



## Request for Proposal (RFP)

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

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RFP Released: May 29, 2020

Proposals Due: June 18, 2019

### Points of Contact

Training and Technical Assistance Department, NACHC - Phone: (301) 347-0400

Subject Matter Content Inquiries: Gina Capra ([GCapra@nachc.org](mailto:GCapra@nachc.org))

Submission Process Inquiries: Emily DeMent ([EDeMent@nachc.org](mailto:EDeMent@nachc.org))

## **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 and technical assistance to support and strengthen health center operations, clinical quality, leadership development and governing Boards of Directors at health centers across the country.
- Develops partnerships with the public and private sectors to build stronger and healthier communities.

## **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 delivery venues, the NACHC TTA Program is highly utilized and well prepared to respond to emerging healthcare delivery issues. Specifically, NACHC maintains a professional cadre of experts 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) provides resource support to NACHC to improve health center operational and clinical outcomes through the provision of coordinated, collaborative TTA.

## **RFP Services Desired**

Through this Request for Proposal (RFP), NACHC is seeking specific subject matter expertise in legal analysis and administrative consultation on issues affecting the overall delivery of health care services and operations at all or groups of 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; Centers for Medicare and Medicaid Services (CMS) programs impacting FQHCs; and Health Resources and Services Administration requirements and policy guidance as it affects the national cohort of community health centers, Primary Care Associations, and Health Center

Controlled Networks, and with the legal and related administrative requirements that impact their operational performance.

### **Time Period**

Time period for services is July 1, 2020 through June 30, 2021 with the potential for retainment through June 30, 2023. Vendor(s) may be retained for this multi-year period of service, based upon successful performance during period of initial service (contract year ending June 30, 2021) and on-going availability of funds.

### **Scope of Work and Deliverables**

#### **Content Area: Legal Analysis & Consultation Specific to the Health Center Program**

Selected vendor(s) will provide to NACHC staff leads, upon specific request from those NACHC leads, legal analysis and consultation on Federal, State and overarching policy issues affecting health centers, health center patients, Health Center Controlled Networks (HCCNs) and state/regional Primary Care Associations (PCA).

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

1. Emerging Issues (e.g. COVID-19, etc.)
2. Federal Torts Claims Act (FTCA) and FTCA Site Visit Protocol
3. General grants management, financial accountability and reporting requirements
4. Health Center Governance/Boards of Directors
5. Health center policies and procedures (e.g. patient confidentiality - HIPAA)
6. Health Center Program Compliance Manual, Conditions Library and Operational Site Visit Protocol
7. Human Resource management
8. Integration of Behavioral Health and Substance Use Disorder Services with primary care
9. Medicaid and CHIP – e.g., reimbursement; billing; coverage; waivers; contracting
10. Medicare – e.g., reimbursement; Medicare Shared Savings Program; billing; coverage; conditions of participation
11. Non-traditional financing – e.g. Small Business Administration
12. Outreach and Enabling Services
13. Pharmacy Access and Management
14. Shortage Designations (e.g., HPSAs, MUAs, MUPs)
15. Telehealth and Virtual care
16. Value-based Care, Alternative Payment Methodologies,
17. Workforce retention, recruitment, and Human Resource management

Deliverables will depend upon the issue(s) and timeline, but may include up to 175 hours per year in the form of:

- Email responses to NACHC staff leads
- Telephone or in-person consultations with NACHC staff leads
- Responses to triaged inquiry on behalf of NACHC

- Written documents to NACHC staff leads
- Review of current content upon request by NACHC staff leads
- Serve as subject matter expert for NACHC call-in Office Hours

Selected vendor(s) must agree to:

- Bill NACHC monthly for hours of service provided in the previous month.
- Bill NACHC no later than 30 days upon completion of previous month.
- Indicate that the services were provided under this award.
- Be responsive to timeline required by respective NACHC staff lead(s).

NACHC may not utilize or require 175 hours annually. If NACHC requires additional hours, vendor(s) agrees and demonstrates capacity to offer additional hours, if needed, via an appropriate addendum.

## **Information Requested**

Proposals must be submitted using NACHC's web-based portal by **June 18, 2020, 11:59 pm PT (i.e. June 19, 2:59 am ET)**. The system will notify you upon your successful submission into the portal. Incomplete proposals will not be considered. If NACHC selects your proposal, you will be notified no later than **July 1, 2020**.

Online Submission Portal: [https://nachc.co1.qualtrics.com/jfe/form/SV\\_ezFi47Qwg7dLMb3](https://nachc.co1.qualtrics.com/jfe/form/SV_ezFi47Qwg7dLMb3)

Proposals must contain the below items, which are evaluated based on the specific criteria outlined in the Evaluation table below.

- **Point of Contact Information**
- **Name / Description of Organization**  
Specifically state if you are an independent consultant, if you are applying on behalf of an organization, or if applying as part of a joint proposal with other independent consultants
- **Curriculum Vitae (CV) or Resume**  
Resumes/CVs for each expert / staff clearly show tenure, professional experience and/or education that reflects knowledge and ability in legal analysis and consultation specific to the FQHC operating environment.
- **Capability statement**  
Capability statement demonstrates ability to deliver services in the solicited content area(s). It demonstrates 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. This must include a timeline for types of engagement (i.e. email query, phone call/office hours, etc.) that demonstrates appropriate client turnaround response and consultation delivery.
- **Work sample (informal)**  
Informal Work Sample should demonstrate evidence of successful and effective written analysis and consultation in 1-3 topic areas listed in above Scope of Work / Deliverables directly delivered to a client lead.

- **Work Sample (formal)**  
Formal Work Sample should reflect externally-facing content communication for large groups. For example, this could be a briefing for NACHC staff on an issue or Office Hour presentation on a national issue.
- **Hourly Rate**  
Hourly rate should reflect overall cost rate inclusive of any fringe, overhead and/or general & administrative expense (G&A), if required. Please ensure costs are delineated as appropriate using the template categories.
  - No travel costs need to be submitted for this submission; bid submission is acceptance of NACHC travel and reimbursement policy (Attachment I).
  - Minimum travel for this engagement may include attendance at meetings of the National Resource Center Advisory Group, including face to face meetings often scheduled in conjunction with one of NACHC’s national conferences. If travel needs are identified, NACHC will coordinate travel resources with selected vendor. Travel requirements are based upon health and safety for travel, considering public health emergencies that may require quick conversion to virtual participation.
- **Budget Justification**  
Justification of budgetary costs, inclusive of preparation and delivery, is reasonable and in line with market rate of services. Reasonableness is determined by NACHC’s non-profit status
- **Signed statement** (see below)

**ATTESTATION**

By my signature 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 my electronic signature is the legal equivalent of my manual signature on this application. By typing my name below, I certify that the information provided in the application is true and accurate.

**Print Name:**

**Title:**

**Organization:**

**Signature:**

**Date:**

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## Evaluation Criteria

Complete proposals will be evaluated using the criteria below.

<b>Selection Domain</b>	<b>Application Selection Criteria</b> <b>To earn full points in each domain, the applicant must demonstrate:</b>	<b>Points</b>
<b>Experience and Education</b>	Resumes/CVs for each expert / staff 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 for Resumes/CVs: 2 pages per consultant / expert	25
<b>Capability Statement</b>	Capability statement that demonstrates you/your organization's ability deliver services in the content area and deliverable venue identified, such as: <ul style="list-style-type: none"> <li>• 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.</li> </ul> Timeline for types of engagement (i.e. email query, phone call/office hours, etc.) that demonstrates appropriate client turnaround response and consultation delivery Page Limit for Capability Statement: 2 pages	25
<b>Formal and Informal Work Samples</b>	Evidence of successful and effective legal analysis and consultative delivery in the selected content area(s) to the targeted audience(s) (as appropriate). <ul style="list-style-type: none"> <li>• Informal Work Sample should demonstrate evidence of successful and effective written analysis and consultation in 1-3 topic areas listed in above Scope of Work / Deliverables directly delivered to a client lead</li> <li>• Formal Work Sample should reflect externally-facing content communication for large groups. For example, this could be a briefing for NACHC staff on an issue or Office Hour presentation on a national issue</li> </ul> Page Limit for Informal Work Sample: 2 pages per topic, not to exceed a total of 6 pages Page Limit for Formal Work Sample: 8 pages	25
<b>Hourly Rate and Budget Narrative</b>	Reasonableness of proposed budget for project implementation, inclusive of preparation and delivery to client. Reasonableness is determined by NACHC's non-profit status. <ul style="list-style-type: none"> <li>• Hourly Rate should reflect overall cost rate inclusive of any fringe, overhead and/or general &amp; administrative expense (G&amp;A), if required. Please ensure costs are delineated as appropriate using the template categories.</li> <li>• No travel costs need to be submitted for this submission; bid submission is acceptance of NACHC travel and reimbursement policy (Attachment I).</li> </ul> Page Limit of Budget Justification: 2 pages	20
<b>Completeness of Application</b>	Application materials submitted are clear, complete, and responsive to RFP guidance, including page limits.	5
<b>Total</b>		100

## 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.