

STATE OF COLORADO

REQUEST FOR PROPOSAL COVER SHEET & SIGNATURE PAGE



FILED Document
CO Denver County District Court 2nd JD
Filing Date: Jun 26 2008 4:50PM MDT
Filing ID: 20425969
RFP Number: RFP-S-IN-0803
Review Clerk: Shelly Westman

Date: February 6, 2008

Submit Sealed Proposals to: Department of Regulatory Agencies
Purchasing Office
1560 Broadway, Suite 1550
Denver, CO 80202

Purchasing Agent: Tammy Baca

RFP Submission Deadline: March 10, 2008
2 p.m. (Mountain Time)
Caution: Daily mail may not be received prior to 4 pm.
Vendors are responsible to ensure timely receipt.

Number of Copies: One Original plus
6 BLIND Hard Copies
and One Electronic
Copy on CD/Disk
Required

All Bids Shall be Quoted F.O.B. Destination unless Otherwise Specified

Nursing Peer Health Assistance or Nurse Alternative to Discipline Program

Per the attached specifications, terms and conditions

F.E.I.N.: _____
Delivery Date: _____
Authorized Signature: _____
Typed/Printed Name: _____
Title: _____
Company Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone Number: _____ Fax Number: _____
Contact for Clarifications: _____
Title: _____
Phone Number: _____ Fax Number: _____
E-mail Address: _____

IMPORTANT: The following information must be on the outside of the Bid Return Envelope:

Bid Number -Opening Date and Time

Please be advised that telegraphic or electronic bids (Fax, Western Union, Telex, e-mail, etc.) cannot be accepted in the Purchasing Office as a sealed proposal. Offerors are urged to read the solicitation document thoroughly before submitting a proposal. Offerors are required to submit Federal Employer Identification Number (F.E.I.N.) prior to execution of a contract with the State of Colorado.

RETURN THIS PAGE



Procurement Code

This solicitation is exempt from the State of Colorado Procurement Rules/Code per R-24-101-105-01(a), on the basis that "no State dollars are expended". This solicitation does not require competition and does not need to be posted on Colorado BIDS or otherwise announced. However, pursuant to 12-38-131(3)(a), C.R.S., the Board of Nursing is required to use a competitive bidding process that encourages participation from interested vendors. Therefore, the Department of Regulatory Agencies (DORA) is issuing this RFP to solicit competitive bids. DORA reserves the right to contract with a vendor at any time to provide the services described in the solicitation. This solicitation may be cancelled at any time should it be deemed in DORA's best interest.

The DORA Purchasing Office has elected to post this solicitation on Colorado BIDS, and may post on other relevant Trade Sites to enable DORA to select the vendor that can provide the best business solution for DORA. Any vendor may submit a proposal to this solicitation and does not need to be registered with BIDS. For those vendors who are not registered with BIDS, please contact the Purchasing Agent listed on the first page of this document for copies of all documentation related to this RFP.

The DORA Purchasing Office has determined that there will be a seven (7) day protest period upon issuance of Intent to Award.

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Section 1 – Administrative Requirements

1.1 Official Means of Communication

During the solicitation process for this RFP, all official communication with Offerors will be via notices on Colorado's *BIDS* system. Notices may include any modifications to administrative or performance requirements, answers to inquiries received, clarifications to requirements, and the announcement of the apparent winning Offeror. ***It is incumbent upon Offerors to carefully and regularly monitor BIDS for any such notices.***

1.2 Bid Information and Distribution System (BIDS) and Registration

This solicitation is published using the Colorado Bid Information and Distribution System (BIDS). Offerors must be registered on BIDS in order to download solicitation documents and information. BIDS. Because this solicitation is exempt from Procurement Rules, Offerors do not need to be registered with BIDS. Offerors may request all documentation and updates regarding this solicitation by contacting the Purchasing Officer at tammy.baca@dora.state.co.us.

1.3 RFP Cancellation

The State reserves the right to cancel this entire Request for Proposal or individual phases at any time, without penalty.

1.4 Scope of the RFP/Basis for Award

The purpose of this Request for Proposal (RFP) is to solicit proposals to establish a contract with one or more organizations experienced in providing a Nursing Peer Health Assistance or Nurse Alternative to Discipline program. A numeric evaluation will be conducted, and award will be made to the Offeror whose proposal is determined to be most advantageous to the State considering the evaluation factors set forth in Section 6 below.

1.5 Number of Awards

The State may award one or more contract(s) as a result of this RFP.

1.6 Term of the Contract

This RFP will result in one or more multiple year contracts for periods not to exceed five years. The initial contract will be effective for one year upon approval by the DORA Executive Director. The contract may be renewed for four additional one-year periods, at the sole discretion of the State, contingent upon contractual requirements being satisfied and funds being authorized and available.

1.7 Issuing Office

This Request for Proposal (RFP) is issued for the Department of Regulatory Agencies, Division of Registrations, State Board of Nursing by the DORA Purchasing Office. The DORA Purchasing Office is the sole point of contact concerning this RFP. Offerors should not contact any other state office or individual regarding this RFP.

1.8 Inquiries

Offerors may make email, written or fax inquiries concerning this RFP to obtain clarification of requirements. No inquiries will be accepted after the date and time indicated in the Schedule of Activities. The DORA Purchasing Office prefers that all inquiries be sent by electronic mail with the RFP number in the subject line to:

DORA Purchasing Office
1560 Broadway, Suite 1550
Denver, Colorado 80202
Fax: (303) 8947765
RFP-SJN-0803
Address written or fax inquiries to: Tammy Baca

Response to Offeror's inquiries (if required) will be published as a modification on the BIDS system in a timely manner. Offerors should not rely on any other statements, either written or oral, that alter any specification or other term or condition of the RFP during the open solicitation period. Offerors should not contact any other state office or individual regarding this RFP or this project. Offerors are responsible for monitoring BIDS for publication of modifications to this solicitation.

1.9 News Releases

News releases pertaining to this RFP shall NOT be made prior to execution of the contract without prior written approval by the State.

1.10 Proposal Submission/Copies

Detailed instructions on proposal preparation and submission are in Sections 5 and 6. It is the responsibility of the Offeror to ensure that the DORA Purchasing Office receives the proposal on or before the proposal opening date and time, regardless of the delivery method used. Caution: Daily mail may not be received prior to 4 pm. Vendors are responsible to ensure timely receipt. Telegraphic or electronic proposals (fax, e-mail, etc.) will not be accepted.

The State of Colorado Request for Proposal Cover Sheet MUST be signed in ink, preferably in blue, by the Offeror or an officer of the Offeror legally authorized to bind the Offeror to the proposal. Proposals that are determined to be at a variance with this requirement may not be accepted.

1.11 Proprietary/Confidential Information

Any restrictions of the use or inspection of material contained within the proposal shall be clearly stated in the proposal itself. Written requests for confidentiality shall be submitted by the Offeror with the proposal. The Offeror must state specifically what elements of the proposal are to be considered confidential/proprietary and must state the statutory basis for the request under the Colorado Open Records Act. (Section 24-72-201 *et seq.*, C.R.S.). Confidential/Proprietary information must be readily identified, marked and separated/packaged from the rest of the proposal. Co-mingling of confidential/proprietary and other information is not acceptable. Neither a proposal, in its entirety, nor proposal price information will be considered confidential and proprietary. Any information that will be included in any resulting contract cannot be considered confidential.

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The DORA Purchasing Office will make a written determination as to the apparent validity of any written request for confidentiality. In the event the DORA Purchasing Office does not concur with the Offeror's request for confidentiality, the written determination will be sent to the Offeror. Ref. Section 24-72-201 *et. seq.*, C.R.S., as amended, Colorado Open Records Act.

Offeror(s) acknowledge that they may come into contact with confidential information contained in the records or files of the State in connection with any resulting contract or in connection with the performance of its obligations under any resulting contract. The awarded Offeror(s) shall keep such records and information confidential and shall comply with 12-38-131(5), C.R.S., and all laws and regulations concerning the confidentiality of such records to the same extent as such laws and regulations apply to the State. The awarded Offeror(s) shall notify its employees that they are subject to the confidentiality requirements as set forth above, and shall provide each employee with a written explanation of the confidentiality requirement before the employee is permitted access to confidential data. Awarded Offeror(s) shall provide and maintain a secure environment that ensures confidentiality. The confidentiality of all information will be respected and no confidential information shall be distributed or sold to any third party nor used by awarded Offeror(s) or its assignees and/or subcontractors in any way except as authorized by this contract. Disclosure of such information may be cause for legal action against the awarded Offeror(s). Defense of any such action shall be the sole responsibility of the awarded Offeror(s). Unless directed otherwise, awarded Offeror(s) is required to keep all State information in a secure, confidential manner.

1.12 RFP Response Material Ownership

The State of Colorado has the right to retain the original proposal and other RFP response materials for its files. As such, the State of Colorado may retain or dispose of all copies as is lawfully deemed appropriate. Proposal materials may be reviewed by any person after the "Notice of Intent to Make an Award" letter(s) has/have been issued, subject to the terms of Section 24-72-201 *et seq.*, C.R.S., as amended. The State of Colorado has the right to use any or all information/material presented in reply to the RFP, subject to limitations outlined in the clause, Proprietary/Confidential Information. Offeror expressly agrees that the State may use the materials for all lawful State purposes, including the right to reproduce copies of the material submitted for purposes of evaluation, and to make the information available to the public in accordance with the provisions of the Colorado Open Records Act.

1.13 Acceptance of Proposal Content

The contents of the proposal and the terms of this Request for Proposal will become contractual obligations of the successful Offeror.

1.14 Proposal Costs and Payment Schedule

Costs are expected to be a firm, fixed amount. Estimated costs are not acceptable; costs must be United States funds.

It is expected that the proposed costs submitted in response to this RFP will be sufficient to cover the costs of the first year of the contract. Subsequent to the expiration of the initial one-year period, the awarded vendor may request to increase its costs by providing 30 days written notice to the State. The State may accept, reject, or negotiate such request for increase. Any other requests to increase the costs may be considered at the discretion of the State. Approved work in progress at the time of a requested cost change shall not be subject to the cost increase. If the cost increase is determined to not be in the best interest of the State, the State reserves the right to cancel the contract and resolicit.

1.15 Selection of Successful Proposal and Notice of Intent to Award

The State reserves the right to make an award on receipt of initial proposals, so Offerors are encouraged to submit their most favorable proposal at the time established for receipt of proposals. Offerors not meeting the requirements identified in the RFP shall be ineligible for further consideration. The State may conduct discussions with Offerors in the competitive range for the purpose of promoting understanding of the State's requirements and the offeror's proposal, to clarify requirements, make adjustments in services to be performed, and in costs. Changes to proposals, if permitted, will be requested in writing from Offerors.

Upon review and approval of the evaluation committee's recommendation for award, the DORA Purchasing Office will issue "Notice of Intent Award" letter(s) to all offerors. In addition, an intent to award will be posted on the BIDS system. The State reserves the right to withdraw a "Notice of Intent to Award" letter if it is deemed to be in the State's best interest.

Section 6 provides additional information related to the evaluation and award of this solicitation.

1.16 Parent Company

If an Offeror is owned or controlled by a parent company, the name, main office address and parent company's tax identification number shall be provided in the proposal.

1.17 Certification of Independent Price Determination

1.17.1 By submission of this proposal each Offeror certifies, and in the case of a joint proposal each party, thereto, certifies as to its own organization, that in connection with this procurement:

a) The costs in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such costs with any other Offeror or with any competitor;

b) Unless otherwise required by law, the costs which have been quoted in this proposal have not been knowingly disclosed by the Offeror and will not knowingly be disclosed by the Offeror prior to opening, directly or indirectly to any other Offeror or to any competitor; and

c) No attempt has been made or will be made by the Offeror to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.

1.17.2 Each person signing the Request for Proposal Cover Sheet of this proposal certifies that:

a) He/She is the person in the Offeror's organization responsible within that organization for the decision as to the costs being offered herein and that he has not participated, and will not participate, in any action contrary to 1.17.1(a) through (c) above; or

b) He/She is not the person in the Offeror's organization responsible within that organization for the decision as to the costs being offered herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to 1.17.1(a) through (c) above, and as their agent does hereby so certify; and he has not participated, and will not participate, in any action contrary to 1.17.1(a) through (c) above.

1.17.3 A proposal will not be considered for award where 1.17.1(a) or (c), or 1.17.2 above has been deleted or modified where 1.17.1(b) above has been deleted or modified, the proposal will not be considered for award unless the Offeror furnishes with the proposal a signed statement which sets forth in detail the circumstances of the disclosure and the head of the agency, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

1.18 Standard Contract

Except as modified herein, the standard State Contract Terms and Conditions and the Model Contract included in this RFP as Appendix A, shall govern this procurement and are hereby incorporated by reference. Please note this Model Contract lists the State's required legal provisions but does not include the specific statement of work and requirements for this RFP.

The Offeror is expected to review the attached Model Contract and note exceptions. Offerors agreeing to abide by the requirements of the RFP are also agreeing to abide by the terms of the Model Contract. Unless the Offeror notes exceptions in its proposal, the conditions of the Model Contract will govern. It may be possible to negotiate some of the wording in the final contract, however there are many provisions, such as those contained in the Special Provisions pages, that cannot be changed. Vendors are cautioned that the State believes modifications to the standard provisions, terms and conditions, and Special Provisions constitute increased risk to the State and increased costs. Therefore, the scope of requested exceptions is considered in the evaluation of proposals.

1.19 Legislative Changes

The State of Colorado reserves the right to amend the contract in response to legislative changes that affect this project.

1.20 Order of Precedence

In the event of any conflict or inconsistency between terms of this request for proposal and the offer, such conflict or inconsistency shall be resolved first, by giving effect to the terms and conditions of the contract, second to the request for proposal, and third, to the proposal.

1.21 Venue

The parties agree that venue for any action related to performance of this contract shall be in the State of Colorado.

1.22 Audit

The successful Offeror may be required to have a performance and/or financial audit conducted of the program at least once every three years. If the successful Offeror has not had such an audit prior to awarding of this contract, one may be required to begin within six months of the award of this contract. A complete copy of the audit must be provided to the project manager as identified in the final contract within five working days of its completion. The State will negotiate directly with the Offeror regarding any exceptions or findings from the audit.

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1.23 Compliance with Applicable Laws.

The selected Offeror will be required to administer the program pursuant to all statutory and rule requirements as well as terms and conditions outlined in this RFP, the contract, and any other applicable laws. This requirement includes any work required from the selected Offeror to facilitate the timely execution of the contract. In addition, contracts cannot be executed unless and until the Offeror registers and maintains registration with the Colorado Secretary of State throughout the terms of the contract. The selected Offeror cannot commence any work associated with the RFP until the State has an executed contract in place.

Section 2 – Schedule of Activities & Inquiries

2.1 Schedule Of Activities

Deadline (Mountain Times)

- | | |
|---|---|
| 1. RFP Notice Published On The Bids System
www.gssa.state.co.us | <u>February 6, 2008</u> |
| 2. Prospective Offerors Written Inquiry Deadline
(No Questions Accepted After This Date/Time) | <u>February 15, 2008 10:00 AM</u> |
| 3. Pre-Proposal Conference

Proposal Submission Deadline | <u>[Not Applicable]</u> |
| 4. (One Original plus 6 Blind Hard Copies & One Electronic Copy on CD/Disk
Required) | <u>March 10, 2008 2 PM</u> |
| 5. Oral Presentations/Site Visits (Held at State's Discretion) | <u>To Be Determined</u> |
| 6. Contract Award (initial year - estimated) | <u>May 1, 2008</u> THRU <u>April 30, 2009</u> |
| 7. The Resulting Contract May Be Renewed For <u>4 Additional Years</u> , At The Sole Discretion Of The State. | |

Section 3 – Background Information

3.1 Background

The purpose of the RFP is to solicit proposals for a Nursing Peer Health Assistance Program or a Nurse Alternative to Discipline Program ("the Program"). The Department of Regulatory Agencies, Division of Registrations, State Board of Nursing herein referred to as "the Board", is the agency responsible for licensing and regulating Professional Nurses and Practical Nurses in the State of Colorado.

The Board is authorized under Colorado Revised Statutes (C.R.S.) 12-38-131, to disburse moneys from the Nursing Peer Health Assistance or Nurse Alternative to Discipline Program Fund ("the Fund") to one or more recognized peer assistance and/or alternative to discipline programs for nurses needing assistance in dealing with physical, emotional, psychiatric, psychological, drug abuse, or alcohol abuse problems that may be detrimental to their ability to practice nursing. In order to maintain clarity and consistency, licensed professional nurses and practical nurses will be identified as Program Recipients, and referred to throughout the remainder of the RFP as Recipients.

3.2 Overview

The goal of this program is to offer assistance and education to Colorado Recipients concerning the recognition, identification and prevention of physical, emotional, psychiatric, psychological, drug abuse, or alcohol abuse problems and provide for intervention when necessary or under circumstances that may be established in rules promulgated by the Board; evaluate the extent of physical, emotional, psychiatric, psychological, drug abuse or alcohol abuse and refer the Recipient for appropriate treatment; monitor the status of a Recipient who has been referred for treatment, including assessing continued public protection; provide counseling and support for Recipients and for the family of a Recipient referred for treatment; receive referrals from the Board and make services available to Recipients statewide. It is the intent of the Board to contract with one contractor to provide the desired services.

The number of active licensees as of January 16, 2008 are as follows:

52,983 - Professional Nurses

10,592 - Practical Nurses

Colorado implemented the Nurse Licensure Compact, effective October 1, 2007. At the time that the nurse compact legislation was under consideration in 2006, the fiscal note attached to the legislation estimated the number of licensees who would not be able to renew their Colorado licenses due to the implementation of the Nurse Compact to be 1600 Professional Nurses in Fiscal Year 2008.

The Board licenses approximately 5800 new Professional and Practical nurses each year (this figure includes exam, reinstatement & endorsement applicants). These applicants pay the peer assistance or alternative to discipline fund fee of \$18 as part of the application process and should be considered in the overall number of Recipients who could potentially seek services from the Program.

Currently, the law provides that each nurse who renews his or her license biennially, shall pay, in addition to the biennial license renewal fee, an additional fee of eighteen dollars, credited to the Fund. There are currently approximately 250 Recipients enrolled in the Program. The Program does not apply to Psychiatric Technicians and Certified Nurse Aides.

Funds will be dispersed in future contract renewal years provided the contractor is in compliance with the terms of the contract, passes performance and financial audits as determined by the Board and that the money is available in the Fund and authorized by the Board for disbursement to the Program through the administering entity. All moneys are to be used in the provision of services pursuant to the terms of the contract and not used to obtain other funds including grants, fundraising or other supplemental funding for the contractor. The contractor may not purchase physical assets from moneys distributed from the Fund, unless Board approved. Cost of treatment for a Recipient shall be the responsibility of the Recipient and shall not be funded through the Program.

3.3 Definition of Terms

Term of Contract: 1-year contract with four (4) optional 1-year renewals.

In order to better facilitate Offeror understanding of this RFP, the following definitions apply:

"The Board" refers to the Colorado State Board of Nursing.

"Nursing Peer Health Assistance or Nurse Alternative to Discipline Program" is defined in 12-38-131 C.R.S.

"Administering Entity" means a qualified, nonprofit private entity that is qualified under 26 U.S.C. section 501 (c) (3) of the federal "Internal Revenue Code of 1986", as amended, and shall be dedicated to providing support for charitable, benevolent, educational and scientific purposes that are related to nursing, nursing education, nursing research and science, and other nursing charitable purposes.

The administering entity shall be responsible for the moneys collected pursuant to 12-38-131(1), C.R.S.; to distribute the moneys collected, less expenses, to the approved designated provider, as directed by the Board; to provide an annual accounting to the Board of all amounts collected, expenses incurred, and amounts disbursed; and to post a surety performance bond in the amount specified by the Board to secure performance.

The Board is seeking an outside contractor to assume the responsibility of providing the services of the nursing peer health assistance or nurse alternative to discipline program for Recipients as set forth in this RFP and in C.R.S. 12-38-131. Certain statutory standards (found in C.R.S. 12-38-131) must be met by the potential contractor. The contractor must be in conformance with, and describe or demonstrate how the requirements of C.R.S. 12-38-131 would be complied with, to wit:

Per C.R.S. 12-38-131(3)(a), to be eligible for designation by the Board pursuant to this section, a nursing peer health assistance or nurse alternative to discipline program shall:

I. Offer assistance and education to licensees concerning the recognition, identification, and prevention of physical, emotional, psychiatric, psychological, drug abuse, or alcohol abuse problems and provide for intervention when necessary or under circumstances that may be established in rules promulgated by the Board.

II. Evaluate the extent of physical, emotional, psychiatric, psychological, drug abuse, or alcohol abuse problems and refer the Recipient for appropriate treatment.

III. Monitor the status of a Recipient who has been referred for treatment, including assessing continued public protection.

IV. Provide counseling and support for a Recipient and for the family of a Recipient referred for treatment.

V. Receive referrals from the Board

VI. Make services available to all Recipients statewide

The person, firm, or organization awarded a contract shall provide services, which meet or exceed the statutory requirements previously enumerated.

Any peer assistance or alternative to discipline program which is a federally assisted drug or alcohol abuse program as defined by 42 C.F.R. Part 2 must comply with all applicable requirements of such federal regulations and enabling federal statutes.

Section 4: Statement of Work - Requirements

4.1 Technical Requirements

1. Describe in detail how you would provide a nursing peer health assistance or nurse alternative to discipline program that:

- a. Provides assessment, evaluation, monitoring, support services and case management for Recipients with physical, emotional, psychological, substance use and/or abuse problems.
- b. Shall have qualified staff available either in house or through subcontractors to be dedicated to provide Recipients with the necessary evaluation, education, diagnosis, counseling, test administration and monitoring.
- c. Is available to all potential Recipients statewide in all geographical areas of the state.
- d. Identifies a statewide treatment resource network which includes treatment and screening programs and support groups. Contractor must demonstrate a process for evaluating the effectiveness of such programs.
- e. Provides reports in accordance with time frames set forth below.
- f. Provides testimony by the appropriate person(s) in contested cases if requested by the State. Any testimony shall be provided at the State Division of Registrations' standard rate for the witness' profession
- g. Assures the Contractor and any subcontractors have adequate insurance
- h. Assures that, to the extent practicable, the licensed professionals involved in the evaluation of Recipients shall not also provide treatment of same Recipients. The Contractor must also ensure that such professionals hold an unrestricted license from their respective board(s).
- i. Offers assistance and education to Recipients concerning the recognition, identification, and prevention of physical, emotional, psychiatric, psychological, drug abuse, or alcohol abuse problems and provide intervention when necessary.
- j. Evaluates all Recipients referred to the Contractor, either for participation or for evaluation only. The evaluation shall be sufficient to determine the extent of the Recipient's physical, emotional, psychiatric, psychological, drug abuse, or alcohol abuse problems, if any. Such evaluation shall include an assessment of whether the Recipient is addicted to or dependent on alcohol or habit-forming drugs; or is a habitual user of controlled substances as defined in section 12-22-303(7), or other drugs having similar effects. Such evaluation shall also include an assessment of whether the Recipient has a physical or mental disability that renders the Recipient unable to practice nursing with reasonable skill and safety to patients and which may endanger the health or safety of persons under the Recipient's care.
- k. At a minimum, requires all Recipients to complete a history and physical screening.
- l. Uses current and appropriate urinalysis, blood and other types of screening, and provide an annual update, if requested, to the State on the Contractor's screening procedures.

- m. Provides counseling with a therapist who meets Board approved criteria.
- n. Places all Recipients under a contractual agreement for completion of any treatment recommended by the Contractor. Discharge criteria must be identified in the contract.
- o. Develops a monitoring contract for each Recipient and reports contract compliance and progress to the State. Recipients must be monitored according to the requirements determined by the State as set forth in the Recipient's Stipulation or Final Agency Order ("Order").
- p. Provides written documentation to the State within 24 hours or the next business day, of any Recipients known or believed to be unable to practice with reasonable skill and safety to the patient. Except in the case of Recipients with active cases as defined in paragraph 1 (q) below, this obligation to report shall not apply with respect to those Recipients who are in compliance with the Contractor's recommendations for evaluation, treatment, monitoring and/or work limitations, sufficient for public protection.
- q. For purposes of this Contract, "Recipients with active cases" include those Recipients under current Order from the State to receive an evaluation; treatment referral and/or monitoring with the Contractor; Recipients under a current Agreement to Participate in an alternative to discipline program administered by the Contractor; and those Recipients whose cases were referred to the Office of the Attorney General following a report, referral or evaluation from the Contractor.
- r. Provides notification, written or verbal, by the end of the next working day of any Recipients with active State cases:
- If the Recipient is not in compliance with his or her monitoring contract for more than 2 months
 - If the Recipient has had 2 relapses
- s. Requires on admission an authorization to release information from incoming Recipients for the release to the State (pursuant to a subpoena issued by the State), of each Recipient's records, including records received from other sources in the Contractor's custody. The Contractor shall utilize an authorization to release information, which it obtains from Recipients, that is legally adequate to permit redisclosure to the State of records obtained from other sources and for the State to utilize such records in connection with an investigation, disciplinary action, or other purpose authorized by the Nurse Practice Act. In the case of records that are subject to the requirements of 42 U.S.C Section 290eee-3 and 42 C.F.R. Part 2, the Contractor shall obtain an authorization from each Recipient that meets the requirements for redisclosure found in 42 C.F.R. Section 2.32. Records in the Contractor's custody are subject to subpoena by the State when the Recipient has been referred to the Board for disciplinary action.
- t. Provides services to Recipients whose licenses are suspended and assist them with meeting reinstatement requirements.
- u. Has services available to all Recipients statewide and have program coverage 24 hours a day, 7 days a week.

4.2. Management and Administrative Reporting Requirements

- a. At the request of the State, a review may be made of the performance provided under the terms of the contract six months from the first day of the contract period for any new Contractor and annually each subsequent twelve-month period during the contract term for any contractor, as deemed necessary by the State. This performance review will be conducted at the State's direction in consultation with the Contractor, and at the Contractor's expense.
 - An unsatisfactory review may result in cancellation of the contract
 - The reviewer may determine total service quality, responsiveness, timeliness of required reporting, and any other specifics as required under the terms of this contract. Review results, along with recommendations for change, will be distributed to the Contractor.
 - Should the Contractor desire, a meeting will be arranged between all concerned parties within ten (10) calendar days of the date the Contractor received, or could reasonably have been expected to receive, the review comments. This meeting will provide the Contractor with an opportunity to appeal the review recommendation to the Executive Director of the Department of Regulatory Agencies.

- b. The State retains the right to examine the financial records of the Contractor to determine the use of funds provided pursuant to this contract. The Contractor agrees to undergo a financial audit by a CPA firm of the State's choice, if requested by the State. Such audit will be at the Contractor's expense.

- c. The Contractor shall provide financial statements, including balance sheet and income statement, to the State on a quarterly basis to account for the monies received pursuant to the contract. The Contractor agrees to permit an authorized agent of the State to inspect any other financial records relating to the performance of the contract at a reasonable time and place after notice to the Contractor. It is understood that the Contractor may provide peer assistance programs for persons who are not licensed nurses in Colorado and, if so, the Contractor shall obtain funding for those persons from other sources. The Contractor shall also provide any other financial data requested by the State or its authorized agent.

- d. Contractor must provide quarterly reports to the Board that contains the following service demographics:
 - Current number of participants in the program
 - Number of participants under case management
 - Number of monitoring contracts
 - Number of peer support group session participants
 - Number of assessments completed
 - Number of assessments pending
 - Number of participants terminated without successfully completing the program
 - Number of participants who successfully completed program
 - Number of referrals back to the Board of Nursing for non-compliance
 - Total census
 - Education and Outreach
 - Other contract activity details

- e. The demographic breakdown in the quarterly reports must include:
 - Presenting problems
 - Diversion of drugs
 - Types of drugs diverted
 - Type of initial treatment
 - Length of recovery
 - Relapses
 - Location of participants residence
 - Referral source
 - Marital status
 - Ethnicity
 - Age
 - Practice setting
 - Practice location

4.3 Costs

- a. Quote the total cost per year for providing all services described in this RFP. Costs should be firm, fixed costs for each service provided and a breakdown must be provided as set forth in section 5.3.4 of this RFP. The allocated amount available to fund the 2008 program is dependent upon the actual revenue which is based on the number of licensees in Colorado. The estimated revenue can be derived from section 3.2 Overview. Payment will be disbursed monthly or quarterly for the contract period. Any money received pursuant to a contract with the Board that is unspent by the Contractor by the end of the contract period shall be returned to the administering entity selected by the Board pursuant to the provisions of paragraph 9 (b) of Subsection 12-38-131 for subsequent disbursement.
- b. The funds provided under this contract may be used only for educational, intervention and administrative services and services related to the identification of the physical, emotional, or psychological problems and the evaluation, diagnosis, treatment and monitoring of Colorado Recipients.
- c. Concisely and clearly describe your entity's ability to manage the ongoing costs associated with the ensuing contract. The budget must include an estimate of the number of licensees who will be utilizing each of the services of the program and must also include a breakdown of the various services that will be provided by the program and an estimated cost per participant for each of those services. Such services would include but not be limited to, evaluation of licensees, monitoring of licensees in the program, and preparation of monitoring reports. The Offeror should provide as much detail as possible as to the services that will be provided, how the estimates of the number of licensees accessing those services and the cost of providing the services were derived.
- d. The Offeror shall also provide information as to whether the Offeror will use supplemental or matching funds to offset any of the costs to provide any of the services set forth in this Statement of Work. If so, the proposal must breakdown the supplemental and/or matching funds that will be used and the funds that would be required from the fees collected by the State. If supplemental and/or matching funds are identified, the Offeror must indicate whether the availability of such funds is guaranteed and the source of such funds.

Section 5 – Response Format & Proposal Instructions

5.1 Submission and General Instructions

Proposals must be received on or before the date and time indicated in the Schedule of Activities, or as modified on the BIDS system. It is the responsibility of the Offeror to ensure that the DORA Purchasing Office receives the proposal on or before the proposal opening date and time, regardless of the delivery method used. Late proposals will not be accepted. Vendors are cautioned that daily mail may not be received prior to 4:00 p.m.; therefore, if proposal is not hand delivered, Offeror should ensure proposal is received by mail or delivery service the prior day.

The proposal package shall be delivered or sent by mail to:

Tammy.Baca@dora.state.co.us
Department of Regulatory Agencies
Procurement Office
1560 Broadway Suite 1550
Denver, CO 80202
RFP-SJN-0803

The proposal must be signed in ink, preferable in blue ink, by an officer of the Offeror who is legally authorized to bind the Offeror to the proposal. Proposals that are determined to be at a variance with this requirement may not be accepted. A proposal signature page has been provided.

Submit one (1) original, and six (6) completely blind (no information which would disclose the Offeror's identity) copies of the Proposal, as well as one (1) electronic copy of the original proposal. Non-submission of "blind" copies of the proposal could result in disqualification of proposal.

Proposals must be submitted and sealed in a package with an appropriate label affixed. The label must show the following information:

Offeror's Name
RFP-No.
Proposal Due Date and Time

Offerors must segregate the portion of the proposal responding to the pricing and funding proposal so the technical proposal can be evaluated without consideration of the price or funding model.

The State desires and encourages that proposals be submitted on recycled paper, printed on both sides. While the appearance of proposals and professional presentation is important, the use of non-recyclable or non-recycled glossy paper is discouraged.

5.2 Proposal Format

Unnecessarily elaborate proposals are not desired. Font size for basic narrative descriptions must be no smaller than 12 characters per inch. Indexes, tables of contents, lists of figures/tables, and glossary of terms will not be counted toward the overall page count. Allowance will be made for tabular or graphical presentations and screen prints, whether incorporated in the text of the technical description or attached as separate exhibits. However, evaluators cannot be expected to comprehend all material in exhibits whose content and relevance to the proposal description are not clearly integrated into the technical discussion. Proposals shall include the following information.

5.3 Response Format

5.3.1 Executive Summary

Condense and highlight the contents of the proposal. The summary should provide the reader with an overall understanding of the proposal and offeror's approach.

5.3.2 Technical Component

Describe how you will meet the requirements set forth in Section 4.1.

5.3.3 Management and Experience Component

- A. Describe how you will meet the requirements set forth in Section 4.2.
- B. Describe how your company will manage this project.
- C. Indicate key personnel who will be assigned to the project and describe their experience. Explain how you will ensure that equally qualified persons are assigned to the project if these individuals leave the project. The State expects that the awarded Offeror will continue to make the key project personnel available through the life of the contract as long as they remain in offeror's employ. The State reserves the right to approve any replacement personnel.
- D. Describe your firm's experience with similar projects.

5.3.4 Cost Component/Funding Model

- A. The Offeror shall provide an operational budget for each year of the work proposed in response to the Statement of Work, Section 4. The budget must include an estimate of the number of licensees who will be utilizing each of the services of the program and must also include a breakdown of the various services that will be provided by the program and an estimated cost per participant for each of those services. Such services would include but not be limited to, evaluation of licensees, monitoring of licensees in the program, and preparation of monitoring reports. The Offeror should provide as much detail as possible as to the services that will be provided, how the estimates of the number of licensees accessing those services and the cost of the services were derived.
- B. The Offeror shall also provide information as to whether the Offeror will use supplemental or matching funds to offset any of the costs to provide any of the services set forth in the Statement of Work, Section 4. If so, the proposal must breakdown the supplemental and/or matching funds that will be used and the funds that would be required from the fees collected by the State. If supplemental and/or matching funds are identified, the Offeror must indicate whether the availability of such funds are guaranteed and the source of such funds.

5.3.5 References

Please provide at least three (3) and no more than five (5) references that support the Offeror's proposal. Provide the principle contact and telephone number, as well as a brief description of work performed for each. Include the timeframe for work performed. The State reserves the right to include the State of Colorado and other states as additional references. The State also reserves the right, at its discretion, to contact any organization or individual that may have knowledge of the Offeror for the purpose of verifying the information provided by the Offeror. The State will check references only on the apparently successful Offeror as a method of determining responsibility; references will not be scored.

Reference Chart

<u>Company Name</u>	<u>Contact</u>	<u>Telephone</u>	<u>Brief Description</u>

Section 6 – Evaluation and Award Selection Process

This section supplements paragraph 1.5, "Scope of RFP/Basis of Award" in the Colorado Solicitation Instructions/Terms and Conditions that are available through the link on the BIDS solicitation page.

6.1 Evaluation Factors

The evaluation factors for this RFP are as follows:

- The technical component, including the soundness of Offeror's approach to the Statement of Work defined in Section 4.
- The Management component including the Offeror's experience, qualifications, and key personnel, and the extent to which the qualifications, experience, and past performance are likely to foster successful, on-time performance.
- Cost Component
- The extent to which Offeror agrees to Colorado's basic contract terms and required Special Provisions without seeking exceptions.

6.2 Award Methodology

An Evaluation Committee will evaluate the merits of proposals received in accordance with the evaluation factors stated in this RFP and identify the proposal that is most advantageous to the State. A numeric evaluation will be used to identify strengths and weaknesses of proposals. The proposal with the highest evaluation score will be recommended for award.

Failure of the Offeror to provide any information requested in this RFP may result in disqualification of the proposal. This responsibility belongs to the Offeror.

Offerors should not assume that they will have an opportunity for oral presentations or revisions of proposals, so they should submit their most favorable proposals as their initial proposal. If award is not made on receipt of initial proposals, Offerors in the competitive range (those most responsive to the requirements and reasonably susceptible of being selected for award) may be provided an opportunity to make an oral presentation. The oral presentation will include a discussion for the purpose of clarification and to ensure full understanding of and responsiveness to solicitation requirements.

If proposal revisions are permitted after oral presentations and discussions, a date will be established in writing by the State for submission of best and final offers. Offerors will not be provided an opportunity for comprehensive proposal revisions.

The apparently successful Offeror may be required to submit for the most current reported period and a reasonable number of previous years (in order of preference) an audited financial statement, a financial statement reviewed by a certified public accountant, a third-party prepared financial statement if an audited or reviewed statement is not available, or another financial statement prepared in the routine course of the Offeror's business, in order to assist the State in making its determination of Offeror responsibility in accordance with CRS 24-103-401.