget Assumptions
- Attachment J-8 Business Proposal Format—This document contains detailed instructions for business proposal development as well as information on format and forms
- Attachment J-8a 9th SOW Business Proposal Format Spreadsheet
- Attachment J-8a 9th SOW Disparities Business Proposal Spreadsheet Format
- Attachment J-8a 9th SOW Patient Pathways Business Proposal Spreadsheet Format
- Attachment J-8a 9th SOW CKD Business Proposal Spreadsheet Format

Offerors must follow the Section J Spreadsheet formats for development of their business proposal. These spreadsheet templates indicate the levels of proposed costs that are to be provided to the extent that the Offeror's accounting system is able to capture cost data for that particular section.

Offerors are informed that pursuant to HHSAR 315.404-4, when facilities capital cost of money (cost of capital committed to facilities) is included an an item of

cost, a reduction in the fee objective shall be made in an amount equal to the amount of facilities capital cost of money proposed/claimed. This effectively makes the inclusion of cost of money in a proposal as an element of cost irrelevant.

L.16. BUSINESS PROPOSAL ORGANIZATION AND CONTENT

The following instructions establish the acceptable minimum requirements for the format and content of business proposals. Offerors are informed that the Government will conduct a cost analysis and a cost realism analysis. Therefore, Offerors must submit sufficient detailed narrative rationale and supporting documentation to justify the proposed cost. (Note: There are no page limitations for the business proposals.)

A. Volume 2 – Theme 6.1 Beneficiary Protection,
Theme 6.2 Patient Safety, and
Theme 6.3 Prevention

1. Organization

Tab	Content
1	Table of Contents
2	Business Proposal Forms and Support Schedules
3	Business Proposal Assumptions and Other Narrative
4	Indirect Rates
5	Uncompensated Overtime
6	Subcontracts
7	Equipment and Property
8	Adequate Accounting System
9	Contract Forms, Representations and Certifications
10	Responsibility Determination
11	Subcontracting Plan

2. Content

Volume 2 – Tab 1 Table of Contents

Volume 2 – Tab 2 Business Proposal Forms and Support Schedules
This Tab should have the hard copy of the Section J-8 and J-8a forms (except those for the Sub-National Directed and Optional Requirements (Theme 7.1, 7.2, and 7.3).

Volume 2 – Tab 3 Business Proposal Assumptions and Other Narrative
Offerors shall provide all proposal assumptions in detail that are used in preparing their business proposal spreadsheet submission. Assumptions should include rationale for all business proposal elements.

The business proposal narratives shall be used to support the business proposal spreadsheets and include, at a minimum, the following:

Labor:

- The offeror's proposed labor rates shall be supported with payroll information, letters of intent or salary survey information.
- If the labor rates are escalated, the offeror shall provide rationale for the proposed escalation rate.
- The offeror's productive labor hours for exempt and non-exempt employees.
- The offeror shall provide the basis of estimate and detailed rationale for all travel.
- The offeror shall submit a copy of their corporate travel policy.
- ODCs: The offeror shall provide the basis of estimate and detailed rationale for each item of ODC.
- Fee: The offeror shall provide the basis of estimate and detailed rationale for all proposed fee. The offeror shall also disclose if any fees are added to the subcontractors.

Volume 2 – Tab 4 Indirect Rates (Provisional Rates)

QIOs must provide specific support for their proposed indirect rates as part of the 9th scope proposal submission. The indirect rates contained in the 9th scope proposal will not only be utilized to evaluate the overall reasonableness of the proposal, but will also be the vehicle for the establishment of the provisional rates for the 9th scope and consequently the indirect ceilings for the 9th scope. The review of the 9th scope proposal, as well as the review and establishment of the indirect provisional rates, will be conducted by cost analysts within the OAGM of CMS. This is a revision to the previous process where CMS utilized DCAA to review and establish the provisional rates.

In order to review and establish indirect provisional rates, your 9th scope proposal must contain a separate section detailing those rates and their corresponding support in the following format and schedules:

Schedule A: On this schedule you should provide a summary of the indirect rates you are proposing. The summary should indicate the total pool expenses and the corresponding allocation base, together with the resultant proposed rate for each indirect rate utilized in your proposal. This schedule must also include a narrative descriptive explanation of the allocation base utilized for each indirect rate.

Schedule B: This schedule will be needed for each indirect rate you are including in your proposal. Consequently, if you have a fringe rate and G&A rate, you will need two schedules as outlined below. The schedule should include a detailed listing of the various general ledger

accounts/titles and corresponding amount within the indirect pool. The schedule should include, at a minimum, the following columns and contain the necessary corresponding details.

- Column 1: Account Title
- Column 2: Most recent completed fiscal year's claimed amounts (ie. prior year's actuals)
- Column 3: Most recent in-process fiscal year amounts (ie. YTD actuals for the current year)
- Column 4: Total Budget before adjustments for 9th Scope Indirect Rates
- Column 5: Amounts related to the following items:
  - Adjustments directly related to Section G of the solicitation
  - Unallowable Costs
- Column 6: Net Budget/Provisional Amounts and Rate (Column 4-Column 5)

Schedule C: A schedule summarizing the following information:

- Proposed Indirect Rates
- Current Provisional Rates
- Estimated Indirect Rates at the End of Current Year
- Provisional Indirect Rates from last two fiscal years
- Actual Indirect Rate from last two fiscal years

Additional Information:

If there is any change in the overhead structure planned for the next year, it must be fully documented and explained.

For CAS covered contracts requiring a Disclosure Statement, any indicated change in overhead structure must be accompanied with the appropriate CAS Disclosure Statement change.

Volume 2 – Tab 5 Uncompensated Overtime
Offerors are required to include a copy of its policy on "uncompensated overtime" with the business proposal (FAR 52.237-10). Uncompensated overtime is defined as "hours worked without additional compensation in excess of an average of 40 hours per week by direct charge employees who are exempt from the Fair Labor Standards Act."

Volume 2 – Tab 6 Subcontracts
The offeror's business proposal narrative submission shall include the following subcontract information to be evaluated:

a. The supplies or services to be subcontracted with identification of associated SOW tasks;
b. Identification of the type of subcontract to be used (e.g. Time- and-Material, Firm Fixed Price);
c. Proposed subcontract price; and,
d. Flow down of appropriate FAR and prime contract clause from prime contractor.
e. Subcontractor Business Proposal
f. Certificate of Current Cost or Pricing Data; as appropriate,
g. Subcontract Negotiation Memorandum reflecting:

(1) The principal elements of the subcontract price negotiations;
(2) The most significant considerations controlling establishment of initial or revised prices;
(3) The reason cost or pricing data were or were not required;
(4) The extent, if any, to which the offeror relied on the subcontractor's cost or pricing data in determining the price objective and in negotiating the final price;
(5) The extent to which it was recognized in the negotiation that the subcontractor's cost and pricing data were not accurate, complete or current; the action taken by the offeror and the subcontract; and the effect of any such defective data on the total price negotiated;
(6) The reasons for any significant difference between the offeror's price objective and the price negotiated; and,
(7) A complete explanation of the incentive fee or profit plan when incentives are used. The explanation shall identify each critical performance element, management decision used to quantify each incentive element, reasons for the incentives, and a summary of all trade-off possibilities considered.

h. Extent to which adequate price competition was obtained, or justification for its absence.
i. Statement as to whether the proposed subcontractor is on the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

Volume 2 – Tab 7 Equipment and Property

Equipment to be purchased:
If additional equipment must be acquired, you must include in your business proposal the description and estimated cost of each item and whether you propose to furnish the item with your own funds.

Government Property:

It is the Department of Health and Human Services' (HHS) policy that

contractors provide all equipment and facilities necessary for performance of the contract; however, in some instances, an exception may be granted to furnish government owned property or to authorize a purchase with contract funds.

1. You must identify all government-owned property in your possession and all property acquired from federal funds, to which you have title, which is proposed to be used in the performance of the prospective contract.

2. The management and control of government property must be in accordance with HHS Publication OS-686 entitled, "Contractor's Guide to Control of Government Property (1990)," which can be accessed at http://www.knownet.hhs.gov/log/AgencyPolicy/HHSLogPolicy/contractorsguide.htm

3. Offerors will be provided Government Property in accordance with Attachment J-11.

   (Note: At the time of issuance of this RFP, the Government does not have a complete list of GFP that will be furnished. In a follow-up amendment to this RFP that is anticipated to be released within two (2) weeks, Offerors will be provided a list of GFP that will be supplied.)

Volume 2 – Tab 8 Adequate Accounting System

Offerors shall certify that they have an accounting system that is deemed adequate for receipt of cost reimbursement type government contracts. The offeror shall certify that the accounting system and estimating system is in compliance with applicable contract cost principles and procedures of FAR Part 31 as well as FAR Appendix A, Cost Accounting Standards (CAS) in order to be considered for an award of a cost type contract. Offerors shall state if their practices used in estimating cost are consistent with their cost accounting practices used to accumulate, segregate, and report costs.

Volume 2 – Tab 9 Contract Forms, Representations and Certifications

The Offeror shall include a signed, dated, and fully executed package consisting of:

--SF-33, Solicitation, Offer and Award (Block 12: Please note that offers are valid for a period of no less than 180 days); acknowledgement of Amendment(s) if issued

--RFP Amendments (if issued);

--RFP Section B; and

--RFP Section K

Volume 2 – Tab 10 Responsibility Determination
The Contracting Officer will make a responsibility determination in accordance with FAR Subpart 9.1. The offeror shall demonstrate the degree to which it has met each area of responsibility. The offeror shall submit sufficient, current and adequate documentation that demonstrates the offeror has addressed each area of responsibility below. If no information is available, offerors shall state non-applicable. CMS will evaluate and assess the documentation and other available information in making a responsibility determination. The responsibility determination is not point-scored; however, it will be used as a factor in making a recommendation for contract award.

Offeror's Financial Capability: Your proposal must indicate whether you have the necessary financial capacity, working capital, and other resources to perform the contract without assistance from any outside source (If not, indicate the amount required and the anticipated source).

At a minimum, CMS will require that an offeror has a net worth in excess of 10% of the annual total cost-plus-fee. CMS reserves the right to require a higher level of capitalization/net worth and/or guarantees in a particular case, or to require a higher level of financial capability as a condition for exercise of an option of a contract.

Financial Statements: Include a copy of audited financial statements for the past two years. If an audited financial statement is not available, provide the most recent revised, compiled or internally prepared financial statement. Offerors that are newly formed entities will submit the financial statements of the 'parent' company.

Working Capital: In reviewing the financial statement, CMS will apply standard tests to ensure that the company has adequate working capital to operate the contract(s). Standard Form 1407, which is often used for pre-award surveys, identifies these tests. For instance, the amount of cash and cash-equivalents will be compared to near-term liabilities.

Internal Controls – CMS will review any and all available information relating to the offeror's establishment and operational effectiveness of their internal control system designed to provide reasonable assurance financial, programmatic and compliance objectives. Examples of information that CMS may review as evidence of the design and

effectiveness of an offeror's internal control system includes previous Statement on Auditing Standards 70 review results, independent third party reviews of the system, corporate integrity program or other such information as CMS deems appropriate.

Volume 2 Tab 11 – Small Business Subcontracting Plan
Offerors are required to submit a small business subcontracting plan in accordance with Section L.7 and FAR 52.219-9. The small business subcontracting plan shall cover the entire contract period. The offeror shall submit their small business subcontracting plan for each contract period separately (Base Year, Year 1, etc.). A sample plan is provided as Section J, Attachment J-18.

B. Volume 4 – Theme 7.1 Prevention—Disparities

1. Organization

Tab	Content
1	Table of Contents
2	Business Proposal Forms and Support Schedules
3	Business Proposal Assumptions and Other Narrative
4	Subcontracts
5	Equipment and Property

2. Content

Volume 4 – Tab 1 Table of Contents

Volume 4 – Tab 2 Business Proposal Forms and Support Schedules
This Tab should have the hard copy of the Section J-8 and J-8a forms for Theme 7.1

Volume 4 – Tab 3 Business Proposal Assumptions and Other Narrative
Offerors shall provide all proposal assumptions in detail that are used in preparing their business proposal spreadsheet submission. Assumptions should include rationale for all business proposal elements.

The business proposal narratives shall be used to support the business proposal spreadsheets and include, at a minimum, the following:

Labor:

- The offeror's proposed labor rates shall be supported with payroll information, letters of intent or salary survey information.

- If the labor rates are escalated, the offeror shall provide rationale for the proposed escalation rate.
- The offeror's productive labor hours for exempt and non-exempt employees.
- The offeror shall provide the basis of estimate and detailed rationale for all travel.
- The offeror shall submit a copy of their corporate travel policy.
- ODCs: The offeror shall provide the basis of estimate and detailed rationale for each item of ODC.
- Fee: The offeror shall provide the basis of estimate and detailed rationale for all proposed fee. The offeror shall also disclose if any fees are added to the subcontractors.

Volume 4 – Tab 4 Subcontracts

The offeror's business proposal narrative submission shall include the following subcontract information to be evaluated:

a. The supplies or services to be subcontracted with identification of associated SOW tasks;
b. Identification of the type of subcontract to be used (e.g. Time- and-Material, Firm Fixed Price);
c. Proposed subcontract price; and,
d. Flow down of appropriate FAR and prime contract clause from prime contractor.
e. Subcontractor Business Proposal
f. Certificate of Current Cost or Pricing Data; as appropriate,
g. Subcontract Negotiation Memorandum reflecting:

(1) The principal elements of the subcontract price negotiations;
(2) The most significant considerations controlling establishment of initial or revised prices;
(3) The reason cost or pricing data were or were not required;
(4) The extent, if any, to which the offeror relied on the subcontractor's cost or pricing data in determining the price objective and in negotiating the final price;
(5) The extent to which it was recognized in the negotiation that the subcontractor's cost and pricing data were not accurate, complete or current; the action taken by the offeror and the subcontract; and the effect of any such defective data on the total price negotiated;
(6) The reasons for any significant difference between the offeror's price objective and the price negotiated; and,
(7) A complete explanation of the incentive fee or profit plan when incentives are used. The explanation shall identify each critical performance element, management decision used to quantify each incentive element, reasons for the incentives, and a summary of all trade-off possibilities considered.

h. Extent to which adequate price competition was obtained, or justification for its absence.

i. Statement as to whether the proposed subcontractor is on the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

Volume 4 – Tab 5 Equipment and Property

If additional equipment must be acquired, you must include in your business proposal the description and estimated cost of each item and whether you propose to furnish the item with your own funds.

Government Property:

It is the Department of Health and Human Services' (HHS) policy that contractors provide all equipment and facilities necessary for performance of the contract; however, in some instances, an exception may be granted to furnish government owned property or to authorize a purchase with contract funds.

1. You must identify all government-owned property in your possession and all property acquired from federal funds, to which you have title, which is proposed to be used in the performance of the prospective contract.

2. The management and control of government property must be in accordance with HHS Publication OS-686 entitled, "Contractor's Guide to Control of Government Property (1990)," which can be accessed at http://www.knownet.hhs.gov/log/AgencyPolicy/HHSLogPolicy/contractorsguide.htm

3. Offerors will be provided Government Property in accordance with Attachment J-11.

   (Note: At the time of issuance of this RFP, the Government does not have a complete list of GFP that will be furnished. In a follow-up amendment to this RFP that is anticipated to be released within two (2) weeks, Offerors will be provided a list of GFP that will be supplied.)

C. Volume 6 – Theme 7.2 Patient Pathways (Care Transitions)

1. Organization

Tab	Content
1	Table of Contents

2	Business Proposal Forms and Support Schedules
3	Business Proposal Assumptions and Other Narrative
4	Subcontracts
5	Equipment and Property

2. Content

Volume 6 – Tab 1 Table of Contents

Volume 6 – Tab 2 Business Proposal Forms and Support Schedules
This Tab should have the hard copy of the Section J-8 and J-8a forms for Theme 7.2.

Volume 6 – Tab 3 Business Proposal Assumptions and Other Narrative
Offerors shall provide all proposal assumptions in detail that are used in preparing their business proposal spreadsheet submission. Assumptions should include rationale for all business proposal elements.

The business proposal narratives shall be used to support the business proposal spreadsheets and include, at a minimum, the following:

Labor:

- The offeror's proposed labor rates shall be supported with payroll information, letters of intent or salary survey information.
- If the labor rates are escalated, the offeror shall provide rationale for the proposed escalation rate.
- The offeror's productive labor hours for exempt and non-exempt employees.
- The offeror shall provide the basis of estimate and detailed rationale for all travel.
- The offeror shall submit a copy of their corporate travel policy.
- ODCs: The offeror shall provide the basis of estimate and detailed rationale for each item of ODC.
- Fee: The offeror shall provide the basis of estimate and detailed rationale for all proposed fee. The offeror shall also disclose if any fees are added to the subcontractors.

Volume 6 – Tab 4 Subcontracts
The offeror's business proposal narrative submission shall include the following subcontract information to be evaluated:

a. The supplies or services to be subcontracted with identification of associated SOW tasks;

b. Identification of the type of subcontract to be used (e.g. Time- and-Material, Firm Fixed Price);
c. Proposed subcontract price; and,
d. Flow down of appropriate FAR and prime contract clause from prime contractor.
e. Subcontractor Business Proposal
f. Certificate of Current Cost or Pricing Data; as appropriate,
g. Subcontract Negotiation Memorandum reflecting:

(1) The principal elements of the subcontract price negotiations;
(2) The most significant considerations controlling establishment of initial or revised prices;
(3) The reason cost or pricing data were or were not required;
(4) The extent, if any, to which the offeror relied on the subcontractor's cost or pricing data in determining the price objective and in negotiating the final price;
(5) The extent to which it was recognized in the negotiation that the subcontractor's cost and pricing data were not accurate, complete or current; the action taken by the offeror and the subcontract; and the effect of any such defective data on the total price negotiated;
(6) The reasons for any significant difference between the offeror's price objective and the price negotiated; and,
(7) A complete explanation of the incentive fee or profit plan when incentives are used. The explanation shall identify each critical performance element, management decision used to quantify each incentive element, reasons for the incentives, and a summary of all trade-off possibilities considered.

h. Extent to which adequate price competition was obtained, or justification for its absence.
i. Statement as to whether the proposed subcontractor is on the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

Volume 6 – Tab 5 Equipment and Property
If additional equipment must be acquired, you must include in your business proposal the description and estimated cost of each item and whether you propose to furnish the item with your own funds.

Government Property:

It is the Department of Health and Human Services' (HHS) policy that contractors provide all equipment and facilities necessary for performance of the contract; however, in some instances, an exception may be granted to furnish government owned property or to authorize a purchase with contract funds.

1. You must identify all government-owned property in your possession and all property acquired from federal funds, to which you have title, which is proposed to be used in the performance of the prospective contract.

2. The management and control of government property must be in accordance with HHS Publication OS-686 entitled, "Contractor's Guide to Control of Government Property (1990)," which can be accessed at http://www.knownet.hhs.gov/log/AgencyPolicy/HHSLogPolicy/contractorsguide.htm

3. Offerors will be provided Government Property in accordance with Attachment J-11.

   (Note: At the time of issuance of this RFP, the Government does not have a complete list of GFP that will be furnished. In a follow-up amendment to this RFP that is anticipated to be released within two (2) weeks, Offerors will be provided a list of GFP that will be supplied.)

D. Volume 8– Theme 7.3 Prevention Chronic Kidney Disease

1. Organization

Tab	Content
1	Table of Contents
2	Business Proposal Forms and Support Schedules
3	Business Proposal Assumptions and Other Narrative
4	Subcontracts
5	Equipment and Property

2. Content

Volume 8 – Tab 1 Table of Contents

Volume 8 – Tab 2 Business Proposal Forms and Support Schedules
This Tab should have the hard copy of the Section J-8 and J-8a forms for Theme 7.3

Volume 8 – Tab 3 Business Proposal Assumptions and Other Narrative

Offerors shall provide all proposal assumptions in detail that are used in preparing their business proposal spreadsheet submission. Assumptions should include rationale for all business proposal elements.

The business proposal narratives shall be used to support the business proposal spreadsheets and include, at a minimum, the following:

Labor:

- The offeror's proposed labor rates shall be supported with payroll information, letters of intent or salary survey information.
- If the labor rates are escalated, the offeror shall provide rationale for the proposed escalation rate.
- The offeror's productive labor hours for exempt and non-exempt employees.
- The offeror shall provide the basis of estimate and detailed rationale for all travel.
- The offeror shall submit a copy of their corporate travel policy.
- ODCs: The offeror shall provide the basis of estimate and detailed rationale for each item of ODC.
- Fee: The offeror shall provide the basis of estimate and detailed rationale for all proposed fee. The offeror shall also disclose if any fees are added to the subcontractors.

Volume 8 – Tab 4 Subcontracts

The offeror's business proposal narrative submission shall include the following subcontract information to be evaluated:

a. The supplies or services to be subcontracted with identification of associated SOW tasks;
b. Identification of the type of subcontract to be used (e.g. Time- and-Material, Firm Fixed Price);
c. Proposed subcontract price; and,
d. Flow down of appropriate FAR and prime contract clause from prime contractor.
e. Subcontractor Business Proposal
f. Certificate of Current Cost or Pricing Data; as appropriate,
g. Subcontract Negotiation Memorandum reflecting:

(1) The principal elements of the subcontract price negotiations;
(2) The most significant considerations controlling establishment of initial or revised prices;
(3) The reason cost or pricing data were or were not required;
(4) The extent, if any, to which the offeror relied on the subcontractor's cost or pricing data in determining the price objective and in negotiating the final price;

(5) The extent to which it was recognized in the negotiation that the subcontractor's cost and pricing data were not accurate, complete or current; the action taken by the offeror and the subcontract; and the effect of any such defective data on the total price negotiated;
(6) The reasons for any significant difference between the offeror's price objective and the price negotiated; and,
(7) A complete explanation of the incentive fee or profit plan when incentives are used. The explanation shall identify each critical performance element, management decision used to quantify each incentive element, reasons for the incentives, and a summary of all trade-off possibilities considered.

h. Extent to which adequate price competition was obtained, or justification for its absence.

i. Statement as to whether the proposed subcontractor is on the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

Volume 8 – Tab 5 Equipment and Property

If additional equipment must be acquired, you must include in your business proposal the description and estimated cost of each item and whether you propose to furnish the item with your own funds.

Government Property:

It is the Department of Health and Human Services' (HHS) policy that contractors provide all equipment and facilities necessary for performance of the contract; however, in some instances, an exception may be granted to furnish government owned property or to authorize a purchase with contract funds.

1. You must identify all government-owned property in your possession and all property acquired from federal funds, to which you have title, which is proposed to be used in the performance of the prospective contract.

2. The management and control of government property must be in accordance with HHS Publication OS-686 entitled, "Contractor's Guide to Control of Government Property (1990)," which can be accessed at http://www.knownet.hhs.gov/log/AgencyPolicy/HHSLogPolicy/contractorsguide.htm

3. Offerors will be provided Government Property in accordance with Attachment J-11.

(Note: At the time of issuance of this RFP, the Government does not have a complete list of GFP that will be furnished. In a follow-up amendment to this RFP that is anticipated to be released within two (2) weeks, Offerors will be provided a list of GFP that will be supplied.)

L.17. PROPOSAL DELIVERY

Offerors shall submit the appropriate number of technical and business proposals (refer to RFP Section L.13) no later than 12:00 PM local prevailing time (Baltimore, Maryland) on March 11, 2008 to the following address:

Centers for Medicare & Medicare Services (CMS)
Office of Acquisition and Grants Management
7500 Security Boulevard, Mail Stop C2-21-15
Baltimore, MD 21244-1850
Attention: Naomi A. Haney-Ceresa, Contracting Officer
Marked: RFP# CMS-2007-QIO9thSOW-NAHC

NOTE: Offeror's are hereby advised that the place for submission of proposals (CMS Single Site at 7500 Security Boulevard, Baltimore (Woodlawn), Maryland), is a secure building. Therefore, when hand-delivering or utilizing a mail carrier service to deliver proposals, Offeror's should allow for sufficient time to obtain a visitor's parking pass and registration at the Security Guard's desk located in the Central Building (main entrance to the complex).

Please be advised that CMS Security Guards will not accept proposals for CMS staff. Proposal delivery must be made to the exact location stated in this RFP solicitation on or before the date and time specified. The proposal is not considered to be delivered until it is in the hands of the Contract Specialist.

Proposals delivered by a mail carrier service other than the U.S. Postal Service are not accepted in the CMS mailroom and therefore, Offeror's proposals may not be delivered timely to the location and person specified in this RFP solicitation. Offeror's are advised to take this possibility into consideration in determining when and how a proposal must be received at the specified location to meet the date and time requirements. Offeror's are also advised to make sure that the proposal is clearly marked as to:

- The RFP number,
- The date and time for receipt,
- The intended room/cube location,
- The intended recipient,
- The telephone number of the intended recipient, and
- **The State for which the Offeror intends to be considered (see below).**

Offerors who do not follow the above guidance when submitting proposals will be subject to standard security protocols prior to entering the CMS complex.

Offerors will, at a minimum, be subject to a vehicle search and all packages/boxes and their contents may be opened and searched prior to entering the CMS complex.

Proposals submitted after the due date and time will be considered late and not accepted. Refer to FAR 52.215-1 for Late Proposal submissions.

NOTE: OFFERORS ARE INFORMED THAT THEY MUST SUBMIT A SEPARATE AND COMPLETE PROPOSAL FOR EACH STATE FOR WHICH THEY WISH TO BE EVALUATED. THE OFFEROR SHOULD NOT COMINGLE THE PROPOSALS FOR DIFFERENT STATES IN THE SAME PACKAGE. SEPARATE PACKAGES ARE REQUIRED FOR THE PROPOSALS THAT ARE BEING SUBMITTED FOR NUMEROUS STATES (i.e. IF AN OFFEROR DESIRES TO PROPOSE ON TWO STATES – CALIFORNIA AND SOUTH CAROLINA, THEN THE PROPOSALS FOR THE STATE OF CALIFORNIA SHOULD NOT BE SHIPPED WITH THE PROPOSAL FOR CAROLINA. THE PROPOSALS SHOULD BE COMPLETE—ADDRESSES ALL THE REQUIREMENTS AND INCLUDES ALL VOLUMES WITH REQUIRED COPIES—AND SHOULD BE SUBMITTED IN A SEPARATE PACKAGE CLEARLY MARKED FOR THE RESPECTIVE STATE.)

SECTION M - EVALUATION FACTORS FOR AWARD

M.1 GENERAL

In order for proposals to be considered acceptable and eligible for evaluation, they must be prepared in accordance with, and in compliance with, the instructions provided in Section L of this solicitation.

Proposals that merely offer to conduct a program in accordance with the requirements of the Government's Statement of Work, general principles (text book examples) of program evaluation theory, or restatement of the Government's requirements will not be considered technically acceptable or eligible for award.

Offerors are advised that primary consideration will be given to the technical quality of the proposals in the evaluation process. In accordance with FAR 15.101-1(b)(2), all evaluation factors other than cost or price, when combined, are more important than cost or price.

M.2. SPECIAL NOTICE

On December 28, 2007, CMS published an announcement in the Federal Register (Vol. 72, No. 248, page number 73842) informing the public that the following states were determined to be out-of-State QIOs responsible for review in the areas of: Vermont, Wyoming, Maine, Alaska, Idaho, and South Carolina.

Offerors are informed that the State of South Carolina will be openly competed and the Government will give consideration to proposals received from any organization that meets the definition of a QIO.

The States of Vermont, Wyoming, Maine, Alaska and Idaho are only available for open competition in the event that the Government through this RFP process receives a proposal from a qualified In-State QIO. If there are no proposals received from a qualified in-State QIO, then the Government will award the 9th SOW QIO contract on a "renewal basis" to the QIO currently holding the 8th SOW QIO contract for that specific state. The basis of this authority is provided below:

In accordance with Section 1153(i)(2)(B) "…If one or more qualified in-State organizations submit a proposal within the period of time specified under subparagraph (A)(ii), the Secretary shall not automatically renew the current contract on a noncompetitive basis, but shall provide for competition for the contract in the same manner as a new contract under subsection (b).

M.3. SUB-NATIONAL DIRECTED AND OPTIONAL REQUIREMENTS

Theme 7.1 Prevention Disparities (Directed), Theme 7.2 Patient Pathways (Care Transitions) and Theme 7.3 Prevention Chronic Kidney Disease will be awarded after the Government has awarded the 9th SOW QIO contract for the competitive states (includes California, Minnesota, Mississippi, New York, Nevada, North Carolina, Okalahoma, South Carolina). The Sub-National requirements will be awarded based upon the authority provided in Section 1153(e)(2) and Section 1154(a)(8) of the Social Security Act. Under this authority, the Secretary may require a QIO under contract to carry out a review function in addition to any function required to be carried out at the time the Secretary entered into or renewed the contract with the organization, the Secretary shall, before requiring such organization to carry out such additional function, negotiate the necessary contractual modifications, including modifications that provide for an appropriate adjustment (in light of the cost of such additional function) to the amount of reimbursement made to the organization.

Based on the above, technical and business proposals for the Sub-National requirements will be evaluated and a Competitive Range of the most highly rated proposals will be determined. The Sub-National Requirements Competitive Range will also include proposals received from existing QIOs whose 8th SOW QIO contract has been successfully completed and who under the renewal option are noncompetitively receiving contract awards for the 9th QIO SOW contract. The Government anticipates that there will be multiple awards of Sub-National Requirements.

Note: Theme 7.1 Prevention—Disparities Sub-National Requirement is restricted to the following states:

Competitive States:	California, Mississippi, North Carolina, New York, Oklahoma and South Carolina
Renewal States:	Alabama, Arkansas, Arizona, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Massachusetts, Missouri, New Jersey, New Mexico Ohio, Pennsylvania, Puerto Rico, Tennessee, Texas, Virginia, Washington and Wisconsin

M.4. EVALUATION FACTORS FOR AWARD MANDATORY CONTRACT REQUIREMENTS (REFER TO RFP SECTION L.12)

Competitive proposals for Mandatory Contract Requirements submitted in response to this solicitation will be evaluated and adjectivally assessed as follows:

A. Technical Evaluation (listed in descending order of importance)
   - Technical Understanding and Approach
   - Project/Management Plan
   - Personnel

B. Past Performance

C. Cost will also be considered but will not be adjectivally rates. Instead, a cost realism analysis will be performed as provided in Section M.14 below.

Evaluation/review of the Offeror's Governance and Information Systems Security Plan will be conducted. However, these volumes of the proposal will not be included in the adjectival assessment of the technical proposal.

M.5. INFORMATION SYSTEMS SECURITY PLAN EVALUATION

The offeror's Information Systems Security Plan will be evaluated to determine the degree to which the offeror's proposal demonstrates an understanding of CMS policies, procedures, and requirements set forth in the Business Partner System Security Manual found at www.cms.hhs.gov/informationsecurity.

The proposed security management plan, organizational approach, and structure to support compliance with CMS' security requirements will be evaluated to determine the offeror's commitment to security and compliance with CMS' security requirements. The Government will assess the attestations on the HIPAA security rule to determine the offeror's compliance with these requirements.

The Government will include the evaluation of the Information Systems Security Plan in the assessment of risk for contract performance.

M.6. CORPORATE GOVERNANCE POLICIES

The Government will evaluate the Offorer's Corporate Governance Policies for conformance with the RFP Section H.9 Governance Requirements. The Offeror's Corporate Governance Policies must be in conformance prior to contract award. On a case-by-case basis, with proper justification, the Government may elect to waive the Section H.9 Governance Requirements or an element of those requirements.

The Government will include the evaluation of the Offeror's Corporate Governance Policies in the assessment of risk for contract performance.

M.7. EVALUATION FACTORS FOR AWARD BY CONTRACT MODIFICATION OF THEME 7.1 PREVENTION—DISPARITIES

Competitive proposals submitted from Offeror's responding to the eligible states for Theme 7.1 Prevention—Disparities will be evaluated and adjectivally assessed as follows:

A. Technical Evaluation (listed in descending order of importance)
- Technical Understanding and Approach
- Number and Identity of Participating Practices
- Personnel
- Internal Evaluation Plan
- Past Performance

B. Cost will also be considered but will not be adjectivally rated. Instead, a cost realism analysis will be performed as provided in Section M.9 below.

M.8. EVALUATION FACTORS FOR AWARD BY CONTRACT MODIFICATION OF THEME 7.2 PATIENT PATHWAYS (CARE TRANSITIONS)

Competitive proposals submitted from Offeror's responding to the eligible states for Theme 7.2 Patient Pathways (Care Transitions) will be evaluated and adjectivally assessed as follows:

A. Technical Evaluation (listed in descending order of importance)
- Technical Understanding and Approach
- Improvement Potential
- Personnel and Capabilities
- Past Performance

B. Cost will also be considered but will not be adjectivally rates. Instead, a cost realism analysis will be performed as provided in Section M.9 below.

M.9. EVALUATION FACTORS FOR AWARD BY CONTRACT MODIFICATION OF THEME 7.3 PREVENTION CHRONIC KIDNEY DISEASE

Competitive proposals submitted from Offeror's responding to the eligible states for Theme 7.3 Prevention Chronic Kidney Disease will be evaluated and adjectivally assessed as follows:

A. Technical Evaluation (listed in descending order of importance)
- Demonstrated Need for Improvement in the Defined Areas for CKD
- Proposed Design for Meeting CKD Goal

- Community Collaboration for System Change
- Contractor System Capacity and Competency in the Area of CKD
- Past Performance

B. Cost will also be considered but will not be adjectivally rates. Instead, a cost realism analysis will be performed as provided in Section M.9 below.

M.10 ADJECTIVAL EVALUATION METHODOLOGY

The following adjectival evaluation methodology will be use for evaluating the technical proposals for:

Themes 6.1, 6.2, 6.3 based on the evaluation criteria in Section M.4, M.5., M. 6.
Theme 7.1 based upon the evaluation criteria in Section M.7.
Theme 7.2 based upon the evaluation criteria in Section M.8. and
Theme 7.3 based on the evaluation criteria in Section M.9.

Adjectival Rating Methodology

Rating	Description
Exceptional	Offeror's proposal demonstrates exceptional understanding of the requirements, and its approach significantly exceeds performance or capability standards. It has exceptional strengths that will significantly benefit the Government.
Very Good	Offeror's proposal demonstrates a very good understanding of the requirements, and its approach exceeds performance or capability standards. It has one or more strengths that will significantly benefit the Government.
Acceptable	Offeror's proposal demonstrates an acceptable understanding of the requirements, and its approach meets performance or capability standards. Acceptable solution. Few or no strengths.
Marginal	Offeror's proposal demonstrates a shallow understanding of the requirements, and its approach only marginally meets performance or capability standards necessary for minimal but acceptable contract performance.
Unacceptable	Fails to meet performance or capability standards. Requirements can only be met only with major changes in the proposal.

M.11. PHYSICIAN SPONSORED/NON-PHYSICIAN SPONSORED ORGANIZATIONS

The Government, per requirements of Section 1153(b)(1) of the Social Security Act, in selecting the successful Offeror for each competed QIO contract, give priority consideration to organizations meeting the eligibility requirements for undertaking a QIO contract as set forth in Section 1152(1)(A) of the Social Security Act (as implemented and further defined at 42 CFR 475.102) which allows a set number of bonus points during the evaluation process by utilizing the adjectival rating methodology provided below:

5 Points= Very Good	Offeror is certified as a "Physician Sponsored Organization" in accordance with Section 1152(1)(A) of the Social Security Act, as defined and implemented at 42 CFR 475.102(a).
0 Points += Acceptable	Offeror <u>is NOT</u> a "Physician Sponsored Organization" but is a physician-access organization in accordance with Section 1152(1)(B) of the Social Security Act, as defined and implemented at 42 CFR 475.102(b).

Physician Sponsored organizations meeting the eligibility requirements of 42 CFR Section 475.102(a) will for purposes of this evaluation factor receive an adjectival assessment of "Very Good." All other organizations that meet the eligibility requirements for award of a QIO contract—those that are physician-access organizations per 42 CFR 475.102(b) will for the purposes of this evaluation factor be adjectivally assess as "Acceptable."

M.12. PERFORMANCE RISK ASSESSMENT

The Government will assign an overall performance risk assessment to each Offeror's proposal after technical evaluation is completed and an adjectival rating is assigned to the technical requirements and the business evaluation is completed.

In determining performance risk, the Government will assess the relative risks associated with each offeror's proposal and potential performance. Risk is defined as the likelihood that the Government will be negatively impacted by the offeror's failure to meet the negotiated business, technical, management, and schedule performance and cost. Risk is associated with an offeror's proposed approach in meeting the Government's needs and requirements.

Assessment of risk is an integral component of the evaluation. It will serve to inform the evaluators of the likelihood that the offeror's proposed solutions would successfully meet the requirements of this solicitation, within reasonable time frames and funding profiles, without placing unreasonable risk on the

Government. In analyzing the risk of the offeror's proposed solutions, the Government will also consider the offeror's willingness to share in this risk.

Performance Risk Assessment

Rating	Description
No Performance Risk	The proposed solutions successfully meet the requirements of the solicitation. The proposal does not place a performance risk on the Government for successful contract performance.
Moderate Performance Risk	The proposed solutions moderately meet the requirements of the solicitation. The proposal places a moderate risk on the Government for successful contract performance.
High Performance Risk	The proposed solutions fail to meet the requirements of the solicitation. The proposal places the greatest risk on the Government for unsuccessful contract performance.

M.13. PAST PERFORMANCE

The Offeror's past performance will be subjectively assessed based upon consideration of all relevant information submitted by the Offeror (see Section L.14) or otherwise available to CMS. For the purposes of this solicitation, the Government's evaluation of the Offeror's past performance will focus on the areas as defined below:

FAR 42.1501: Past performance is relevant information, for future source selection purposes, regarding a contractor's actions under previously awarded contracts. It includes, for example, the contractor's record of conforming to contract requirements and to standards of good workmanship; the contractor's record of forecasting and controlling costs; the contractor's adherence to contract schedules, including administrative aspects of performance; the contractor's history of reasonableness and cooperative behavior and commitment to customer satisfaction; and, generally, the Offeror's business-like concern for the interest of the customer.

The Government will assess the relative risks associated with each proposal. Performance risks are those associated with an Offeror's likelihood of success in performing the requirements of this solicitation as indicated by the Offeror's record of Past Performance.

The assessment of performance risk is not intended to be a product of a mechanical or mathematical analysis of an Offeror's performance on a list of

contracts, but rather the product of a subject judgment by CMS after it considers all available and relevant information.

The following past performance rating methodology will be utilized for past performance information that is not in the NIH CPS data system (e.g., Offeror-supplied references, etc.):

++/5 Demonstrated Exceptional Performance Based on the Offeror's past performance record, the Offeror's performance was exceptional and consistently exceeded expectations

4 Excellent Based on the Offeror's past performance record, the Offeror's performance frequently exceeded expectations

3 Good Based on the Offeror's past performance record, the Offeror's performance was above average performance with only very minor and insignificant problems

2 Fair Based on the Offeror's past performance record, the Offeror's performance was average in that all requirements were met satisfactorily with few problems

1 Poor Based on the Offeror's past performance record, the Offeror's performance was below average with a significant number of problems in meeting requirement

0 Unsatisfactory Based on the Offeror's past performance record, the Offeror's performance was extraordinarily poor and required a very high degree of management intervention

Offerors are advised that the adjectival descriptors for the NIH CPS data system performance evaluations are worded slightly differently. For all intents and purposes, the rating methodology is basically the same (e.g., 5= Outstanding; 4= Excellent; 3= Good; 2= Fair; 1= Poor; and 0= Unsatisfactory).

NOTE: Past performance ratings will be used in conjunction with technical and business proposal evaluation to determine the competitive range and contract award. This will be given consideration of the past performance evaluation as part of the Offeror's demonstrated ability to meet the needs of its customers.

M.14. BUSINESS PROPOSAL EVALUATION

The business proposal evaluation will consist of a cost analysis utilizing cost or pricing data or information other than cost or pricing data to determine the reasonableness of the proposed costs. Independent of the cost analysis, a cost

realism analysis will also be performed. This process will consist of review and evaluation of specific elements of each Offeror's proposed cost estimate to determine whether the estimated proposed cost elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the unique methods of performance and materials described in the Offeror's technical proposal. The cost realism analysis will be used determine that the Offeror's proposed costs are fair, reasonable, and realistic for the work to be performed.

M.15. AWARD/SELECTION PROCESS FOR MANDATORY CONTRACT REQUIREMENTS

A. Award

Offerors are advised that in order to be eligible to receive a contract award resulting from this solicitation, they must meet the eligibility requirements in Section K.

Award will be made to the Offeror whose proposal meets the terms and conditions of this solicitation and represents the overall best value to the Government. The evaluation process to be utilized in this acquisition will be the "Tradeoff Process" with all evaluation factors other than cost or price, when combined, are more important than cost or price. The "Tradeoff Process" provides for award to other than the lowest priced Offeror or to other than the highest technically rated Offeror. Offerors are advised that primary consideration will be given to the technical quality of the proposals in the evaluation process.

In making a best value award decision, all evaluation factors other than cost/price when combined are significantly more important than cost/price. The Government will evaluate each proposal, perform a cost analysis to determine the costs fair and reasonable, and perform a cost realism analysis.

The Government will not consider the proposals submitted in response to the Sub-National Requirements (Theme 7.1--submission eligibility restricted to the designated states, Theme 7.2 or Theme 7.3) as a factor in the source selection of the successful Offeror receiving the 9th SOW QIO contract for the competitive states. Award of the Sub-National Requirements will be made after the 9th SOW QIO contract is awarded through contract modification in accordance with Section 1153(e)(2).

B. Selection Process

The acceptability or unacceptability of the technical portion of each Offeror's proposal will be based upon an evaluation conducted by a Technical Evaluation Panel (TEP). The TEP will evaluate each proposal in strict conformity with the solicitation evaluation criteria, utilizing written critiques and the adjectival

methodology provided in Section M (see M.2 for Renewal QIO Contracts and M.3. for Competitive Proposals).

The Contracting Officer, in conjunction with the TEP, will evaluate past performance independent of the evaluation of the technical proposals. Past performance will be conducted on those Offerors determined to be technically acceptable utilizing the evaluation methodology in Sections L and M.

In the event that after evaluation of the technical, business and past performance factors, no clear-cut awardee can be established, the Contracting Officer, in conjunction with the TEP, will determine a competitive range of all of the most highly rated proposals. The Contracting Officer may reduce the competitive range for purposes of efficiency in accordance with FAR 15.306(c)(2).

It is the intention that oral or written discussions will be conducted with all Offerors in the competitive range. All aspects of the proposals are subject to discussions including cost, technical approach and contractual terms and conditions. However, the Government reserves the right to make an award without further discussions of the proposals received. Therefore, it is important that your proposal be submitted initially on the most favorable terms from both the technical and cost standpoints.

A final analysis will be made prior to award that will consider the strengths and weaknesses of the technical and business proposals, include a cost/price analysis and a cost realism analysis.

Selection of an Offeror(s) for award(s) will be based on the demonstrated capabilities of the Offeror in relation to the needs of the project as set forth in the solicitation. Award(s) will be made to the Offeror(s) whose proposal meets the terms and conditions of this solicitation and represents the overall best value to the Government.

M.16. AWARD/SELECTION PROCESS FOR SUB-NATIONAL DIRECTED AND OPTIONAL THEME REQUIREMENTS

A. Evaluation and Ranking of Most Highly Rated Proposals

The Sub-National Directed and Optional Theme Requirement proposals will be evaluated in accordance with Section L and M of this solicitation. The Government will conduct negotiations and receive revised proposals for the Sub-National Theme Requirements at the same time in which it negotiates the Mandatory requirements. Award of the Sub-National Theme Requirements will not be made until after the Government has executed the 9th SOW QIO contract for each state.

The Sub-National Theme Requirements will be awarded under the authority of Section 1153(e)(2) and Section 1154(a)(8) of the Social Security Act. Awards

will be made based upon the technical rating, cost and available funding as follows:

Award will be made to the Offeror whose proposal meets the terms and conditions of this solicitation and represents the overall best value to the Government. The evaluation process to be utilized in this acquisition will be the “Tradeoff Process” with all evaluation factors other than cost or price, when combined, are more important than cost or price. The “Tradeoff Process” provides for award to other than the lowest priced Offeror or to other than the highest technically rated Offeror. Offerors are advised that primary consideration will be given to the technical quality of the proposals in the evaluation process.