



OFFICIAL RESPONSES TO VENDOR QUESTIONS
RFP-2024-DLTSS-04-SUPPO

No.	RFP Section Reference	Question	Answer
1.	Section 1.2. Key Information	What is the expected implementation period?	Please see Section 1.2. Key Information
2.	Section 1.2. Key Information, 3.1 Cost Proposal Evaluation Guide	What is the anticipated volume of SIS assessments to be conducted for each year of the contract, including the four (two, two-year renewals) potential renewal years?	<p>The Department anticipates approximately 1,695 assessments in SFY 2024, and approximately 1,780 for SFY 2025. This is an estimate based on anticipated volume and may be subject to change.</p> <p>Based on a 5% annual growth rate, for the potential renewal years, the number of assessments is estimated at approximately 1,869, 1,962, 2,060, and 2,163, per renewal year (in two-year increments), respectively.</p> <p>*Anticipated volume is higher than historical data in Question #5, due a decrease in assessment activity during COVID-19 pandemic years.</p>
3.	Section 1.2. Key Information, 3.1. Cost Proposal Evaluation Criteria	How will costs be determined for any additional contracted years after SFY 2024 and 2025?	Unit costs may be re-negotiated during contract renewal.
4.	Section 1.2. Key Information, 3.1.1.1. and 3.1.1.2. Cost Proposal Evaluation Criteria	<p>The RFP provides SFY 2024, (July 1, 2023 through June 30, 2024) volumes for vendors to propose pricing on. However, proposals are not due until July 26, 2023, after the start of SFY 2024.</p> <p>a. Should vendors assume that the 1,695 assessments must be completed by June 30, 2024, regardless of contract start?</p> <p>b. If not, please clarify if vendors should prorate the volumes based on expected go-live date.</p>	<p>a. No</p> <p>b. Yes</p>

New Hampshire Department of Health and Human Services
Supports Intensity Scale



No.	RFP Section Reference	Question	Answer																																
5.	Section 1.4.3. Covered Populations	<p>Can the Department please provide an annual breakdown of the average number of referrals for each of the following groups for <u>each of the last 3 years</u>?</p> <ul style="list-style-type: none"> a. Applicants to the NH (New Hampshire) Developmental Disability 1915c waiver, b. Individuals that have experienced a significant change, and c. Individuals being re-determined for supports every 5 years 	<p>New Applicants Statewide</p> <table border="1" data-bbox="1266 410 1902 529"> <thead> <tr> <th>2020 Total</th> <th>2021 Total</th> <th>2022 Total</th> <th>3 Year Average</th> </tr> </thead> <tbody> <tr> <td>275</td> <td>250</td> <td>250</td> <td>258</td> </tr> </tbody> </table> <p>Change in Status</p> <table border="1" data-bbox="1266 602 1902 721"> <thead> <tr> <th>2020 Total</th> <th>2021 Total</th> <th>2022 Total</th> <th>3 Year Average</th> </tr> </thead> <tbody> <tr> <td>23</td> <td>21</td> <td>16</td> <td>20</td> </tr> </tbody> </table> <p>5 Year Assessment</p> <table border="1" data-bbox="1266 797 1902 915"> <thead> <tr> <th>2020 Total</th> <th>2021 Total</th> <th>2022 Total</th> <th>3 Year Average</th> </tr> </thead> <tbody> <tr> <td>778</td> <td>727</td> <td>422</td> <td>642</td> </tr> </tbody> </table> <p>Totals</p> <table border="1" data-bbox="1266 963 1902 1081"> <thead> <tr> <th>2020 Total</th> <th>2021 Total</th> <th>2022 Total</th> <th>3 Year Average</th> </tr> </thead> <tbody> <tr> <td>1,076</td> <td>998</td> <td>688</td> <td>921</td> </tr> </tbody> </table>	2020 Total	2021 Total	2022 Total	3 Year Average	275	250	250	258	2020 Total	2021 Total	2022 Total	3 Year Average	23	21	16	20	2020 Total	2021 Total	2022 Total	3 Year Average	778	727	422	642	2020 Total	2021 Total	2022 Total	3 Year Average	1,076	998	688	921
2020 Total	2021 Total	2022 Total	3 Year Average																																
275	250	250	258																																
2020 Total	2021 Total	2022 Total	3 Year Average																																
23	21	16	20																																
2020 Total	2021 Total	2022 Total	3 Year Average																																
778	727	422	642																																
2020 Total	2021 Total	2022 Total	3 Year Average																																
1,076	998	688	921																																
6.	Section 2.1. Scope of Services	<ul style="list-style-type: none"> a. Does the Department allow SIS assessments to be completed virtually in certain circumstances (i.e., if the individual/family prefers it, due to illness/compromised immune systems, inclement weather)? 	<ul style="list-style-type: none"> a. Yes. 																																

**New Hampshire Department of Health and Human Services
Supports Intensity Scale**



No.	RFP Section Reference	Question	Answer
		<p>b. If so, would the Department please describe the circumstances allowing virtual assessment?</p> <p>c. If so, would the Department please provide the projected average annual volume of virtual vs. in-person assessments?</p>	<p>b. Individual preference.</p> <p>c. The Department does not have this information.</p>
7.	Section 2.1. Scope of Services	Has the Department developed an IT system to replace the referral process?	No.
8.	Section 2.1. Scope of Services	Who is responsible for assuming the cost of the SISOnline system, the contract with AAIDD for training, and IRQR?	The selected Vendor will be responsible for assuming these costs throughout the contract period.
9.	Section 2.1.2. Scope of Services	Will assessors be using the SIS-A® 2 nd Edition?	Yes
10.	Section 2.1.3. Scope of Services	Is the selected Vendor or Case Manager responsible for sending a copy of the completed assessment to the waiver participant or legal representative? If this is the selected Vendor's responsibility, what format is required?	<p>Yes, the selected Vendor should securely send the completed assessment to the individual and/or their identified guardian as well as the individual's service coordinator (case manager) using a secure system proposed by the Vendor to transfer the information.</p> <p>Please see Paragraph 2.1.9. and Q4 (Question #4) in the RFP.</p>
11.	Section 2.1.6. Scope of Services	At what frequency will the Vendor receive referrals?	There is no set frequency for number of referrals. The Department cannot estimate these numbers based on new individuals to the waiver system, individuals moving to the state, among other factors.
12.	Section 2.1.6. Scope of Services	Will the Department confirm that referrals are currently received using secure email and provide an estimated timeline for when the information technology system currently under development will replace this process?	Yes, the Department will send the referral list via secure email to the Vendor. There is no Information Technology System under development to replace the current process.
13.	Section 2.1.8. Scope of Services	In order to meet the reporting and related performance management requirements, can the state please confirm that the selected Vendor may keep approved information in a secure	The selected Vendor may store data in their own information system which must meet all information security and privacy requirements as set by the Department and in accordance with the Department's

**New Hampshire Department of Health and Human Services
Supports Intensity Scale**



No.	RFP Section Reference	Question	Answer
		manner in a Department-approved Vendor application?	Exhibit K, DHHS Information Security Requirements and RFP Section 8, Compliance.
14.	Section 3.1. Cost Proposal / Section 6.2. Solicitation Response Requirements	Does the Department have a preferred format for the cost proposal submission?	The Department is seeking one (1) all-inclusive rate per assessment for the contract period, but the format can be determined by the applicant (Word, Excel, etc.).
15.	Section 3.1. Cost Proposal	Please confirm whether the Department requires all-inclusive unit rates only for SFY 2024 and SFY 2025 and that vendors do not need to provide pricing for each renewal year.	Yes, this is confirmed.
16.	Subsection 7.8 Public Disclosure, Paragraphs 7.8.2. and 7.8.3.	Is this letter intended to be a separate electronic document (not to be included with the Technical Response)? In other words, there would be four separate documents/files submitted? <ul style="list-style-type: none"> - Technical Response, - Cost Proposal, - Redacted Technical Response, and - the Letter to the point of contact with list of redacted/confidential items 	Yes, the letter described in these paragraphs is required to keep information contained within solicitation responses confidential and exempt from public disclosure.
17.	Section 8.6. Eligibility Determinations	What is the percentage of denials/appealable adverse decisions for the current assessment type for these programs for each of the past two (2) years? <ul style="list-style-type: none"> a. Will the department please describe how SIS scores will be used to inform eligibility? For example, will SIS scores be used to determine access/eligibility to waiver services alone, or will it also be used to determine eligibility for specific tiers or intensities of service? b. Will the Department please confirm that SIS scores themselves are not appealable? 	The Department does not currently have access to this information. However, through stakeholder engagement, the Department is working to establish a standardized process for appealing an assessment that will be shared with the selected vendor. <ul style="list-style-type: none"> a. SIS scores will be used in the NH services rate methodology, not to determine eligibility. b. NH will have an exceptions process for those situations in which the SIS score is contested.
18.	Section 8.6. Eligibility Determinations	<ul style="list-style-type: none"> a. Will the selected Vendor be making eligibility determinations? 	<ul style="list-style-type: none"> a. No, please see Addendum #1. b. The Department does not intend the selected

**New Hampshire Department of Health and Human Services
Supports Intensity Scale**



No.	RFP Section Reference	Question	Answer
		<p>b. Will the Department please specify the information to be considered and the means by which the vendor is to access the information?</p> <p>c. When SIS outcomes indicate an individual may be at risk of an adverse decision, does the Vendor or the Department make the final eligibility decision?</p>	<p>Vendor to make program eligibility determinations. The SIS-A assessment will be conducted with individuals who have already been determined to be Medicaid and waiver eligible and used to support planning and service reimbursement rates only.</p> <p>c. SIS scores are not used for eligibility determination.</p>
19.	Section 8.14 Audit Requirements	As a performance-based contract and not a cost reimbursement contract, will the Department accept audited financials in lieu of audit?	Depending on the conditions present in Section 8.14, the selected vendor may be required to provide an annual audit.
20.	Appendix A – P-37 and Standard Exhibits	<p>Is the Department willing to negotiate a reasonable limitation of Contractor’s liability, such as but not limited to, the language below? “State agrees that Contractor’s total liability to State for any and all damages whatsoever arising out of, or in any way related to, this Agreement from any cause, including but not limited to negligence, errors, omissions, strict liability, breach of contract or breach of warranty shall not, in the aggregate, exceed the fees to Contractor. In no event shall Contractor be liable for indirect, special, incidental, economic, consequential or punitive damages, including but not limited to lost revenue, lost profits, replacement goods, loss of technology rights or services, loss of data, or interruption or loss of use of software or any portion thereof regardless of the legal theory under which such damages are sought even if Contractor has been advised of the likelihood of such damages, and notwithstanding any failure of essential purpose of any limited remedy.”</p>	<p>The Department will not agree to the proposed limitation of liability as submitted in this question. The Department may consider negotiating a limitation of liability with the selected Vendor with required exclusions such as data breach liability outlined in Exhibit K, breach of the Business Associate Agreement, bodily injury, fraud or willful misconduct.</p>
21.	Appendix A – P-37 and Standard Exhibits (Section 8 – Event of	Is the Department willing to add a reasonable cure period to the termination actions in Sections	No.

**New Hampshire Department of Health and Human Services
Supports Intensity Scale**



No.	RFP Section Reference	Question	Answer
	Default/Remedies)	8.2.2, 8.2.3, and 8.2.4?	
22.	Appendix A – P-37 and Standard Exhibits (Section 13 – Indemnification)	<p>Is the Department willing to negotiate changes to the indemnification provision, such as, but not limited to, the language below?</p> <p>“Unless otherwise exempted by law, the Contractor shall indemnify and hold harmless the State, its officers and employees, from and against any and all third-party actions, suits, proven damages, liability or other proceedings to the extent caused by the acts or omissions of the Contractor in its performance of the services hereunder. This section does not require the Contractor to be responsible for or defend against claims or damages arising solely from errors or omissions of the State, its officers, agents and employees, or any third party. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant in paragraph 13 shall survive the termination of this Agreement.”</p>	<p>The Department will not agree to the proposed modifications to Paragraph 13, Indemnification. The Department may consider negotiating proposed changes with the selected Vendor.</p>
23.	Appendix A – P-37 and Standard Exhibits (Section 14, Insurance)	<p>Will the Department consider accepting the following redlined modifications regarding insurance?</p> <p>a) 14.1.1 Commercial general liability insurance against all claims of bodily injury, death, or property damage, in amounts of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate or excess; and</p> <p>b) 14.1.2 Special causes of loss coverage form Property insurance policy covering all property subject to subparagraph 10.2 herein, in an amount not less than 80% of the whole replacement value of the property.</p> <p>c) 14.3 The Contractor shall furnish to</p>	<p>a) Yes b) Yes c) Yes</p>

**New Hampshire Department of Health and Human Services
Supports Intensity Scale**



No.	RFP Section Reference	Question	Answer
		<p>the Contracting Officer identified in block 1.9, or his or her successor, a certificate(s) of insurance for all insurance required under this Agreement. Contractor shall also furnish to the Contracting Officer identified in block 1.9, or his or her successor, certificate(s) of insurance for all renewal(s) of insurance required under this Agreement no later than within ten (10) days prior to of the expiration date of each required insurance policy. The certificate(s) of insurance and any renewals thereof shall be attached and are incorporated herein by reference.</p>	
24.	General	<p>Can the Department provide a breakdown of the number of Waiver Participants to be assessed currently living within each county?</p>	No.
25.	General	<p>At the time of operational go live with the new Vendor, does the Department anticipate a backlog of required assessments? If there is a backlog, can the state advise on the backlog number?</p>	Yes, approximately 400.
26.	General	<p>Can the Department provide annual inbound call volumes related to waiver assessments for each of the past two years?</p>	The Department does not have access to this information.
27.	General	<p>Is the Department willing to consider negotiation of a volume guarantee and/or equitable adjustment language in any resulting contract of this RFP?</p>	No.
28.	General	<p>Will the Department please confirm that any contract renewal/extension is subject to the mutual option of the parties?</p>	Yes, this is correct.