ADDENDUM TWO, QUESTIONS and ANSWERS

Date: February 28, 2020

To: All Bidders

From:  Julie Schiltz, Annette Walton, Buyer(s)

AS Materiel State Purchasing Bureau

RE: Addendum for Request for Proposal Number 6205 Z1 to be opened March 19, 2020 at 2:00 P.M. Central Time

#### Questions and Answers

Following are the questions submitted and answers provided for the above mentioned Request for Proposal. The questions and answers are to be considered as part of the Request for Proposal. It is the Bidder’s responsibility to check the State Purchasing Bureau website for all addenda or amendments.

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| Question Number | RFP  Section  Reference | RFP  Page Number | Question | State Response |
| 1. | I. PROCUREMENT PROCEDURE H. SUBMISSION OF PROPOSALS | 3 | Assuming the Offeror is not submitting multiple proposals, please confirm that the agency is only requesting one (1) original copy of the Technical Proposal and one (1) original copy of the Cost Proposal? | Yes. |
| 2. | II. TERMS AND CONDITIONS M. PERFORMANCE BOND | 12 | This section states: "The Contractor will be required to supply a bond executed by a corporation authorized to contract surety in the State of Nebraska, payable to the State of Nebraska, which shall be valid for the life of the contract to include any renewal and/or extension periods. The amount of the cashier’s check or bond must $500,000 five hundred thousand dollars. The bond will guarantee that the Contractor will faithfully perform all requirements, terms and conditions of the contract. Failure to comply shall be grounds for forfeiture of the bond as liquidated damages. Amount of forfeiture will be determined by the agency based on loss to the State. The bond will be returned when the contract has been satisfactorily completed as solely determined by the State, after termination or expiration of the contract. ." While Performance bonds may be common for certain types of construction contracts but they are not in paternity testing services contracts.  3.a What was the total dollar amount paid by the agency for of the last full year of the existing Contract?  3.b Is the bond value based directly on the annual value of this project or if not what is it based on?  3.c Would the agency consider waiving or removing the performance bond as inapplicable? | 3.a Out of scope of this RFP, current contract number is 44727 O4.  3.b See 3.c  3.c II. Terms and Conditions M. Performance Bond is hereby amended to $100,000 one hundred thousand dollars. |
| 3. | IV. PAYMENT C. INVOICES | 24 | This section provides a list of the items the service provider will include as part of the monthly invoice as follows:  *a. County name; b. County attorney, if known; c. Mother's name (Last, First, Middle Initial) and social security number; d. Child’s name (Last, First, Middle Initial) and social security number; e. Alleged father(s) name(s) (Last, First, Middle Initial) and social security number(s); f. A unique and anonymized identifying number of test subjects; g. Specimen collection site; and h. Date of specimen collection.*  4.a How and when will the service provider be supplied with identifying information "b. County Attorney"?  4.b Social security numbers are not reliable forms of identification because the social security card lacks a picture of the individual linked to the number. In addition some test participants will not possess a social security card and collecting this type of data creates data security issues for all concerned that are not necessary given a photograph and thumbprint are collected at the time of donation.  Will the agency consider removing or making optional the requirement to collect social security information? This information is not used by the laboratory for identification.  4.c Please provide a representative example of the invoice currently in use.  4.d Does the agency pay for samples that are associated with partial or incomplete cases and if so please describe the process for those billing events and payments? | 4.a. The Contractor will be notified with the identifying information relating to County Attorneys via email following contract execution.  4.b. No, the agency will not consider removing or making optional the requirement to collect social security information. SSN’s are used to pull up the family units on the genetic testing units on the genetic folders in the State’s Child Support system, Children Have A Right To Support (CHARTS). Without the SSN’s listed on the genetic testing bills, all individuals would need to be retrieved on CHARTS using their names or Agency Related Person (ARP) numbers, which would be quite cumbersome.  4.c. This question is out of scope of this RFP. Refer to Section IV. Payment C. Invoices.  4.d. Yes, DHHS will pay for all tests regardless of whether the case is complete or incomplete. All tests shall be invoiced according to section IV.C of the RFP. |
| 4. | V. PROJECT DESCRIPTION AND SCOPE OF WORK B.  PROJECT ENVIRONMENT | 26 | This section indicates there are approximately forty-two (42) tissue collection sites located in various towns and cities and a table listing the 42 location is provided.  5.a Please provide the location address and collection schedule for those collections sites located in CSE offices.  5.b Please provide addresses and collection schedules for those collection sites that are not located in CSE/State/County offices. | 5.a. Addresses for these offices will be provided to the Contractor. The Contractor will need to finalize the collection schedule with each office that meets its particular needs at the time of Contract Award.  5.b. Tests that are collected outside of the locations listed in section V.B may vary and are unknown at this time. For example, an emergency test may need to be collected at a funeral home or jail. |
| 5. | V. PROJECT DESCRIPTION AND SCOPE OF WORK B.  PROJECT ENVIRONMENT | 26 | This section indicates that "*Additional collection sites may be secured by the contractor.*"  6.a Please provide a list of addresses of the vendor-supplied collection sites and the collection schedule for those sites as used under the existing Contract. | This question is out of scope of the RFP |
| 6. | V. PROJECT DESCRIPTION AND SCOPE OF WORK B.  PROJECT ENVIRONMENT | 26 | This section states that "*The five year average with the current contractor is 3,963 genetic tests performed for each year in that period*."  7.a Are the 3,963 "*genetic tests*" cases or individual sample from each of the test participants?  7.b What is the current price per sample for the existing Contract? | 7.a. The genetic tests refers to individual samples.  7.b. Current contract number 44727 O4 |
| 7. | V. PROJECT DESCRIPTION AND SCOPE OF WORK C. SCOE OF WORK 1. Specimen Collection | 26 | This section states (excerpt): "*HHS reserves the right at its sole discretion to direct that the specimen be collected by Contractor within twenty-four (24) hours of such request when in the opinion of DHHS an exigent or emergency circumstance exists".*  8.a Approximately how many of these rush collection requests occur each year? | 8.a. The current total number of such requests statewide are approximately thirty (30) requests annually. |
| 8. | V. PROJECT DESCRIPTION AND SCOPE OF WORK C. SCOPE OF WORK 7. Delivery of Test Results | 27-28 | This section states: The personnel or agent of DHHS requesting the test shall receive a certified and notarized report plus two (2) photocopies of the same for each case. The report shall be sent to the person and office making the referral in a form acceptable to DHHS and shall contain at a minimum: a. Date of sample collection; b. Name of each individual tested and the relationship to the child; racial origin(s) assigned by the laboratory to the mother and alleged father(s) for the purpose of the calculation; c. Description of test(s) performed; d. A statement as to whether or not the alleged father can be excluded; and e. If there is a failure to exclude, the report shall include: i. The individual Paternity Index for each genetic system reported; ii. The cumulative Paternity Index; iii. The probability of parentage expressed as a percentage and calculations used to determine the probability of paternity. iv. Other mathematical or verbal expressions are optional. If they are included in a report, such expressions should be defined and explained. f. The signature of the Laboratory Director, or his/her qualified designee; and g. All photographs taken at the time the samples were drawn, photocopies of all identifications, and all thumbprints taken at that time. The Contractor must store and transmit scanned secured documents electronically. Prior to the delivery of the test results by way of certified and notarized letter, Contractor agrees to notify the appropriate child support enforcement caseworker by way of email of the test results at such time as that result becomes known and available to the Contractor, so that the caseworker has an additional time period to process that particular case.  9.a How are agency offices currently receiving reports and what documents are they receiving?    9.b In addition to providing hard copy versions of test reports this Offeror provides complete case test results via email and over our secure website. Given these options will the agency consider waiving the requirement for the photocopies?  9.c Will the agency provide an example report as used on the current Contract? | 9.a. Current Contractor supplies test results with three (3) original paper certified/verified copies of the test results plus a statement as to chain of custody. The paper copies have an original signature from an authorized person from the test lab. The paper copies also contain a visible seal.  9.b.The first paragraph of section V.C.7 of the RFP is hereby revised to read:  “The personnel or agent of DHHS requesting the test shall receive a certified and notarized report for each case. The report shall be sent to the person and office making the referral in a form acceptable to DHHS and shall contain at a minimum:”    9.c. The State will not be providing an example report from the current contract. Bidder should submit a response that best meets the requirements of the RFP. |
| 9. | V. PROJECT DESCRIPTION AND SCOPE OF WORK C. SCOPE OF WORK 15. Payment for Interstate Cases | 28-29 | This section states: "The Contractor shall comply with all relevant federal regulations, appearing at but not limited to 411 CFR 303.7 which state in part at (e)(1) that “the responding IV-D agency must pay the costs it incurs in processing intergovernmental IV-D cases, including the costs of genetic testing”.  10.a While it is usually the case that the responding agency will pay for the cost of sample testing it is not always a given the agency will pay. Will the HHHS pay these fees when the responsible account will not pay? | 10.a. No, DHHS expects all involved in the intergovernmental child support process,  including the initiating State, the responding State, as well as the Contractor, to be fully bound by all applicable laws relating to  reimbursement for costs, including genetic testing |
| 10. | Cost Proposal Request for Proposal 62011 Z1 |  | 11.a Are any samples collected by agency staff and if so what offices or collection sites are involved and what is the volume of samples collected at each of those locations?    11.b Will the agency consider modifying the price template to accommodate adding reduced pricing for collections performed by agency staff?    11.c Based on our experience with States that have very rural/remote service areas it is many times very expensive or almost impossible to arrange for collections in those remote areas. Will the agency consider covering the costs above a mutually agreed to amount when this scenario is encountered?    11.d Alternatively, and as a way to control cost, will the agency have staff at the very rural/remote areas requesting collections, collect the sample(s)? | 11.a. No samples are collected by DHHS staff.  11.b. DHHS will not consider modifying the price template.  11.c. No  11.d. No |
| 11. | I. Procurement Procedure/Q. Oral Interviews/Presentations and/Or Demonstrations | 6 | If oral presentations/demonstrations are requested, will those be in person or will a bidder be able to present remotely through a web-based service? | If Oral Presentations are requested, the format will be determined after proposals are evaluated. |
| 12. | II. Terms and Conditions/M. Performance Bond | 12 | Would the state consider waiving the performance bond requirement?   The vendor does not invoice for services until testing is completed. | See response to question 2. |
| 13. | III. Contractor Duties/A. Independent Contractor/Obligations | 16 | Will specimen collectors or brick and mortar collections sites (i.e., hospitals, health departments, medical centers) be considered subcontractors under the terms of this solicitation? | Subcontractor is defined as an Individual or entity with whom the contractor enters a contract to perform a portion of the work awarded to the contractor. |
| 14. | V. Project Description and Scope of Work/B. Project Environment | 26 | Please confirm that the reference to 3,963 genetic tests is a count of the individual samples and not the amount of “cases” per year. | See response to question 6. |
| 15. | V. Project Description and Scope of Work/C. Scope of Work/1. Specimen Collection | 26 | Under specimen collection it indicates that the contractor shall provide collections at times specified by DHHS.  This is the practice today however the schedule is inefficient and costly to the vendor who has to provide collections at hospitals in remote areas of Nebraska and also have collectors at some of the larger offices.  Would the state be open to having CSE staff trained to perform collections throughout the state?  The vendor would provide all of the training and materials required for collection.  Currently, many of the collection sites are charging more than the actual fee charged by the vendor.   This typically results in a price reduction and can be an effective solution to increase customer satisfaction and decrease the time it takes from case initiation to results.  If so, should the bidder(s) provide two price scenarios? | See response to question 10 |
| 16. | V. Project Description and Scope of Work/C. Scope of Work/7. Delivery of Test Results | 27 | It states the DHHS requesting agent shall receive a certified and notarized report plus 2 photocopies of the same for each case.  If a bidder has a secure website where results are posted, would the state consider removing the requirement for providing paper copies of reports?  It is costly for the vendor to provide one copy in the mail and adding an additional 2 sets of copies is even more costly when most agencies are able work with electronic copies. | See response to question 8. |
| 17. | V. Project Description and Scope of Work/C. Scope of Work/7. Delivery of Test Results | 28 | States the contractor must store and transmit scanned secured documents.  Please describe the expectation for this. Would having the documents available on s secure website/portal for access as described above meet this requirement? | Information in the hands of the Contractor must be treated as sensitive and confidential, and should be safeguarded. Some documents are sent to DHHS via mail and some come by way of email. Email transmission to DHHS must be secure so that only authorized personnel may gain access. If a secure website/portal accomplishes this task, then it meets this requirement. |
| 18. | General Question |  | It is our understanding that Nebraska Revised Statute 43-1414 addresses an additional procedure for excluded alleged fathers.  This is not addressed in this solicitation and may present challenges for any vendor.  The statute states:  (4) If an alleged father who is tested as part of an action under such sections is found to be the child's father, the testing laboratory shall retain the genetic testing material of the alleged father, mother, and child for no longer than the period of years prescribed by the national standards under which the laboratory is accredited. If a man is found not to be the child's father, the testing laboratory shall destroy the man's genetic testing material in the presence of a witness after such material is used in the paternity action. The witness may be an individual who is a party to the destruction of the genetic testing material. After the man's genetic testing material is destroyed, the testing laboratory shall make and keep a written record of the destruction and have the individual who witnessed the destruction sign the record. The testing laboratory shall also expunge its records regarding the genetic paternity testing performed on the genetic testing material in accordance with the national standards under which the laboratory is accredited. The testing laboratory shall retain the genetic testing material of the mother and child for no longer than the period of years prescribed by the national standards under which the laboratory is accredited. After a testing laboratory destroys an individual's genetic testing material as provided in this subsection, it shall notify the adult individual, or the parent or legal guardian of a minor individual, by certified mail that the genetic testing material was destroyed.    How will the vendor receive the information on the excluded adult individual, or parent or legal guardian?  Certified mail is costly and currently is $3.55 per piece and that does not even include the postage fee.  The vendor would incur this additional cost over and above the added labor for each excluded alleged father.  Would it be sufficient to provide confirmation of destruction to the agency and the agency notify the individual? | First question asks “How will the vendor receive the information…?” There is not enough information provided in the question for the State to provide a response.  The State requires the Contractor to fully comply with all applicable law. That includes but is not limited to Neb. Rev. Stat. 43-1414, which clearly indicates the testing laboratory is responsible for notifying the adult individual, or the parent or legal guarding of a minor individual, by certified mail that the genetic testing material was destroyed. |

This addendum will become part of the Proposal and should be acknowledged with the Request for Proposal response.