



REQUEST FOR PROPOSAL #12-1076DC PROFESSIONAL WORKERS COMPENSATION CLAIMS ADMINISTRATION SERVICES

Manatee County, a political subdivision of the State of Florida, (hereinafter "Manatee County" or the "County") will receive proposals from individuals, corporations, partnerships, and other business entities authorized to do business in the State of Florida, for the purpose of providing **Professional Workers Compensation Claims Administration Services**.

DEADLINE FOR CLARIFICATION REQUESTS: **February 24, 2012 at 5:00 PM** shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request for Proposal to the Manatee County Purchasing Office. This deadline has been established to maintain fair treatment for all potential bidders or proposers, while ensuring an expeditious transition to a final agreement.

TIME AND DATE DUE: **Proposals will be received until 3:00 PM on March 7, 2012,** at which time they will be **publicly opened**. All interested parties are invited to attend this opening.

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Important Note: **A prohibition of Lobbying is in place. Please review paragraph A.16 carefully to avoid violation and possible sanctions.**

FOR INFORMATION CONTACT:

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Financial Management Department
Purchasing Division

AUTHORIZED FOR RELEASE: _____

REQUEST FOR PROPOSAL #12-1076DC

PROFESSIONAL WORKERS COMPENSATION CLAIMS ADMINISTRATION SERVICES

SECTION A: INFORMATION TO PROPOSERS

PROPOSERS MUST COMPLY WITH THE FOLLOWING INSTRUCTIONS TO BE CONSIDERED FOR SELECTION:

A.01 OPENING LOCATION

Proposals will be publicly opened at Manatee County Purchasing, 1112 Manatee Avenue West, 8th Floor, Suite 803, Bradenton, Florida 34205 in the presence of County officials at the time and date stated on the cover sheet. All Proposers or their representatives are invited to attend.

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS

Bids and Proposals on <http://www.mymanatee.org>

Bid or Proposal documents and the Notices of Source Selection related to those Bids or Proposals are available for download in a portable document format (.PDF) file on the Manatee County web page on the Purchasing tab under "Bids and Proposals". You may view and print these files using Adobe Acrobat software. You may download a free copy of this software (Adobe) from the County's web page if you do not have it.

Manatee County collaborates with the Manatee Chamber of Commerce on distributing solicitations using the RFP Tool web page on the Chambers website: <http://www.Manateechamber.com> to post Bid and Proposal documents in a portable document format (.PDF) file. This step is in addition to the posting on Manatee County Government web pages.

Note: The County posts the **Notice of Source Selection** seven (7) calendar days prior to COMMENCING NEGOTIATIONS with the selected firms.

IT IS THE RESPONSIBILITY OF EACH PROPOSER, PRIOR TO SUBMITTING THEIR PROPOSAL, TO CONTACT THE MANATEE COUNTY PURCHASING OFFICE (see contact information on page one of this document) TO DETERMINE IF ADDENDA WERE ISSUED AND TO MAKE SUCH ADDENDA A PART OF THEIR PROPOSAL.

A.03 REQUIREMENTS FOR FORMAT AND DELIVERY OF PROPOSALS

Any proposals received after the stated time and date will not be considered. It shall be the sole responsibility of the Proposer to have their proposal delivered to the Manatee County Purchasing Division for receipt on or before the stated time and date. If a proposal is sent by U.S. Mail, the Proposer shall be responsible for its timely delivery to the Purchasing Division. Proposals delayed by mail shall not be considered, shall not be opened at the public opening, and arrangements shall be made for their return at the Proposer's request and expense.

Proposals must be submitted in the format specified in Section B hereof. The contents of each proposal shall be **separated and arranged with tabs in the same order as listed in the Subsections within Section B** identifying the response to each specific item thereby facilitating expedient review of all responses.

A.04 CLARIFICATION & ADDENDA

Each Proposer shall examine all Request for Proposal documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request for Proposal shall be made in writing through the Manatee County Purchasing Division. The County shall not be responsible for oral interpretations given by any County employee, representative, or agent. The issuance of a written addendum by the Purchasing Official's Division is the only official method whereby interpretation, clarification or additional information can be given.

Addenda shall be posted on <http://www.mymanatee.org>

It shall be the responsibility of each Proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Division at (941)748-4501, ext. 3039 to determine if addenda were issued and to make such addenda a part of the proposal.

Deadline for Clarification Requests: February 24, 2012 at 5:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request for Proposal to the Manatee County Purchasing Division.

This deadline has been established to maintain fair treatment for all potential Bidders or Proposers, while ensuring an expeditious transition to a final agreement.

A.05 SEALED & MARKED

One signed Original (please mark the Original) and Five (5) copies of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #12-1076DC Workers Compensation Claims Administrative Services**" and addressed to:

Manatee County Purchasing
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

A.06 LEGAL NAME

Proposals shall clearly indicate the legal name, address, email and telephone number of the Proposer (company, firm, partnership, individual). Proposals shall be signed above the typed or printed name and title of the signer. The signer must have the authority to bind the Proposer to the submitted proposal.

A.07 PROPOSAL EXPENSES

All expenses for making proposals to the County are to be borne by the Proposer.

A.08 EXAMINATION OF PROPOSAL

The examination of the proposal and the Proposer generally requires a period of not less than ninety (90) calendar days from the date of the opening of the proposals.

A.09 DISCLOSURE

Upon receipt, all inquiries and responses to inquiries related to this Request For Proposal become "Public Records" and are subject to public disclosure consistent with Chapter 119, Florida Statutes.

Bids/Proposals become subject to disclosure thirty (30) days after the Opening or if a notice of intended award decision is made earlier than this time as provided by Florida Statute 119.071(1)(b). No announcement or review of the offer shall be conducted at the public opening. If the County rejects all offers and concurrently notices its intent to reissue the solicitation, initial offers are exempt until the County provides notice of its intended decision or, thirty (30) days after the opening of the new offers.

A.10 ERRORS OR OMISSIONS

Once a proposal is submitted, the County shall not accept any request by any Proposer to correct errors or omissions in the proposal.

A.11 RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County, depending on available competition and timely needs of the County. The County reserves the right to award the contract to a responsible Proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of the County. The County shall be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision shall be final. Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any Proposer to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the Proposer. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

A.12 APPLICABLE LAWS

Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Code of Laws Chapter 2-26, as amended. Procedures and deadlines concerning protests related to this Request for Proposal shall be those which are set forth in §2-26-61 of the County Code.

A.13 CODE OF ETHICS

With respect to this proposal, if any Proposer violates or is a party to a violation of the Code of Ethics of Manatee County per Manatee County Code of Laws, Article III, Ethics in Public Contracting, and/or Florida criminal or civil laws related to public procurement including but not limited to Florida Statutes Chapter 112, Part III, Code of Ethics for Public Officers and Employees, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work or for goods or services for Manatee County.

The County presumes that all statements made and materials submitted in a proposal will be truthful. If a Proposer is determined to be untruthful in its proposal or any related presentation, such Proposer may be disqualified from further consideration regarding this Request for Proposal.

A.14 COLLUSION

By offering a submission to this Request for Proposal the Proposer certifies the Proposer has not divulged to, discussed or compared his proposal with other Proposers and has not colluded with any other Proposer or parties to this proposal whatsoever. Also, the Proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other Proposer or with any competitor;
- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the Proposer prior to the scheduled opening directly or indirectly to any competitor;
- c. no attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;
- d. the only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
- e. no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.15 PUBLIC ENTITY CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted vendor list. In addition, Manatee Code of Laws Chapter 2-26 Article V prohibits the award of County contracts to any person or entity who/which has, within the past 5 years, been convicted of, or admitted to in court or sworn to under oath, a public entity crime or of any environmental law that, in the reasonable opinion of the Purchasing Official, establishes reasonable grounds to believe the person or business entity will not conduct business in a reasonable manner.

A.15 PUBLIC ENTITY CRIMES -continued:

To ensure compliance with the foregoing, the Code requires all persons or entities desiring to contract with the County to execute and file with the Purchasing Official an affidavit, executed under the pain and penalties of perjury, confirming that person, entity, and any person(s) affiliated with the entity, does not have such a record and is therefore eligible to seek and be awarded business with the County. **Proposer is to complete Attachment “A” and submit with your proposal.**

A.16 LOBBYING

After the issuance of any Request for Proposal, prospective Proposers or any agent, representative or person acting at the request of such proposer shall not contact, communicate with or discuss any matter relating in any way to the Request for Proposal with any officer, agent or employee of Manatee County other than the Purchasing Official or as directed in the Request for Proposal. This prohibition begins with the issuance of any Request for Proposal and ends upon an award of the final contract, when all solicitations have been rejected, or when the request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Code of Law Chapter 2-26.

A.17 EQUAL EMPLOYMENT OPPORTUNITY

In accordance with the provisions of Title VI of the Civil Rights Act of 1964 and Title 15, Part 8 of the Code of Federal Regulations, Manatee County hereby notifies all prospective proposers that they will affirmatively ensure minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color or national origin in consideration for an award of contract.

A.18 AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual’s disability status. This non-discrimination policy involves every aspect of the County’s functions including one’s access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for the **public meetings** specified herein (i.e. Information Conference or Proposal Opening), should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity.

END SECTION A

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SECTION B: FORM OF PROPOSAL

This section identifies specific evaluation factors which are to be given written responses. The contents of each proposal shall be **separated** and **arranged with tabs** in the same order as listed in Sections B.01 through B.04 identifying the response to each specific item.

The information that Proposers provide shall be used to determine whether the Proposer has the ability to perform the Scope of Services as stated herein in a way which best meet the needs of Manatee County. A review with those Proposers reasonably susceptible of being selected for award may be conducted for the purposes of clarification of both ability and benefit to Manatee County. See Section C, "Selection."

B.01 MINIMUM QUALIFICATIONS

Proposals may be submitted by one (1) or more sole proprietorship, corporation, or partnership authorized to conduct business in the State of Florida.

Prior to any consideration of the responses to the criteria in this Request for Proposal, Proposers are to document in their proposals that they have provided Professional Workers Compensation Claims Administration Services for self-insured accounts for a public entity similar in complexity and nature to the one being proposed in response to this Request for Proposal for at least five (5) continuous years within the past ten (10) year period.

Where Proposal is made by more than one (1) business entity, each entity must sign the Proposal.

To validate experience, expertise and capabilities, Proposers shall provide:

- B.01.1** Proof that Proposer's established business address is within a 50 mile radius of Manatee County;
- B.01.2** A copy of Proposer's license, where applicable;
- B.01.3** The state, county or city where Proposers' services were rendered;
- B.01.4** Name of the entity who issued the contracts;
- B.01.5** Contract Administrator for the named contracts; include telephone and email address information.

After Manatee County staff validates the Minimum Qualifications have been met, those Proposals found to be in compliance will be considered.

B.02 ADMINISTRATIVE SUBMITTAL

- B.02.1.** Proposal Signature Form.
- B.02.1.** Public Contracting and Environmental Crimes Certification (Attachment A).

B.03 INFORMATION TO BE SUBMITTED REGARDING PROPOSER(S):

Tabs are required to identify each item defined in this Section.

B.03.1 Background and Size: Provide a description of the Proposer's background and size. Provide a general statement of qualifications that includes your firm's professional credentials, the legal status of your organization, and experience in providing the service enumerated in this Request for Proposal.

B.03.2 Business Entity: Provide an explanation of the business entity which you represent. Specify the business entity which would be bound by a contract, should your firm be selected: company or corporation; subcontractor roles; and if a joint venture, include the specific experience that the joint venture partners have working together on similar projects.

If the Proposer is a joint venture, or partnership, the details of the responsibilities for provision of the required services must be clearly disclosed. Provide a narrative on how you anticipate the partnerships to manage the work and any prior experience that the individual entities may have had in working together on other projects. Disclose the lead firm of a joint venture.

B.03.3 Legal Authority: Provide a detailed explanation that your firm has the legal authority to perform the services described in this Request for Proposal.

B.03.4 Ownership Interest: Disclosure of any ownership interest in or operation of other entities involved in Workers Compensation Claims Administration Services which may be a potential participant in this Request for Proposals. This ownership disclosure shall be included, whether such ownership occurs by the proposer through a parent, subsidiary or holding company or any other form of business entity. Submit entity names and the percent of ownership for each.

B.03.5 Organizational Chart: Submit an organizational chart of your firm or organization, stating the names of the firm or organization's management and supervisory personnel to be assigned to this contract undertaking. Please include any major changes in the firm's senior management positions within the last three (3) years.

B.03.6 Key Personnel: Identify each principal of the firm and other key personnel who will be professionally associated with the County in the performance of the services described herein. Do not include personnel that will not have a key role in providing services. Describe their respective areas of expertise.

B.03.6 Key Personnel –continued

For each identified person list:

- Full Name
- Title
- Professional credentials such as the Accredited in Public Relations (APR) designation or equivalent
- Area of expertise, individual's roles and duties in providing services
- Office address
- Email address
- Telephone number
- Personalized resumes which identify the qualifications, training and experience of each key personnel.

B.03.7 Staffing Level: Submit a staffing level statement for your organization, detailing how many total employees work for your firm or organization at any one time. In addition, please include the number of claims adjusters being proposed and the number of files each claims adjuster will be handling.

B.03.8 Corporate References: Provide three (3) external client references from clients who received similar services to those described herein. The minimum information that must be provided about each reference shall include:

- a. Name of individual/company for whom services were provided
- b. Address of individual or company
- c. Name, e-mail address, and telephone(s) of contact person
- d. Type of services provided and dates services were provided

B.03.9 Proposed Staff References: Provide one (1) external client reference for each proposed staff member. The minimum information that must be provided about each reference shall include:

- a. Name of individual/company for whom services were provided
- b. Address of individual or company
- c. Name, e-mail address, and telephone(s) of contact person
- d. Type of services provided and dates services were provided

B.04 INFORMATION TO BE SUBMITTED REGARDING PROPOSED WORKERS COMPENSATION CLAIMS ADMINISTRATION SERVICES

B.04.1 Subcontractors: Identify any operational areas you intend to use subcontractors. Identify the services and roles that each subcontractor would assume in providing services. Provide a client reference list for the subcontractor(s).

B.04.2 Economic Benefit: Submit a narrative explaining the direct economic benefit to Manatee County to be realized by selecting your firm. During the term of this engagement detail the revenue maximizing activities, employment, subcontracting, and support services contracting as economic stimulus that your entity may generate that would directly benefit Manatee County.

B.04.3 Experience: Demonstrate your firm's experience of a minimum of five (5) years of documented, successful experience in third party administration of Workers Compensation claims and billing administration services as described in this Request for Proposal.

Proposers shall demonstrate knowledge of public sector claims and have adjusters on staff with a minimum of five (5) years of lost-time claims management with emphasis on adjusting Presumption Claims.

In addition, demonstrate the following experience for these positions:

Claims Manager: Ten (10) years or more experience in investigation, evaluation and settlement negotiation of workers' compensation claims and at least five (5) years of experience as a Claims Supervisor.

Senior Examiner: A minimum of seven (7) years experience in investigation, evaluation, and settlement negotiation of workers' compensation claims and at least five (5) years of experience handling lost-time cases.

Examiner: A minimum of five (5) years experience in investigation, evaluation and settlement negotiation of workers' compensation claims and at least three (3) years of experience handling lost-time cases.

Claims Technician: A minimum of three (3) years of claims handling experience.

- B.04.4 Public and Private Experience:** Provide a list of a minimum of three (3) other government and/or public entities that your firm has successfully performed services similar to those specified in this Request for Proposal. Include the name, address, and telephone number of the contact person as well as the number of claims successfully processed.
- B.04.5 HIPAA Compliant:** Provide documentation that your firm is bondable and compliant with the Health Insurance Portability and Accountability Act (“HIPAA”) of 1996, and its implementing regulations, including the Standards for Privacy of Individually Identifiable Health Information, 65 Fed. Reg. 82,462 *et seq* (December 28, 2000) (hereinafter the “HIPPA Privacy Rule”).
- B.04.6 Claim Handling Process:** Describe your firm’s claim handling process using workflow model illustrations from receipt of billing through payment completion; indicate areas where communication among the entities is required.
- B.04.7 Financial Controls:** Describe your firm’s financial controls and include bank reconciliation procedures, cash disbursement system, audit trails, frequency of internal audits.
- B.04.8 Claim Remittance Process:** Describe your firm’s claim remittance process. Explain how claims are tracked, what methods will be employed to ensure accuracy and timeliness; explain how errors are reduced, and how duplicate bills handled.
- B.04.9 Security:** Demonstrate your firm’s security procedures, including electronic data transmission, reception and storage procedures, which will ensure the integrity and confidentiality of the records and communications related to the services described in this Request for Proposal.
- B.04.10 Information Technology Capabilities:** Please state whether your firm’s information technology department is in-house or outsourced; if outsourced, provide a copy of the most recent Statement on Auditing Standards (SAS) No. 70 Report or disaster recovery plan for the subcontractor.
- B.04.11 Automated Claim Management System:** Describe your firm’s automated, internet-accessible, claim management system platform and what software or equipment is required to interact with it. State whether the information technology system utilized to process claims loss and expense payments can be electronically lined with the County and can validate payments to a vendor file supplied by the County.

- B.04.12 Disaster Recovery Plan:** Provide your firm’s data process for dealing with data disaster recovery plan, business continuity planning, and process for dealing with data breaches.
- B.04.13 Sample Reports:** Provide a copy of sample reports required to perform the services as described in this Request for Proposal.
- B.04.14 Project Timeline:** Provide a proposed project timeline to include the time required, prior to the commencement date, to coordinate the administrative issues with the County.
- B.04.15 Transition and Implementation Plan:** Provide a detailed transition and implementation plan to include your firm’s methodology to handle outstanding and open claims for payment. Indicate all phases of implementation and the lead time for each phase. Provide a timeline for initiating an electronic file transfer to and from the County. Demonstrate your firm’s ability to meet the projected timeline.
- B.04.16 Cost Proposal:** Provide a cost proposal that clearly delineates all costs to the County expressed annually in a three (3) year projection. The cost proposal shall include all service levels and all direct costs, including maintenance, enhancement, or adjustments to the program services during that projected three (3) year term using the following models:

Model One: **Price per Claim/per Year**
 ·Lost-Time Indemnity Claim
 ·Medical-Only Claim
 ·PPD/PTD Claims

Model Two: **Per Claim – One-Time Life of Claim**
 ·Lost-Time Indemnity Claim
 ·Medical-Only Claim
 ·PPD/PTD

Proposers may discuss any pricing models in addition to the above. In addition, Proposers shall provide the County with a recommendation and explanation as to which pricing model suits the County’s overall objective in the most cost efficient manner.

The proposal price shall be all-inclusive, unless otherwise directed herein, and shall include, but not be limited to, any and all of the costs associated with startup, initial training, on-going training, and annual re-training, any and all of the costs associated with system updates and annual maintenance, revised Medicare fee uploads and updates, any and all of the costs associated with the creation of, and addition to,

B.04.16 Cost Proposal –continued

reports, any and all of the costs associated with licenses, fees, permits, bonds, and insurance required to perform the work, and any and all of the costs associated with labor, personnel, supervision, and administration necessary to perform the work, and any and all costs associated with mailing charges necessary to perform the work, and any and all of the costs associated with set-up, interfacing, integration, and customer support necessary to perform the work in a professional and efficient manner as described in the Scope of Services.

B.04 SUPPLEMENTAL INFORMATION

Submit any other additional information which would assist the County in the evaluation of your proposal.

NOTE: The County reserves the right to make such investigation and solicit additional information or submittals as it deems necessary to determine the ability of any Proposer to perform the Scope of Services stated in this Request for Proposal.

END SECTION B

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SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors are price and demonstrated ability of the Proposer(s) to perform the Scope of Services as generally outlined in Section E in the most timely and efficient manner and the proposal(s) which will provide the best solution to meet the needs of Manatee County as determined from the responses to this Request for Proposal and subsequent investigation.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

No weight has been assigned to the Evaluation Factors other than as stated above.

C.03 PRELIMINARY RANKING

A Selection Committee shall determine from the responses to this Request for Proposal and subsequent investigation as necessary, the Proposer(s) most susceptible of being selected for award.

C.04 IN-PERSON REVIEW OF PROPOSERS AND PROPOSALS

In-person reviews may be conducted with responsible Proposers who are deemed reasonably susceptible of being selected for award, for the purposes of assuring full understanding of (a) conformance to the solicitation requirements, (b) the abilities of the Proposer, and (c) the proposal submitted.

Proposers shall be available for presentations to and interviews with the Selection Committee, upon notification from Purchasing. The date(s) and time(s) of any such presentations / interviews shall be determined solely by the County.

C.05 SELECTION FOR NEGOTIATION

The Proposer, whose ability and proposal is determined to be the best proposal that is most advantageous to the County, taking into consideration the Evaluation Factors set forth in this Request for Proposal, shall be selected to negotiate an agreement for the County determined Scope of Services. The selection of a Proposer for negotiation shall not be construed as vesting any contractual or other rights of any nature in the Proposer.

C.06 AWARD

Award of an agreement is subject to the successful negotiations and the authorization of the appropriate approval authority to execute an agreement.

END SECTION C

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SECTION D: NEGOTIATION OF THE AGREEMENT

D.01 GENERAL

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

- a. The proposal will serve as a basis for negotiating an agreement, but not compel adherence to its terms or conditions.
- b. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this Request for Proposal whether or not the proposal is accepted.
- c. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

D.02 AGREEMENT

The selected Proposer shall be required to negotiate an agreement in a form and with provisions acceptable to Manatee County.

Negotiated agreements may or may not include all elements of this Request for Proposal or the resulting successful proposal where alternative terms or conditions become more desirable to the County, and the parties agree to such terms.

END SECTION D

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SECTION E: SCOPE OF SERVICES

E.01 BACKGROUND AND INTRODUCTION

Manatee County, Florida is located along the state's southwest coast south of Tampa. The County covers approximately 740 square miles of land with coastline and beaches and is made up of six cities: Bradenton, Palmetto, Anna Maria, Bradenton Beach, Holmes Beach, and Longboat Key; unincorporated areas include Duette, Ellenton, Parrish, Myakka City, and Lakewood Ranch.

Manatee County Government provides coverage for Workers Compensation claims through a self insured program administered by a Third Party Administrator. The program covers approximately 3,300 full time employees and volunteers and includes the Board of County Commissioners, Manatee County Sheriff's Office, Clerk of the Circuit Court, Supervisor of Elections, Manatee County Tax Collector, Manatee County Property Appraiser and the Metropolitan Planning Origination.

As indicated, the program does cover law enforcement, which includes certified officers within the Sheriff's Office and Correction's Division of Manatee County. The Manatee County Department of Public Safety employs Emergency Medical Technicians, Paramedics and one (1) person classified as a Fire Fighter.

Manatee County requires the services of a qualified third party administrator ("TPA") to provide cost effective workers' compensation claims administration in accordance with the requirements outlined in this Request for Proposal ("RFP").

The County requires the services of a TPA to process workers' compensation claims in a timely manner and in accordance with Florida Statute 440.20 and Florida Administrative Code 69L-7.602.

The successful Proposer shall have sufficient staff to conduct field investigations, provide prompt reporting and adjudication of medical and indemnity payments. As part of the services, the successful Proposer shall be expected to handle claims from inception to disposition and shall be responsible for communicating regularly with claimants, assisting in returning claimants to restrictive duty positions, identifying and defending fraudulent claims actively pursuing subrogation, and reporting regularly to the County.

The successful Proposer's responsibilities shall also include setting reserves, attending hearings, negotiating and settling claims for amounts pre-approved by the County, arranging for independent medical examinations, arranging for and monitoring rehabilitation services, and filing reports with the State and excess insurance providers. The County will have final approval of all outside vendors utilized, including attorneys, independent medical examiners, and vocational experts.

E.01 BACKGROUND AND INTRODUCTION –continued

For the past three years, there have been a total of 729 reportable claims or an average of 243 per year. Of those claims, 494 were Medical Only claims with an average of 165 Medical Only claim per year. The Lost-Time claims totaled 232 or an average of 77 claims per year.

Manatee County also requires that all medical payments will be processed through a third party administrator. Manatee County averages approximately 3,500 medical bills that need to reviewed and paid on an annual basis.

The successful proposer must have the ability of processing approximately 3,300 medical on an annual basis to comply with the requirements of

The successful Proposer shall be able to work collaboratively with all hospitals and physicians and shall provide administrative services in accordance with industry standards, HIPAA, and all applicable state and federal laws.

The successful Proposer shall provide all administration, supervision, labor, manpower, equipment, materials, supplies, software and hardware necessary to perform the services described herein. Manatee County expects that this Request for Proposal will result in an award to perform Third Party Administration of Workers Compensation Claims adjusting for one year with an option to renew for 3years.

Manatee County expects that this Request for Proposal will result in an award to perform Professional Workers Compensation Claims Administration Services on an annual basis for a period of three (3) years.

E.02 SPECIFIC SCOPE OF SERVICES

The following describes the Scope of Services that shall be the successful Proposer's responsibility:

E.02.1 Processing of Workers Compensation Claims

The successful Proposer shall be responsible for administering Workers Compensation Claims in compliance with the requirements of Florida Statute 440 or any other applicable Statutes or rules of the Florida Administrative Code.

E.02.2 Office Location

The successful proposer shall maintain an office within a radius of 100 miles of Manatee County.

E.02.3 Payment Process

The successful Proposer shall make payments at the appropriate level of compensation as determined by the Florida Workers Compensation fee schedule and any regulatory requirements and shall provide an Explanation of Benefits to the physician with their payment. Billing will be submitted to the successful Proposer by the physician on the State required forms and not payment will be made until such forms are provided.

The successful Proposer shall receive and process the claim for billing, investigate and verify the statements contained in the claim and determine the payment in accordance with the Florida Workers Compensation fee schedule and applicable rules of the Florida Administrative Code.

The successful Proposer shall check all claims to assure that they are not duplicates of previously paid claims as well as check all claims for unbundling, upcoding, and to assure that they meet all industry standard billing guidelines.

E.02.4 Account Management

The funds required to perform payment services will be provided through accounts owned by the County. Check printing and mailing including postage shall be the responsibility of the successful Proposer. Payment shall be made from funds of, or arranged by, the County.

The County will maintain sufficient funds in a bank account(s) to cover checks disbursed by the successful Proposer in connection with payment services provided in this Request For Proposal.

A special wire transfer will be required on any single of \$10,000.00 or greater.

E.02.5 Security

The successful Proposer shall employ security procedures with respect to the handling of checks and drafts and any equipment used to produce them. The successful Proposer shall protect and maintain all check and signature plates, if any, laser printing equipment and other such equipment from theft or unauthorized use. Access to checks and such equipment shall be in secured and controlled areas.

E.02.6 Claims Adjudication

The successful Proposer shall be responsible for coordinating, facilitating, and adjudicating all claim reviews and audits; and shall respond directly to all inquiries related to claims. The County will be financially liable for any such claims and shall have sole authority to decide all claims issues.

All claims will be adjudicated in accordance with Florida Statute and applicable Florida Administrative Code. Any assessed fines or penalties that are determined to be the fault of the Third Party Administrator will be their responsibility.

All calls from claimants will be returned within twenty-four (24) hours of receipt.

The successful Proposer will conduct quarterly with staff members and representatives from Manatee County for the purposes of determining claims management and litigation strategies.

E.02.7 Audit Compliance

The successful Proposer shall participate in, and comply with, any internal and external quality assurance, utilization review, peer review, and grievance procedures as a result of the services performed as described in this Request For Proposal.

The successful Proposer shall effectively work with the Finance Division of the Manatee County Clerk of the Circuit Court (the "Clerk"), an independent constitutional office, who may, from time to time, determine certain requirements of Florida law must be met concerning the payment or collection of County funds. The successful Proposer shall work with the Clerk's office to ensure compliance with any such issues.

Manatee County shall reserve the right to have independent auditing companies of their choice perform audits of files, claims management procedure and regulatory compliance, and subcontracted vendors.

E.02.8 Records Management

The successful Proposer shall maintain complete, accurate, and up to date fiscal records concerning its performance of the services described in this Request For Proposal.

E.02.8 Records Management -continued

The successful Proposer shall ensure the confidentiality of all HIPAA protected information received or transmitted in performance of the services described in this Request For Proposal. However, all records may be examined by the County's internal or external auditors.

The successful Proposer shall maintain billing records to support all payments and verify the accuracy of those payments. Such records shall be in their original form or in digital format, and shall be available on-line to the County and County auditors.

E.02.9 Technology Requirements

The successful Proposer shall provide an internet accessible management system platform to include, at a minimum, real-time interactive communication and claim management capable of downloading and integrating historical data and produce monthly allocation reports.

The system shall adhere to and implement current privacy standards of HIPAA requirements, and follow the national electronic data interchange (EDI) standards and use the national standard codes such as HCPCS, CPT, and CDT.

The system shall have a plan and strategy for disaster backup and recovery performance.

E.02.10. Reports

The successful Proposer shall provide the County with a management report, in a format acceptable to the County, and to include detail of all allocations and payment activity on a monthly, quarterly and annual basis which shall include, at a minimum, the name of the provider, number of claims processed, number of claims denied, dollar amount of each claim, type of service, a summary of refunds, and an aged trial balance of outstanding claims.

In addition, the Successful Proposer shall provide a check register to the County on a Bi weekly basis for purposes of operating fund reimbursement

E.02.11 Special Requirements

The successful Proposer will coordinate with representatives of Manatee County Risk Management to attend any in-house classes held for the purposes of maintaining the educational requirements for adjusters.

The County will have final approval of all staff assigned to perform these services. Any changes to staffing on the account shall meet the prior written approval of Manatee County Division of Risk Management.

E.02.12 Transition Plan

The successful Proposer shall be capable of implementing a plan for executing the transition of billing services including all necessary set-up, interfacing, integration, and training. The plan shall also include a process to handle outstanding and open claims during the transition period.

END SECTION E

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PROPOSAL SIGNATURE FORM

**REQUEST FOR PROPOSAL NO. 12-1076DC
PROFESSIONAL WORKERS COMPENSATION CLAIMS ADMINISTRATION**

Firm Name: _____

Mailing Address: _____

City, State, Zip Code

FL Dept of Business Regulation License #: _____ if applicable

Federal Employer Identification Number (FEIN): _____

Telephone No: () _____ Fax: () _____

Email address: _____

The undersigned attests to his (her, their) authority to submit this proposal and to bind the firm herein named to perform as per agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish an agreement to provide consulting services according to the requirements of this Request for Proposal.

Signature
Date: _____

Name and Title of Above Signer

Address of branch office proposed to service Manatee County other than above

Name and Title of Firm's Representative for Manatee County

Telephone Number and Email Address of Firm's Representative for Manatee County

Addendum# _____ Dated _____ Addendum# _____ Dated _____

Addendum# _____ Dated _____ Addendum# _____ Dated _____