

State of Hawaii
Department of Education
Office of Curriculum, Instruction and Student Support
Special Education Section

March 7, 2011

ADDENDUM B

To

Request for Proposals

RFP No. F11-124
Behavioral Instructional Support Services
(Statewide)

The Department of Education's responses to interested Provider's written questions, the following answers are hereby provided.

RFP Solicitation
Section 1 Administrative Overview

1. Reference (F11-123, 124, 125) VIII. Submission of Proposals 1-5, Subsections D. Tax Clearance and F. Hawaii Compliance Express (HCE)

Q: Would you please clarify for us the requirement for Tax Clearance paperwork? Will the A-6 print out showing a compliant status generated by the HCE website suffice for submittal in the RFP?

Do we need to include the stamped original in the RFP submittal as stated in VIII. D. and the HCE print out discussed in VIII. F. will only suffice once the contract has been awarded and/or for final payment.

A: A valid Certificate of Vendor Compliance issued by the Hawaii Compliance Express (HCE) is acceptable in place of an original tax clearance for purposes of both award and final payment.

**RFP Solicitation
Section 2 RFP Service Specifications**

2. Reference (F11-124, 125) Pg. 2-7 and 2-8 and Pricing Structure pg. 3-6

Q: How were the rates for paraprofessional and BISS services determined? How were increases in the cost of doing business (e.g. increase of health care costs, increase in excise taxes, increase in hourly wages, rent, etc. amounting to some 30+% over the past RFP) taken into account?

A: The rates for BISS and Paraprofessional Services are based on current contract rates. The Department of Education (DOE) has had severe budget cuts in the last two years and will not entertain a rate hike at this time.

**RFP Solicitation
Section 3 Proposal Application Instructions**

3. Reference (F11-124, 125) Q: pg. 3-6 Viewing Table 1 - ANTICIPATED HOURS NEEDED BY DISTRICT FOR PARAPROFESSIONAL SUPPORT SERVICES and Table 1 - ANTICIPATED HOURS NEEDED BY DISTRICT FOR BEHAVIORAL INSTRUCTIONAL SUPPORT SERVICES

Q: The Table indicates that projected BISS services (6,092 hrs.) needed in Kauai District is 668% of projected paraprofessional services (912 hrs.). Are these projections correct?

A: The estimated hours table has been revised. Refer to Addendum A.

4. Reference (F11-123, 124, 125) Section 3, Proposal Application Instructions, III. Project Organization and Staffing, A. Staffing, 2. Staff Qualifications: Describe how staff is evaluated for the mandatory background checks and how background checks are conducted to encompass all previous places of residence.

Q: Would you please clarify the criminal history check requirement for providers, specifically with respect to the depth of background checks and the requirements for those Agency employees and workers that have lived out of state and in foreign countries?

A: The DOE requires that a local criminal history check be conducted as stated in Attachment 1 #5 and Attachment 1,15.4

See revised requirement (Addendum A)

Exhibit A

5. Reference (F11-124, 125) Exhibit A, 4.1.3. Criminal History Record Check Requirements, Section 4.1.3.2.: regarding "reasonable investigations":

Q: What does the DOE consider "reasonable investigations" to determine if a staff member has been convicted of a criminal offense that would affect their ability to work with children?

A: The RFP states that the STATE will require a local criminal history check as described in the RFP.

6. Reference (F11-124, 125) Pages 4-5, section 4.1.3.2, states, “The required fingerprint checks shall be completed before any [provider] is assigned to any work site.”

Q: Would you please clarify the fingerprint requirement? What is the underlying statutory authority for fingerprinting staff?

A: Section is revised. **See revised requirement (Addendum A)**

7. Reference (F11-124, 125) Page 7, 4.1.6.3, states that “all training must be face to face (unless web-based) and conducted or facilitated by a [qualified] professional..”

Q: During the RFP orientation session, it was discussed that web-based programmed learning that is not actively conducted or facilitated by qualified professions in real time would meet the requirement if the online learning session is interactive and demonstrates that the learned has mastered the content. Assuming the Provider can submit curriculum content, testing results, etc., would you please clarify whether interactive online learning meets the training requirement?

A: Assuming that the provider can submit curriculum content, testing results, etc. interactive online learning would meet the training requirements. Please note that all training must be approved by the STATE and meet the requirements as stated in Exhibit A: 4.1.6 Training Requirements.

8. Reference (F11-124, 125) 4.1.6.3 pg. 7.

Q: This states that web-based training is allowed, is video training also acceptable?

A: Yes, as long as it is facilitated by persons meeting the minimum qualifications as stated in the RFP. Please note that all training must be approved by the STATE and meet the requirements as stated in Exhibit A: 4.1.6 Training Requirements.

9. Reference (F11-124) Page 13, 5.1.1.6, states, “A Service Verification Form must be completed and submitted at every two weeks or State stipulated timeline to the IEP Care Coordinator...”

Q: The current requirement is submission of SVFs on a monthly basis. Would you please explain what the requirement has changed and who at the State level will be stipulating the timeframe?

A: The submission of SVFs was changed to support better accountability at the school level in terms of monitoring the delivery of contracted services. The school and/or district could modify the timeframe for submission of SVF forms.

Attachment 1

10. Reference (F11-124, 125) Page 4, section 9.1, states, “...Provider shall submit a data storage device... within fourteen (14) calendar days after the last day of each calendar month...” Any claims beyond this will not be reimbursed. However, delays in timely submission sometimes result from delays in receiving hard-copy authorizations for service from the school or district.

A: The DOE will not remove the time limitation per Attachment 1.9. Invoicing and Payment Schedule, however, each District will determine any special considerations and special billing submittals.

11. Reference (F11-124, 125) Q: Would you please clarify the proper way for Providers to address delays in the receipt of hard-copy authorizations?

Are there any special considerations that the STATE will provide to the AGENCY to bill for these services and get reimbursed if they exceed the 14 day window if the delay is due to the school/district? What will be the criteria be to submit special billing?

A: The DOE will not remove the time limitation per Attachment 1.9. Invoicing and Payment Schedule, however, each District will determine any special considerations and special billing submittals. The agency should contact the school SSC and/or the school Principal. Should the issue not be resolved the agency should contact the District Educational Specialist for assistance in resolving the issues. If the issue still cannot be resolved, the agency should contact the Complex Area Superintendent.

12. Reference (F11-124, 125) Page 3-4, section 9.1, states, "Once properly submitted, the State shall have thirty (30) days to pay unless the claim/invoice is called into question (e.g., appeals, corrections, etc.) However, districts typically delay feedback on claim questions as long as sixty (60) days after submission. These delays result in the delay of payment of the entire invoice amount, even if the question is related to an authorization concern with a school (not the Provider), and even if that dispute may impact only a small fraction of the invoice. This process results in payment from these districts 80-120 days after our invoice submission.

Q: a. Would you please clarify whether the State intends to change its payment procedures to pay the line items on invoices that are not in question within the requirements and commitments in the contract?

c. If not, would you please clarify the proper way for Providers to address escalation procedures, delays in the review process, and dispute procedures or delayed payment?

A: a. The DOE will not change its payment procedures to pay the line items on invoices.
c. The agency should contact the school SSC and/or the school Principal. Should the issue not be resolved the agency should contact the District Educational Specialist for assistance in resolving the issues. If the issue still cannot be resolved, the agency should contact the Complex Area Superintendent.

13. Reference (F11-124, 125) If we are being offered a fair market rate for our services, how is "Seek Market Value" enforceable? (see Section 5 Attachment 1 #15. Relief Available to State 15.4 pg.8).

Q: If the rate (Section 5 Attachment 2) is indeed a fair market rate, why does the Department anticipate that it would have to pay more to obtain services on the open market and it would tax providers the difference between the RFP price and the market price?

A: Subject provision is only applicable if a provider fails (e.g. refuses or neglects) to perform their duties.

Attachment 2

14. Reference (F11-124, 125) Rate and Cost Summary (as will be revised), proposes unit rates of reimbursement that have remained unchanged for five (5) years, during which time the cost of healthcare, wages, and other expenses have increased by an average of 3 to 5% a year.

Q: Would you please clarify whether the State intends to maintain these rates throughout the maximum length of the contract or whether the State will reevaluate the appropriateness of these rates in light of a standard index (e.g., consumer price index) after the initial contract term or prior to any contract extension term?

A: The DOE has had severe budget cuts in the last two years and will not entertain a rate hike at this time. Should the Department's budget issues change in the future the DOE will consider a change in the rates in any subsequent contract extension.

Miscellaneous Questions

Reference F-11 124 BISS

15. Q: Who is responsible to create and update the behavior support plan (BSP)?

A: The Department is responsible to create and update a BSP. However, the BISS can be a participant in the development and/or update of a BSP.

Reference F11-123 Special School Services, F11-124 BISS, F11-125 Paraprofessional Support Services

16. Q: Training: Can college coursework be accepted as professional development hours if hours pertain to educationally relevant evidence based interventions for target population?

A: College course work can be accepted as professional development hours if the coursework pertains to educationally relevant evidenced based interventions for the target population. The credits must be earned from an accredited institution.

17. Q: Training: Under what conditions may attendance at professional conference be accepted?

A: Attendance at professional conferences will be accepted as long as it meets the training requirements as stated in the RFP.

Unless described herein, nothing in this Addendum B shall alter, amend, or modify the terms and conditions of the original RFP.