

RFP 23-770-22-05804 QUESTIONS AND RESPONSES (responses are in bold below each question)

1. Section IV B1a Specifications and organizational experience

This is this organizations first proposal for a state contract; how will weight be given to relevant experience as far as new programs applying to RFP?

The organization experience will be reviewed based on years in operation, types of services provided as well as appropriate credentialing for staff.

2. If the organization is a newly BHA 432 and has approval from BHSD to provide service, would this be considered a state contract?

While this is not considered a state contract, a partnership with another state agency will be considered and could be included in the RFP response to show previous work done with state agencies.

3. Section IV B2 Organizational References

If offeror is seeking to apply for a relatively new program that is approved by BHSD, how would you recommend pursuing references?

References could be obtained through current community partnerships, business partnerships or other organizations in which the offeror is providing services. If no references can be obtained due to the program being relatively new, include in the RFP response an explanation as to why no references could be provided.

4. Can you clarify what is meant by private sector?

Private sector means businesses, community programs or other groups that are non-government organizations.

5. If offeror has provided services for decades, but has not local contracts, how do you recommend that one proceed?

If no references can be obtained due to the program being new or being unable to obtain references, include in the RFP response an explanation as to why no references could be provided.

6. The RFP states that NMCD will not pay for clients who fail to attend sessions or meetings. What protocols will be allowed to address participation with non-compliance of clients?

In general practice, the provider would contact the assigned Probation and Parole Officer to let them know that the client has failed to attend treatment. The provider could also send a no call/no show notice to the Probation and Parole Officer. The Officer would then work with the client and provider to correct the issue. If a client remains non-compliant with treatment/counseling services, the provider could unsuccessfully discharge the client from the program and the Officer would work with the Parole Board or Court to address the violation.

7. The RFP states that at no time will the department pay for services when other payments for the clients' treatments have been provided. How does NMCD expect providers to bill for services? Shall the provider bill Medicaid and other sources first, leaving NMCD to be the payer of last resort? Please outline this process.
NMCD requires that Medicaid be the first payment source for any client who qualifies for Medicaid. NMCD contract funding should be reserved for any clients who do not qualify for Medicaid funding or those clients who may be receiving specific services that cannot be billed to Medicaid. Generally, a program would submit billing to Medicaid for services provided and then would submit NMCD an invoice for any additional clients not covered by Medicaid funding and NMCD would process payment for those clients out of the awarded contract funding.

8. Please reference RFP, Section C. General Requirements - Section 4. Subcontractors/Consent, page 10. "4. Subcontractors/Consent The use of subcontractors is not allowed. The prime contractor shall be wholly responsible for the entire performance of the contractual agreement whether or not subcontractors are used. Additionally, the prime contractor must receive approval, in writing, from the agency awarding any resultant contract before any subcontractor is used during the term of this agreement." a. Please confirm that the use of subcontractors is allowed.

NMCD would prefer not to use subcontractors as part of this RFP however, in your response to the RFP please provide details as to how subcontractors would be used by your organization so NMCD could make a final determination at that point whether to approve or disapprove the use.

9. Please reference RFP IV. Specifications – A. Detailed Scope of Work, page 22: "NCMD will access monthly lease fees on all state-owned facilities in accordance with NM General Services standard rates for providers currently house in state facilities. Service Providers shall provide general maintenance services at sites where services are being provided in accordance with NM General Services Department Maintenance and Space Standards." a. Please provide a copy of the NM General Services Department Maintenance and Space Standards. b. Please confirm how providers leasing state-owned facilities will be reimbursed for major repairs over and above general maintenance, in accordance with NM General Services Department Maintenance and Space Standards, and/or emergency repairs required to comply with health and safety standards

A. Please see Attachment 1 - NM General Services Department Maintenance and Space Standards.

B. Due to procurement code, no reimbursement is allowed. The Facilities Management Division and NMCD will handle major item repairs.

10. Please reference RFP, Section B Technical Specifications - Section 1(c), page 23. c) indicate how many behavioral health and/or housing related contracts have been secured in the last two years and what percentage of business revenue is derived from those engagements. a. Please confirm if "secured" is the same as obtained, commenced, started during the last two years versus in place for the last two years.

Secured can be viewed as the same as obtained, commenced and started during the last two years.

11. Please reference RFP, Appendix C Draft Contract, page 34. "The Agreement included in this Appendix C represents the contract the Agency intends to use to make awards. The State of New Mexico and the Agency reserve the right to modify the Agreement prior to, or during, the award process, as necessary." a. Please confirm that any modifications to the Draft Contract will be negotiated between the parties.

If Offeror is approved through the RFP process, a contract will be drafted for review and negotiation between the parties.

12. Please reference RFP, Appendix C Draft Contract, Section 2 Compensation, Subsection A., page 34. "2. Compensation. A. The Agency shall pay to the Contractor in full payment for services satisfactorily performed at the rate of _____ dollars (\$_____) per hour (OR BASED UPON DELIVERABLES, MILESTONES, BUDGET, ETC.), such compensation not to exceed (AMOUNT), excluding gross receipts tax. The New Mexico gross receipts tax levied on the amounts payable under this Agreement totaling (AMOUNT) shall be paid by the Agency to the Contractor. The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, shall not exceed (AMOUNT). This amount is a maximum and not a guarantee that the work assigned to be performed by Contractor under this Agreement shall equal the amount stated herein. The parties do not intend for the Contractor to continue to provide services without compensation when the total compensation amount is reached. Contractor is responsible for notifying the Agency when the

services provided under this Agreement reach the total compensation amount. In no event will the Contractor be paid for services provided in excess of the total compensation amount without this Agreement being amended in writing prior to those services in excess of the total compensation amount being provided.” a. Please confirm if this is correct as drafted. The first sentence excludes gross receipts tax. The second sentence is inclusive of gross receipts tax.

The contract included in the RFP is a draft that can be changed to accommodate each individual contractor specifically and the compensation verbiage is tailored to fit the contractor’s “pay schedule” for instance, the compensation section is written in a myriad of ways to accommodate the inclusion or exclusion of GRT. If a contract is awarded this will be discussed with the specific offeror and be based on their individual pay schedule.

13. Please reference RFP, Scope of Work #15: NMCD – Peer-Led Supportive Housing, page 184. “Provider is contracted to provide the following services to NMCD clients, as referred by the Probation and Parole Officer (PPO):” b. Please clarify whether NMCD anticipates new referrals to Peer-Led Supportive Housing, or if referred clients may already be participating in residential community-based programming? c. Please provide the anticipated census for Peer-Led Supportive Housing.

B. New referrals could be made to peer-led supportive housing for clients exiting prison on parole / dual supervision as well as for clients currently on probation and parole supervision in the community. NMCD would anticipate that referrals could be made for clients who are completing residential community-based programming as a transitional living plan to assist with supportive independent living upon completion of their residential treatment program.

C. NMCD cannot provide an anticipated census for this scope of work. The census would depend on the specific program location and the number of beds that could be appropriately accommodated at the location. The census would also depend on the program’s requirements for admission and the specific programs desired population that they would like to serve. A final factor for the census would depend on the current population of clients on probation and parole supervision which is ever changing and based on who is sentenced in Judicial Districts across the State of New Mexico.

14. Please reference RFP Scope of Work # 11: NMCD – Residential Treatment Dual Diagnosis page 139; and Scope of Work #13: Residential Treatment Substance Abuse page 162: "Expected Capacity: As Referred by PPO." a. Please provide the anticipated censuses for Residential Treatment Dual Diagnosis and Residential Treatment Substance Abuse.

A. NMCD cannot provide an anticipated census for this scope of work. The census would depend on the specific program location and the number of beds that could be appropriately accommodated at the location. The census would also depend on the program’s requirements for admission and the specific programs desired population that they would like to serve. A final factor for the census would depend on the current population of clients on probation and parole supervision which is ever changing and based on who is sentenced in Judicial Districts across the State of New Mexico.

15. Page 18, II. C. 32. notes "The New Mexico Preferences shall not apply when the expenditures for this RFP includes federal funds." Do the expenditures for this RFP include federal funds?

The expenditures for this RFP do not include federal funds.

16. Page 22, IV. B. b) says "Offeror must include key personnel education, work experience, and applicable certifications/licenses." Are Potential Offerors required to submit copies of individual staff's applicable licenses/certifications? Or just include narrative information about which staff positions hold which State

licenses/certifications? We understand in the case of the latter that the State reserves the right to verify accurate and adequate licensure at any time.

Offeror should provide applicable licenses and certifications in the response to the RFP for those key personnel who are licensed for any specific service. Narrative details about key personnel's education, work experience and applicable certifications/licenses should also be included in the RFP response.

17. Page 24, IV. C. 1. states "Offerors must submit copies of the most recent years independently audited financial statements if they exist." How many years back are considered "the most recent?"

The last 3 years are considered the most recent if financial statements exist for that time period.

18. I had a question regarding the documentation submission. Is this an area that may be open to negotiation (i.e submissions of comprehensive assessment, and timeframe of completing intakes when referral is made.

If offeror would like to negotiate any areas of the requirements of the documentation submission, please include in the RFP response along with a detailed explanation of the alternative timeframe for what offeror is proposing.

19. Do you have to be credentialed to bill Medicaid when Medicaid doesn't pay for transitional/halfway housing?

Medicaid does not pay for transitional or halfway housing and so Medicaid credentialing is not required unless the offeror is providing additional Medicaid covered services as part of their residential program. An example of this could be a transitional housing program with substance abuse treatment provided on site. In this case, the treatment services would be expected to be billed to Medicaid for those clients who qualify and the housing costs could be billed under the NMCD contract.