Request for Proposal (RFP)

Subject Matter Expertise: Legal Analysis and Administrative Consultation on National and State Issues Impacting Federally Qualified Health Center (FQHC) Operational Performance

RFP Released: August 21, 2017
Proposals Due: September 6, 2017

Points of Contact:
Training and Technical Assistance Department, NACHC
Phone (301) 347-0400
Neha Desai (NDesai@nachc.org) or Gina Capra (GCapra@nachc.org)
Purpose
The NACHC Training and Technical Assistance (TTA) Program assists existing and potential health centers in addressing operational demands while sustaining their health care access mission, a community governance model and a commitment to cultural and linguistic competence in healthcare delivery to underserved and vulnerable populations. Through a diverse cadre of subject matter experts and increasingly diverse delivery venues, the NACHC TTA Program is highly utilized and must be well prepared to respond to emerging healthcare delivery issues. Specifically, NACHC maintains subject matter experts and a professional training cadre to provide health center professionals with quality instruction and technical assistance resources based in adult learning principles, advanced instructional design and an understanding and application of technology to enhance TTA delivery. The U.S. Health Resources and Services Administration (HRSA) Bureau of Primary Health Care (BPHC) provides resource support to NACHC to improve health center operational and clinical outcomes through the provision of coordinated, collaborative TTA.

Organization Overview
The National Association of Community Health Centers (NACHC) was founded in 1971 to “promote the provision of high quality, comprehensive and affordable health care that is coordinated, culturally and linguistically competent, and community directed for all medically underserved populations.”

NACHC:
- Serves as the leading national advocacy organization in support of community-based health centers and the expansion of health care access for the medically underserved and uninsured.
- Conducts research and analysis that informs both the public and private sectors about the work of health centers, their value to the American health care system and the overall health of the nation’s people and communities – both in terms of costs and health care outcomes.
- Provides training, leadership development and technical assistance to support and strengthen health center operations and governance.
- Develops alliances and partnerships with the public and private sectors to build stronger and healthier communities.

RFP Services Desired
Through this Request for Proposal (RFP), NACHC is seeking specific subject matter expertise in legal analysis and legal consultation on national and state issues affecting the delivery of health care services at Federally Qualified Health Centers (FQHC), also known as the Health Center Program. The required legal analysis and consultative services are intended to assist and support NACHC staff in their development, delivery and assessment of training and technical assistance relevant for health centers. NACHC seeks legal subject matter experts significantly familiar with Section 330 of the Public Health Service Act; Bureau of Primary Health Care/Health Resources and Services Administration requirements and policy guidance; and National cohort of community health centers. NACHC seeks demonstrated experience in the provision of analysis and consultation on the legal implications of the Health Center Program Requirements on operational performance specific to a health center setting.

Time period for services is September 15, 2017 through July 15, 2018.
Content Area – Legal Analysis & Consultation Specific to the Health Center Program

**Scope of Work:** Selected vendor(s) will provide, upon specific request from NACHC, legal analysis and consultation on Federal and state policy issues affecting health centers, health center patients, and state/regional Primary Care Associations (PCA).

Topics may include, but are not limited to, health center/FQHC operational issues involving:

1. Medicaid and CHIP – e.g., reimbursement; billing; coverage; waivers; contracting
2. Medicare – e.g., reimbursement; Medicare Shared Savings Program; billing; coverage; conditions of participation
3. Section 330 program requirements
4. General grants management
5. Federal Torts Claims Act
6. Shortage Designations (e.g., HPSAs, MUAs, MUPs)
7. Workforce recruitment, retention, and management
8. Health center policies and procedures
9. Private insurance
10. Outreach and Enrollment
11. Emerging Issues

Selected vendor(s) must have at least 10 years, demonstrated national level experience in the provision of legal analysis and consultation specific to the Health Center Program and operational implications resulting from Federal and state policies, legislation and regulations.

**Deliverables** will depend upon the issue(s) and emerging timeline, but may include up to 400 hours through July 15, 2018 in the form of:

- Email responses
- Telephone or in-person consultations
- Written documents

Selected vendor(s) must agree to bill NACHC monthly for hours of service provided in the previous month, no later than 30 days upon completion of previous month. If NACHC requires additional hours exceeding 400, vendor(s) agrees and demonstrates capacity to offer additional hours, if needed.

**Travel Budget Guidelines:** Please note there is no travel budget for this engagement. Should travel become necessary NACHC will reimburse in alignment with its travel policies (Attachment I).

**Information Requested**

Proposals must be submitted using NACHC’s web-based portal by Sept. 6, 2017, Midnight ET. Please click on the “online form” link to be directed to our online submission form. If NACHC selects your proposal, you will be notified no later than September 15, 2017.

Proposals must be complete in order to be considered. Incomplete proposals will not be considered. Proposals must contain:
• Point of Contact Information
• Name/Description of Organization: specifically state if you are an independent consultant or a multi-individual or corporate applicant
• Vendor status verification: U.S. System Award Management (SAM), or equivalent, search results for individual service provider(s) and organization
• Capability statement that demonstrates you/your organization’s ability deliver services in the topic areas and capacity identified in this RFP, specifically:
  o Demonstrated current, legal content knowledge of the federal Health Center Program authorized under Section 330 of the Public Health Service Act and its related policies and guidance. (page limit: not to exceed two pages)
• Curriculum Vitae (CV) or Resume for principal expert/consultant (Page Limit: 2 pages per expert)
• Work Samples:
  o Evidence of successful and effective written analysis and consultation in the topic areas listed in above Scope of Work (page limit: not to exceed 3 pages per the 11 topics listed)
  o One detailed, sample presentation/publication that demonstrates understanding of both the FQHC operating environment and legal implications in 1 of the 11 topic areas listed in the Scope of Work (page limit: not to exceed 20 pages or slides)
• Three past client evaluations or statements demonstrating quantitative and/or qualitative feedback on quality of legal products specific to consultation and analysis of a FQHC issue
• Timeline for Project Implementation that demonstrates a proper planning and delivery
• Budget and Budget Narrative – Include a short justification (not to exceed one page) that explains the rationale for your budget presentation in the template below. Please ensure costs are delineated as appropriate. No travel costs need to be noted for this submission, bid submission is acceptance of NACHC travel and reimbursement policy, if applicable (Attachment I).

**Budget Template & Justification**

**DIRECT LABOR** - Hourly Rate should reflect overall cost rate inclusive of any fringe, overhead and/or general & administrative expense (G&A), if required.

<table>
<thead>
<tr>
<th>Title or Labor Category</th>
<th>Name of Contractor or Employee</th>
<th>Contractor or Employee?</th>
<th>Hourly Rate</th>
<th>Number of Hours</th>
<th>Amount Requested</th>
</tr>
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<tbody>
<tr>
<td>[TITLE]</td>
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Total – [$]
## Evaluation Criteria

Proposals submitted will be evaluated using the criteria below. Incomplete applications will not be considered.

<table>
<thead>
<tr>
<th>Selection Domain</th>
<th>Application Selection Criteria</th>
<th>Points</th>
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| **Capability Statement**                | Capability statement that demonstrates you/your organization’s ability deliver services in the content area and deliverable venue identified, such as:  
  - Evidence of successful and effective legal analysis and consultative delivery in the selected content area to the targeted audience(s) (as appropriate);  
  - Demonstrated current, content knowledge of the federal Health Center Program authorized under Section 330 of the Public Health Service Act and its related policies and guidance. (page limit: not to exceed two pages). | 25     |
| **Experience and Education**            | Resumes/CVs clearly show tenure, professional experience and/or education that reflects knowledge and ability in legal analysis and consultation specific to the FQHC operating environment (page limit: not to exceed two pages per expert). | 20     |
| **Proposed Budget, Budget Narrative and Project Timeline** | Reasonableness of proposed budget and timeline for project implementation, inclusive of preparation and delivery. | 20     |
| **Work Samples**                        | Demonstrate strong communications skills, understanding of adult learning needs and content knowledge, as evidenced by:  
  o Sample issue analysis (page limit: not to exceed 3 pages per the 11 topics listed in Scope of Work; total limit 33 pages)  
  o Client evaluation data and/or qualitative data and/or testimonials from community health centers or related audiences  
  o One detailed, sample presentation/publication (page limit: not to exceed 20 pages or slides) | 20     |
| **Vendor Status Verification**          | Proof of vendor in good standing via the U.S. Government’s System for Award Management (SAM), or equivalent. | 10     |
| **Completeness of Application**         | Application materials submitted are responsive to RFP guidance, clear and complete. | 5      |
| **Total**                               |                                                                                                                 | 100    |
ATTESTATION

By my signature, title and date below, I hereby certify that this Proposal reflects my best estimate of the capability of organization and the true and necessary costs for the project, and the information provided herein is accurate, complete and current as of the date of my signature below.

I agree that NACHC shall own all right, title, and interest in and to all works produced by Contractor pursuant to this Contract irrespective of medium of production, including, but not limited to, meeting notes, documents, tools, data, presentations, and teleforums, and all additions to, deletions from, alterations of, or revisions of such works, and each element and part thereof.

Print Name:

Signature:

Title:

Organization:

Date:
Attachment I: NACHC Consultant Travel Policies and Procedures

To help promote good stewardship and cost-efficiency we have included the following NACHC travel principles. They provide helpful guidance for booking air travel, making hotel arrangements, and securing ground transportation. Each vendor must be a responsible steward for NACHC’s resources.

Adherence to this policy is strictly required. NACHC cannot provide reimbursement for undocumented expenses.

- We will reimburse coach air travel as far in advance as possible to take advantage of low-cost fares. We will only reimburse the coach rate.

- Do your own research for transportation and travel options on the internet. This includes hotels and car rentals.

- When making hotel reservations, look at all rate rules and options and choose accordingly. If possible, take advantage of discounts offered as bundles with air and car rental options.

- Consider purchasing the travel insurance (generally less than $25.00 per occurrence) offered by airlines and hotels to mitigate penalties for trip changes or cancellations. This could be especially valuable if you book further ahead and realize your plans may need to change.

- Limit the use of car services (limo/town cars) for local meetings.

- Limit the use of car services (limo/town cars) for transportation to and from the airport. Affordable and cost effective resources include:
  - Taxis – share taxis or Uber car share services with other staff members when possible
  - Shared airport shuttle services (e.g. Super Shuttle)
  - Hotel provided shuttles, where available
  - Public transportation

- Other reimbursable expenses include any business use of copying, messenger service, phone/ internet access, audio visual, supplies, shipping expenses, etc. as long as it is related to your scope of work and has been approved in advance.

- Meals incidental to business meetings must be preapproved include the participants and the business purpose and must include the itemized receipt. Under no circumstances is alcohol charge allowable.

Reimbursement

No reimbursement for authorized expenses shall be made unless and until selected Vendor/Contractor provides NACHC with documentation of expenses as follows:
1. Include the original receipts for all travel expenses, including airline ticket receipts, taxi or shuttle receipts, hotel receipts, rental car or mileage (if using a personal car) receipts or documentation, and other miscellaneous receipts. Private automobile mileage is reimbursed at the current IRS rate based on beginning and ending odometer readings. Reimbursement for tolls and parking require a receipt.

2. If reimbursed by NACHC for travel time, the following applies for each one-way trip:
   a. Traveling within the same time zone – the lesser of actual time or 4 hours;
   b. Traveling within one to two time zones – the lesser of actual or 6 hours;
   c. Traveling within three or more time zones – the lesser of actual or 8 hours.

3. Meals will be paid on a per diem basis:
   a. If the trip begins before 12 noon, reimbursement is $40/day.
   b. If the trip begins after 12 noon, reimbursement is $20 for that day.

   Three hours prior to a flight or train departure is reasonable in determining your per diem amount.

4. Selected vendor/consultant must submit complete invoices for payment to NACHC within 30 days of service delivery.