

ADDENDUM #2

June 19, 2020

Reference Request for Proposals #3000015188 soliciting Proposals from any qualified proposers to provide Flexible Spending Arrangement and COBRA Administration Services.

Addendum #2 includes responses to written inquiries received by the deadline stated in the Request for Proposals (RFP), amends proposal submittal requirements, and provides amendments to the RFP.

THIS ADDENDUM IS HEREBY OFFICIALLY MADE A PART OF THE REFERENCED REQUEST FOR PROPOSALS.

INQUIRIES AND RESPONSES

No	Inquiry	Response
1	General, Q4. Are you asking us what systems we use for the actual administration of the FSA and COBRA services?	Yes. OGB is asking for the systems that are used for the administration of the FSA and COBRA services.
2	General, Q9. If we are already in full compliance with HIPAA and HITECH, do you want us to indicate some of the steps/tasks we've completed to get in compliance? The question implies that we are not in compliance and have to take steps to get in compliance.	If a proposer is already in full compliance with HIPAA and HITECH, please state so and provide the steps the proposer completed to become compliant.
3	General, Q12-Q13. Can you share what the current process is in regards to unclaimed/returned mail and emails?	OGB is requesting information from proposers. The current contractor's process is not relevant. OGB's expectation is that the selected Contractor will handle unclaimed/returned mail in manner that is consistent with due process requirements.
4	General, Q23 and Q25, these questions are duplicates. Can we delete Q25 or should there be a different question here?	Question number 25 is removed from the RFP. See Amendment to RFP, ATTACHMENT III: TECHNICAL QUESTIONNAIRE below.
5	FSA Administration, Q3. Can you please clarify this question further? Are you asking if we can auto-enroll a participant in the new year health care FSA if they were participating in the prior year?	Attachment III: Technical Questionnaire FSA Administration, Question 3 provides: 3. Can the FSA system administer multiple plan years concurrently and allow dual records during the first four or so months of a new plan year? a. Can the system automatically enroll eligible participants who elect to continue to participate? Although OGB requires participants to make an annual election to enroll in healthcare FSA, OGB is asking if Proposer can allow prior year participants to keep the same debit card and not establish a new account if they are included on the file for the new calendar year healthcare FSA.

6	<p>Scope of Service Task 1, item 3. This amount seems rather high compared to the annual contract amount. Can you expand on how much of the credit you anticipate being used and if the credit is meant to cover 3rd party fees billed to the State (e.g. fees billed by HRIS vendor to modify existing file feed, fees to cover new mailings to all State employees, etc.), fees potentially billed by the incumbent (run-out fees for the 2021 claims run-out period), or fees that the new vendor would bill as part of set-up or annual services?</p>	<p>The implementation credit may not be used to cover third party expenses.</p> <p>Per FSA and COBRA RFP, Section 1.9 H Cost Proposal provides that All cost information must be provided within Attachment IV, Cost Proposal Template. Each administrative monthly fee proposed shall be inclusive of all services to be provided by the Proposer for each category, including travel and all contract-related expenses.</p> <p>OGB does not have an anticipated amount of the implementation credit that will be used during the term of the contract. The implementation credit will be used to offset OGB's expense associated with the RFP, transition, and ongoing services. At OGB's request, the implementation credit could be used for transition and ongoing services, including but not limited to, modifying the file feed that was implemented for the contract, additional outreach to participants at OGB's request, and any other program related ongoing service. The implementation credit will be applied on an as needed basis.</p> <p>See amendment to FSA and COBRA RFP, Section 2.2 Tasks and Services, Task 1: Implementation Services, No. 3 below.</p>
7	<p>Contract • 3.5 Performance Bond. Is the surety bond applicable to this contract or negotiable?</p>	<p>OGB will not rephrase this requirement.</p> <p>The Performance Bond requirements are as stated in Section 1.49 Performance Bond.</p>
8	<p>Contract • 4 Termination. Can this be modified to include mutual termination clauses? There seems to be no rights for the Contractor to terminate.</p>	<p>OGB will not rephrase this requirement.</p> <p>The Proposer should submit with its Proposal any exceptions or exact Contract deviations that it wishes to negotiate.</p>
9	<p>Contract • 5 Indemnification. Can the indemnification clause be mutual?</p>	<p>No. OGB will not rephrase this requirement.</p> <p>The Proposer should submit with its Proposal any exceptions or exact Contract deviations that it wishes to negotiate.</p>

10	<p>Contract</p> <ul style="list-style-type: none"> The overall contract seems more like a Professional Services Agreement and does not contain some of the specific provisions that are directly related to FSA and COBRA administration. Can we include additional language from our ASA Exhibits that would not be listed in our proposal response so that they are incorporated in the final contract? 	<p>Attachment I: Sample Contract refers to the FSA and COBRA administration services in the Statement of Work, Section 1.2. Also, the Proposer should submit with its Proposal any exceptions or exact Contract deviations that it wishes to negotiate, but shall be expected to enter into a Contract that is substantially the same as the Attachment I, Sample Contract.</p> <p>The FSA and COBRA RFP, section 1.30 Contract Award and Execution provides the following:</p> <p>The selected Proposer shall be expected to enter into a Contract that is substantially the same as Attachment I, Sample Contract. A Proposer shall not submit its own standard contract terms and conditions as a response to this RFP. The Proposer should submit with its Proposal any exceptions or exact Contract deviations that it wishes to negotiate. Additionally, the selected Proposer shall execute a Business Associate Addendum that is substantially the same as Attachment II. Negotiations may coincide with the announcement of the selected Proposer.</p>
11	<p>General Questions - COBRA</p> <p>The RFP indicates that the current COBRA fee is \$.23/pepm. Is this based on the State's benefit-eligible employee count or the number enrolled in benefits?</p>	<p>It is determined by the number of employees/retirees enrolled in an OGB health plan at the end of each month.</p>
12	<p>General Questions - COBRA</p> <p>Is the COBRA billable count updated each month or is it based on the January count and kept constant throughout the year?</p>	<p>The COBRA billable count is updated each month.</p>
13	<p>General Questions - COBRA</p> <p>Are retiree premium billing services also included with the COBRA contract through DBI? If so, how many retirees are there and are they also billed at the \$.23/pepm rate or a separate fee?</p>	<p>Retirees that are eligible for COBRA and elect COBRA are able to enroll in the COBRA plan offering. OGB intends to include retirees in the COBRA administrative fee payment for the contract effective January 1, 2021.</p>
14	<p>General Questions - COBRA</p> <p>Are retirees paying the 2% COBRA add-on premium?</p>	<p>All participants enrolled in COBRA are paying the 2%.</p>
15	<p>General Questions - COBRA</p> <p>Can you provide the COBRA participation counts (average monthly or by month)?</p>	<p>There was an average of 163 COBRA participants for calendar year 2019.</p>

16	<p>General Questions - COBRA</p> <p>The RFP states that the 2% COBRA premium fee should be remitted to the State. Please verify who is currently retaining the 2% administrative fee?</p>	The State is retaining the 2% administrative fee.																				
17	<p>General Questions - COBRA</p> <p>Can you provide the enrollment count for those who enrolled in the COBRA alternative insurance?</p>	This information is unavailable. OGB does not collect this information.																				
18	<p>General Questions - COBRA</p> <p>Does the incumbent provide a fully-functional mobile app for the COBRA administration or is it a mobile friendly web site with a front end app cover?</p>	Yes. The incumbent provides a fully-functional mobile app for COBRA administration.																				
19	<p>General Questions - FSA</p> <p>Does the current FSA plan use the \$500 carryover or the 2.5 month grace period?</p>	The current FSA plan uses the 2.5 month grace period.																				
20	<p>General Questions - FSA</p> <p>If not the \$500 carryover, is this something that the State will consider since there is an HSA option offered?</p>	No. The HSA plan offering is administered by a separate vendor.																				
21	<p>General Questions - FSA</p> <p>Does the current plan's debit card program use the auto-adjudication methods of copayment matching and recurring expense matching or do participants have to verify every card transaction?</p>	The current debit card program uses the auto adjudication method of copayment matching and recurring expense matching for certain health and pharmacy expenditures.																				
22	<p>General Questions - FSA</p> <p>Does the State currently use a carrier claims feed for claims or to substantiate any debit card transactions?</p>	Yes. OGB uses a claims feed for claims to substantiate debit card transactions.																				
23	<p>General Questions - FSA</p> <p>Does the current plan offer a debit card for the dependent care FSA?</p>	Yes. The current plan offers a debit card for the dependent care FSA plan offering.																				
24	<p>General Questions - FSA</p> <p>Can you supply the annual FSA enrollment figures for the 2017-2019 plan years by unique participants (someone enrolled in both health and dependent care counting as 1 person)</p>	<table border="1"> <thead> <tr> <th></th> <th>2017</th> <th>2018</th> <th>2019</th> <th>2020</th> </tr> </thead> <tbody> <tr> <td>General Purpose</td> <td>5947</td> <td>6148</td> <td>6080</td> <td>5873</td> </tr> <tr> <td>Limited Purpose</td> <td>89</td> <td>82</td> <td>85</td> <td>69</td> </tr> <tr> <td>Dependent Care</td> <td>445</td> <td>434</td> <td>436</td> <td>396</td> </tr> </tbody> </table>		2017	2018	2019	2020	General Purpose	5947	6148	6080	5873	Limited Purpose	89	82	85	69	Dependent Care	445	434	436	396
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25	<p>General Questions - FSA</p> <p>What does Will annual enrollment be online or will there be a concurrent paper enrollment as well? If so, do employees return the paper enrollment forms to the vendor directly or to the State for payroll processing first?</p>	Enrollment in the FSA plan is either online or by paper enrollment. Paper enrollments go to the State for payroll processing and to be included in the eligibility file.																				

26	<p>General Questions - FSA</p> <p>DBI currently do to support the State's annual enrollment activities?</p>	<p>The incumbent contractor is required to attend the annual enrollment meetings, supply handouts, webinars, etc.</p> <p>The incumbent contractor sends a representative if available. If not, the incumbent contractor sends materials to be placed on the OGB information table.</p>
27	<p>General Questions - FSA</p> <p>Are the current administrative fees for FSA billed to the State or to the participants?</p>	<p>The monthly administrative fee is recouped through payroll withholdings from the plan participant.</p>
28	<p>General Questions - FSA</p> <p>Are there any other optional fees that may be billed to the participant (e.g. check mailing or paper statements)?</p>	<p>No. There are no other optional fees that may be billed to the participant.</p>
29	<p>General Questions - FSA</p> <p>How is the current FSA plan funded and what is the funding timing? Are reimbursements held by DBI until funding is received by the State?</p>	<p>The incumbent contractor submits daily funding to OGB to cover reimbursements and OGB pays those daily. Reimbursements are not held by incumbent contractor until funding is received by OGB.</p>
30	<p>General Questions - FSA</p> <p>Does the State allow an auto-debit?</p>	<p>Yes, the State does allow for auto-substantiation for certain FSA eligible health care and pharmacy expenditures.</p>
31	<p>General Questions - Has the State experienced any service issues with the current provider?</p>	<p>An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract.</p>
32	<p>General Questions - Does the State anticipate any enrollment meetings and or benefit fairs for the new plan year? If so, how many and will you require attendance?</p>	<p>The enrollment meetings are held in 9 locations across the state. Presently OGB is not sure which format the meetings will be used due to COVID-19. Presently OGB is asking all of OGB's current vendors to supply a 3-5 minute video which explains their product. This will be used in a video/webinar if OGB decides to do virtual meetings (the video will also be used on our website for informational purpose throughout the year.)</p>
33	<p>General Questions - Has the current TPA failed to meet any of the State's performance guarantees?</p>	<p>An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract.</p>
34	<p>General Questions - Does the current contract have a dedicated customer service line for the State? We've called the number listed and it seems like the customer service unit is not dedicated to the State, but wasn't sure if that was just an accident or if this is not a current feature.</p>	<p>The contract requires that the incumbent contractor provide OGB with a dedicated customer service line.</p>
35	<p>General Questions - RFP indicates that there will be up to 72 payroll systems. Can you indicate the covered employee count under the 3-5 largest?</p>	<p>OGB does not have this information. The successful proposer will not be required to interface with 72 payroll systems, but is only required to interface with OGB's system.</p>

36	General Questions - Is there some type of security review process that we will need to go through in order for the State to use our Web portal?	In order for a company to house State confidential/restricted data, the company will need to present their SOC 2 Type 2 certification or answer the OTS InfoSec Third Party Security Questionnaire and undergo a security review.
37	General Questions - Does the State require that all work be performed onshore or can any of the services be provided off-shore or through subcontractors?	Per FSA and COBRA RFP, Attachment I: Sample Contract, Section 24 Business Associate Addendum, major delegated functions involving PHI and PII, including but not limited to claims processing, customer service, and any other services as provided by applicable Law, shall not be sourced outside of the territorial and jurisdictional limits of the fifty (50) United States of America.
38	General Questions - Is the incumbent providing a Email Bounce Back Report and Returned Mail Report? How is the incumbent remediating returned mail?	OGB is requesting information from proposers. The current contractor's process is not relevant. OGB's expectation is that the selected Contractor will handle unclaimed/returned mail in manner that is consistent with due process requirements.
39	General Questions - Is the State open to alternative/additional Performance Guarantees with different amounts as long as the overall fees at risk remains the same?	<p>OGB is interested in the Contractor meeting the performance guarantees set forth in the FSA and COBRA RFP.</p> <p>The FSA and COBRA RFP, section 1.30 Contract Award and Execution provides the following:</p> <p>The selected Proposer shall be expected to enter into a Contract that is substantially the same as Attachment I, Sample Contract. A Proposer shall not submit its own standard contract terms and conditions as a response to this RFP. The Proposer should submit with its Proposal any exceptions or exact Contract deviations that it wishes to negotiate. Additionally, the selected Proposer shall execute a Business Associate Addendum that is substantially the same as Attachment II. Negotiations may coincide with the announcement of the selected Proposer.</p>
40	General Questions - Can the PG fees be given as a credit on the monthly invoice?	No. The performance guarantee fees cannot be given as a credit on the monthly invoice.
41	General Question - Our firm does not meet the eligibility requirements of the Veteran or Hudson initiative. Are we required to make a good faith effort to subcontract with a firm that does or are we required to actually subcontract with one?	No, the Proposer is not required to subcontract with a Veteran or Hudson Initiative vendor. The Proposer must be a certified Veterans Initiative small entrepreneurship in order to receive points equal to 12% (12 points) of the total evaluation points in this RFP. If Proposer is a certified Veterans Initiative small entrepreneurship, Proposer must note this in its proposal in order to receive the full amount of applicable reserved points.

		If proposer is not certified, but has engaged one or more LaVet certified small entrepreneurs to participate as subcontractors, proposer shall provide the participation and anticipated dollar value of the subcontract, as requested in the chart in RFP Section 1.9 (G) in order to obtain any applicable Hudson/Veteran initiative points.
42	General Questions - Regarding the cost proposal scoring, if a proper [sic] offers free administration in return for offering voluntary benefits that are outside the scope of services, will that be considered a valid cost proposal? We've seen some firms do this as a means of manipulating the proposal scoring.	No. Per the FSA and COBRA RFP, Section 1.9 H Cost Proposal provides that all cost information must be provided within Attachment IV, Cost Proposal Template. Each administrative monthly fee proposed shall be inclusive of all services to be provided by the Proposer for each category, including travel and all contract-related expenses.
43	Is there an incumbent currently providing these services?	The incumbent contractor is providing FSA and COBRA administration for OGB. The scope of services for this RFP has been updated, so there are additional services listed in the RFP that are not currently provided by the incumbent contractor.
44	Are the services in this RFP continually needed, even beyond the term of the resulting contract, and therefore may be bid out again?	It is anticipated that the services in the RFP will continue to be provided to eligible Plan Participants, as law allows.
45	RFP PAGE 7. SECTION 1.5 Definitions. "Account Management Team" includes the following <u>Account Executive, Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst, COBRA Operations Manager, and Customer Service Manager.</u> QUESTION: Is there an expectation that all of these individuals will be dedicated exclusively to the State's contract <u>or</u> is there an expectation that the account manager and a back-up staff member will be dedicated exclusively to the State's Account Management Team?	See amendments to Account Management Team provisions below. The Account Executive from the Account Management Team shall be dedicated exclusively to OGB. The Account Executive must have at least one (1) back-up staff member designated to handle the overall responsibility of OGB.
46	RFP PAGE 9. We note that "Shall, Must, Will" denotes a mandatory requirement. We also note Section 1.27 (Acceptance of Proposal Content) states: "All Proposals will be reviewed to determine compliance with administrative and mandatory requirements as specified in the RFP. Proposals that are not in compliance will be rejected from further consideration." QUESTION: To clarify, may the Proposer request modifications or deviations to the mandatory requirements in its proposal? Or, will the inclusion of requested modifications or	Mandatory requirements for proposers and proposals are non-negotiable. Per Section 1.9, Proposal Response Format, I. Certification Statement, proposer must sign and submit Attachment V, Certification Statement, which provides at Number 3: 3. Proposer complies with each of the mandatory requirements listed in the RFP and will meet or exceed the functional and technical requirements specified therein.

	<p>deviations result in an outright rejection or disqualification of proposal?</p>	<p>Proposers may request deviations to the contract terms by following the directions in Section 1.9 Proposal Response Format, C. Executive Summary.</p>
47	<p>RFP PAGE 13. G. Veteran-Owned and Service-Connected Disabled Veteran-Owned Small Entrepreneurships (Veteran Initiative) and Louisiana Initiative for Small Entrepreneurships (Hudson Initiative) Programs Participation. QUESTION: Is there a commitment for Veteran or Hudson Initiatives participation in the current contract? If yes; what is the % commitment and what type services are provided by these Veteran or Hudson Initiative certified firms?</p>	<p>For the current contract, there is no commitment for Veteran or Hudson Initiatives.</p>
48	<p>RFP PAGE 36 TASK 1: Implementation Services. No. 5. Contractor will need to accept OGB’s standard file layout. QUESTION: Can you post or provide a copy of the OGB’s standard file layout for review by proposers?</p>	<p>The current file layout is the incumbent contractor’s layout. This file layout cannot be provided. The awarded Proposer will be provided a file layout during implementation.</p>
49	<p>RFP PAGE 36 TASK 2: General Support Services. No. 2. Provide knowledgeable staff to attend statewide annual/special enrollments and any other informational meetings as requested by OGB at contractor’s expense. QUESTION: Can you provide the number of statewide annual/special enrollment and other informational meetings that are conducted annually? Approximately how many different locations? Will virtual or web-based recorded video meetings be acceptable for some or all of the required meetings?</p>	<p>In 2019, OGB held 36 meetings over 18 days. There were 2 meetings per day. 18 of those meetings are Active Employee/Non- Medicare Retiree meetings and the other 18 are Medicare Retiree meetings. Since FSA is not available to retirees, FSA Vendor is only expected to attend the Active Employee/Non-Medicare Retiree meetings.</p> <p>These meetings are held in 9 locations across the state. Presently, OGB is not sure which format the meetings will be due to COVID-19. Presently, OGB is asking all of OGB’s current vendors to supply a 3-5 minute video which explains their product. This will be used in a video/webinar if we decide to do virtual meetings (the video will also be used on our website for informational purpose throughout the year.)</p>
50	<p>RFP PAGE 38 TASK 3: FSA Administration Services. No. 1. Contractor will be responsible for all cost associated with producing, printing, distributing, and mailing such materials using first-class mail. QUESTION: Will contractor be permitted to distribute certain materials using</p>	<p>Yes. Contractor will be permitted to distribute certain materials using electronic email push if a valid email is on file for the participating member, only if participant elects to receive communications electronically.</p>

	electronic email push if an email is on file for the eligible/participating member?	
51	<p>RFP PAGE 39 TASK 3: FSA Administration Services. No. 13. Establish and maintain a separate depository account to hold funds provided to Contractor by OGB for payment of plan benefits. QUESTION: Contractor pays all FSA payments for all clients (checks, direct deposits, card spend) from a contractor-owned bank account on a daily basis. The State will hold payroll contributions/funding in a State-owned bank account until such time that the Contractor invoices for payments already made. The timing of invoicing will be determined by the State during the implementation stage and is generally either daily or weekly. Sub-account financial reports are available at all times such that the State will know the detail supporting any request for funding. Contractor proactively works any stale-dated checks within 90-days? Is this acceptable to the State?</p>	OGB will not rephrase the requirement in the FSA and COBRA RFP, Section 2, Scope of Services, Task 3, No. 13. Upon termination of this contract, Contractor shall return all OGB funds remaining in the account within sixty (60) calendar days.
52	<p>RFP PAGE 41 TASK 4: COBRA Administration Services. No. 6. Invoice, collect and maintain premium payment records for COBRA participants and remit payments to OGB, including the 2% administration fee. QUESTION: Are all premiums collected remitted back to the OGB or will the contractor be expected to remit premiums for some carriers direct to the carriers?</p>	All premiums are remitted back to OGB.
53	<p>RFP PAGE 41 TASK 4: COBRA Administration Services. No. 14. Administration of COBRA plans for QLEs that occurred prior to calendar year 2015. QUESTION: We don't understand the significance of 2015 and what the OGB's expectations are. Are you referring to any members that may be in a continuation period of either 29 or 36 months (disability or secondary qualifying events)? Did you mean to use 2017 here?</p>	RFP Section 2.2 Task and Services, Task 4, COBRA Administration Services, number 14 is removed from the RFP. See Amendment to RFP Section 2.2 Task and Services, Task 4 COBRA Administration Services, number 14 below.

54	<p>RFP PAGE 43 Returned Mail Report. Submit a report of listed returned mail. Report must contain the details of steps taken to remedy the failure. QUESTION: Is this question specific to returned mail for COBRA Qualifying Event Packets only or all returned mail for both FSA and COBRA?</p>	<p>This is referring to all returned mail.</p>
55	<p>RFP PAGE 60. No. 27. TRANSITION OF SERVICES AND DATA. Section 27 of the Sample Contract provides that during any transition of services to a new vendor the Contractor must provide all of the same Records and data in the same format as provided during the term of the Contract. QUESTION: If such transition services extend beyond the term of the contract, will OGB/State continue to pay the monthly administration fees during the time that such transition services are provided?</p>	<p>No. Administrative fees will only be paid during the term of the contract.</p>
56	<p>RFP PAGE 79 FSA ADMINISTRATION. No. 20. Does your debit card system have the ability to substantiate claims from multiple carriers/plans? QUESTION: Our system does have functionality for integrated carrier files and we use this information for automated adjudication. Can you advise if this logic is in place today with the current administrator?</p>	<p>Yes. The incumbent contractor has the ability to auto substantiate claims from OGB vendors.</p>
57	<p>RFP PAGE 81 COBRA ADMINISTRATION. No. 7. Confirm there is no charge or fee to the participant for use of a debit card, credit card, or ACH transaction for payment of premium. QUESTION: Proposer recommends payment of COBRA premiums via check, money order, or bank draft (ACH transaction). Will proposer be disqualified if debit/credit card payment method is not offered?</p>	<p>Proposer must conform to mandatory requirements listed in the scope of services listed in the RFP. Per FSA and COBRA RFP, Section 1.5 Definitions, Shall, Must, Will – a mandatory requirement. FSA and COBRA RFP, Attachment III: Technical Questionnaire, No. 7 provided below is not a mandatory requirement.</p> <p style="padding-left: 40px;">7. Confirm there is no charge or fee to the participant for use of a debit card, credit card, or ACH transaction for payment of premium.</p> <p>Proposer will not be disqualified if debit/credit card payment method is not offered.</p>
58	<p>GENERAL QUESTION: Will the State permit members to switch from a Limited-Purpose Healthcare FSA to a Full General-Purpose Standard Healthcare FSA once they meet the deductibles associated with their high deductible</p>	<p>The FSA is a separate account and is not associated with deductibles. A member can have an FSA account without enrolling into a health plan. OGB is not interested in this option. OGB is only seeking services listed in the RFP.</p>

	health plans? Is the State interested in this option if not offered today?	
59	GENERAL QUESTION: Are there any specific areas of concern with either FSA or COBRA administration today? What is on the OGB's wish list as it pertains to enhanced or improved services?	An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract. OGB's needs for the future FSA and COBRA administration are contained in the RFP.
60	Of the 133,215 estimated enrolled employee/retirees in the OGB Health Plans – how many are active employees vs. retirees?	The breakdown of active to retiree for the 5/11/2020 total enrollee count of 133, 215 is not available. As of June 10, 2020, the number of employees is 77,697, and the number of retirees is 55,184.
61	Can you please describe how your current FSA and COBRA administration is going?	An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract.
62	What is your primary motivation for marketing the FSA and COBRA?	OGB wants its members to be aware of all benefit options available to them.
63	Are you unsatisfied with your current FSA and CORBA administration?	An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract.
64	Please describe your current pain points/issues with the current FSA/COBRA administrator?	An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract.
65	What will be the primary factor in your decision making process?	Proposals that pass the mandatory requirements review, Section 1.8.1 Mandatory Qualification, will be evaluated based on information provided in the Proposal according to Flexible Spending Arrangement and COBRA RFP #3000015188 Section 3.1 Evaluation and Review.
66	When do you hope to have final decisions by?	Per RFP, Section 1.6 Schedule of Events, the Notice of Intent to Award Announcement is to be determined. To date, the final decision schedule has not been determined.
67	What does the decision making process look like for the FSA and COBRA RFP?	Proposals that pass the mandatory requirements review, Section 1.8.1 Mandatory Qualification, will be evaluated based on information provided in the Proposal according to Flexible Spending Arrangement and COBRA RFP #3000015188 Section 3.1 Evaluation and Review.
68	On a scale of 1-10 (10 being extremely motivated), how motivated are you to change your FSA and COBRA Administrator?	An evaluation of the incumbent Contractor's performance will be prepared after completion of performance under the current contract.
69	Do you have any additional marketings/RFPs going on in 2020?	Administrative Services Only for Self-Funded Health Plans - issued 2/21/2020; Pharmacy Benefit Management Services RFP - issued

		3/30/2020; Individual Market Medicare Exchange Broker with HRA Services - anticipate issuing Summer 2020
70	What do you anticipate the open enrollment period to look like for State of Louisiana Office of Group Benefits with respect to the 2020 COVID-19 restrictions?	Annual enrollment is held 10/1 – 11/15 every year. OGB is considering several scenarios for meetings due to COVID-19. One scenario would be to hold all virtual meetings. Another would be to hold virtual meetings for Active Employees and in-person meetings for Retirees. The third option would be to hold in-person meetings on a smaller scale with social distancing and virus prevention measures in place. The third option would increase the number of meetings as each meeting would be limited in the number of attendees..
71	Are you able to confirm if the Performance Bond mentioned within the RFP is applicable to this RFP and will be required of the awarded vendor?	Yes, a Performance Bond will be required as stated in the RFP, Section 1.49 Performance Bond.
72	Will the state accept a proposal for only COBRA services?	No. OGB will not accept a proposal for only COBRA services.
73	How many HR locations are responsible for COBRA administration?	This information is not available. HR locations are not responsible for COBRA administration. Contractor will be responsible for COBRA administration. Contractor will interface directly with OGB for COBRA.
74	How many locations branches and/or locations?	This information is not available. HR locations are not responsible for COBRA administration. Contractor will be responsible for COBRA administration. Contractor will interface directly with OGB for COBRA.
75	What is the estimated number of administrative users or HR contacts?	This information is not available. HR locations are not responsible for COBRA administration. Contractor will be responsible for COBRA administration. Contractor will interface directly with OGB for COBRA.
76	Is there a 3 rd party consultant aiding in the decision process?	OGB may consult with subject matter experts during the evaluation. Per the FSA and COBRA RFP, Section 1.28 Evaluation and Selection, the evaluation team may consult subject matter expert(s) to serve in an advisory capacity regarding any proposer or proposal.
77	What was the number of insured employees in 1/1/18 & 1/1/19	FSA Enrollees 2018---6,664 2019---6,601 There were 143 participants enrolled in COBRA on 1/1/2018. There were 145 participants enrolled in COBRA on 1/1/2019.
78	How many COBRA active and pending participants are there currently?	As of May, 2020 there are 27 active participants.

79	How many medical, dental, and vision plans are there? Please list their renewal dates.	<p>There is one self-funded administrative services only contract that terminates on 12/31/2020.</p> <p>There is one fully-insured commercial plan offering. This plan terms December 31, 2021. There is an option to extend the contract for up to 24 months.</p> <p>There are four Medicare Advantage plan offerings. The Medicare Advantage plan offerings term December 31, 2021. Each of the contracts provide an option to extend the contract for up to 24 months.</p> <p>There is one Medicare Broker with HRA administration plan offering. The Medicare Broker with HRA contract terms 12/31/2020.</p> <p>OGB does not currently offer dental and vision plans.</p>
80	How many insurance carriers provide plans?	There are seven health plan contractors that administer plans on behalf of OGB.
81	Are there any plans for downsizing?	No. There are no plans for downsizing.
82	Why is the state going out to market? Are there specific pain points that need be addressed?	OGB is seeking to obtain a competitive financial arrangement with effective third-party FSA and COBRA administration.
83	Will detailed evaluation feedback and scoring be released after the award has been made?	<p>A detailed evaluation scoring sheet will not be provided to proposers until after the award has been made.</p> <p>Requests for public records may be made to the Division of Administration by emailing the request to doapublicrecords@la.gov.</p>
84	Please include the following updated dates: a. Contract award date	No revised date will be provided. Contract award date is to be determined.
85	Do proposers submit attachment VIII: Electronic Funds Transfer Solution with their bid?	Yes. Proposers should submit Attachment VII: Electronic Funds Transfer Solution with their proposal.
86	Can proposers receive a copy of the current contract?	Requests for public records may be made to the Division of Administration by emailing the request to doapublicrecords@la.gov .
87	Why are initial notices sent within 45 days rather than 90 days?	OGB prefers notices to be submitted within 45 days. Also, this is the incumbent contractor's current process that has been utilized.
88	Can we receive a copy of the file format described in Scope of Work point 5?	The current file layout is the incumbent contractor's layout. This file layout cannot be provided. The awarded Proposer will be provided a file layout during implementation.
89	How many eligible employees should be used for pricing this solicitation? On RFP page 49, paragraph 2, it states "For COBRA	For COBRA administrative fee, Proposer should use the 133,215 count for the fixed monthly administrative fee calculation.

	administration, the proposed fixed monthly administrative fee will be multiplied by the estimated number of employees and retirees enrolled in OGB health plans, as provided in <u>Section 1.2 Background</u> , to determine the total COBRA cost.”. Section 1.2 “Background” lists 250,000 active and retired and their dependents by the state. However, on ATTACHMENT IV: COST PROPOSAL, 133,215 is listed as the estimated employees and retirees enrolled in OGB Health Plans (05/11/2020).	
90	What population is represented in the different of the total population of the state health and welfare benefits program (250,000) and the total estimated employees and retirees enrolled in OGB health plans as of 5/11/2020 (133,215)?	The 133,215 are the total employees and retired enrolled.
91	Section 2.3, page 42 Would the State accept our assessment of these 3 rd parties without SOC reports which is part of our vendor management program?	No. OGB will not rephrase Independent Assurance requirements provided in the RFP and sample contract.
92	Section 2.3, page 42 When does the \$1000/day penalty period begin?(If report is not issued by 9/30 if report period is not 10/1-9/30).	The Independent Assurance penalty will become effective September 30 th of each calendar year if the Contractor fails to submit the independent assurance by the due date provided by the contract.
93	Section 2.4, page 44 Please define “key delegated function”	Key delegated functions are as follows; those that are critical to financial operations, some are critical to the mission of the user entity, and some are of a sensitive nature and involve security over confidential information.
94	Section 2.4, page 44 See above on report coverage and annual issuance, it is a \$1,000 / day penalty if the report is not issued, not sure if this is not issued by 6/30 or just not at least annually. Secondly, does it apply to our 3 rd /4 th parties, as mentioned we do not have reports for all sub-service providers.	The Independent Assurance penalty will become effective September 30 th of each calendar year if the Contractor fails to submit the independent assurance by the due date provided by the contract.
95	Section 2.3, 2.4, page 44 Will the State please provide Section 19, as referenced?	OGB will not rephrase FSA and COBRA RFP, Attachment I: Sample Contract, Section 19, Independent Assurances. Section 19 provides as follows: Contractor shall submit, and cause its subcontractors who perform key internal controls to submit, to certain independent audits to ascertain that processes and controls related to the contracted service are operating properly. Independent assurances may be in the form of a Service Organization Control (“SOC”) 1, Type II and/or SOC 2, Type II report resulting from an independent annual SSAE 18 engagement of the operations. The SSAE 18 engagement will be

		<p>performed at least annually by an audit firm that will conduct tests and render an independent opinion on the operating effectiveness of the controls and procedures. The audit firm that will conduct the SSAE 18 engagement will submit a final report on controls placed in operation for the project and include a detailed description of the audit firm's tests of the operating effectiveness of controls. The Contractor shall supply the State with an exact copy of the SOC report resulting from the SSAE 18 engagement within the specified timeframe. The OGB will not sign a non-disclosure agreement in order to obtain any of the independent assurances referenced herein.</p> <p>The cost of such independent assurances will be borne solely by Contractor. Such independent assurances shall be performed at least annually during the term of the Contract. Contractor may review any audit report before delivery to the State and include with the report a supplementary statement containing facts that Contractor considers pertinent to the audit or engagement. Contractor shall implement recommendations as suggested by the program review and/or audit, within three (3) months of report issuance and at no cost to the State.</p>
96	<p>Section 2.2., page 41 Will the State allow the selected administrator to retain the 2% Administration Fee?</p>	No, the state will retain the 2% administrative fee.
97	<p>Section 2.2., page 41 Please provide more information and details about what the State considers "additional insurance" within the COBRA marketplace.</p>	This would include any plan offerings available through the Health Insurance Exchange Marketplace for COBRA participants.
98	<p>Section 1.36.1, page 31 Will the State consider giving 90 days' notice before terminating for convenience?</p>	No. OGB will not rephrase this requirement in Section 1.36.1.
99	<p>Section 1.38, page 31 Will the State limit its right to audit to once per year with 30 days' prior notice?</p>	No, OGB will not rephrase its requirements in Section 1.38. The State cannot agree to limit its right to audit or provide 30 days' notice prior to an audit. Limiting this right would inhibit the State's ability to adequately assess performance.
100	<p>Section 1.40, page 32 Will the State allow Contractor to return its records within 30 days?</p>	No, OGB will not rephrase its requirements in Section 1.40.
101	<p>Section 4.2, page 49 Will the State consider giving 90 days' notice before terminating for convenience?</p>	No, OGB will not provide 90 days' notice prior to terminating for convenience.

102	Section 10, Attachment I Will the State limit its right to audit to once per year with 30 days' prior notice?	No, OGB will not rephrase its requirements in Section 1.38. The State cannot agree to limit its right to audit or provide 30 days' notice prior to an audit. Limiting this right would inhibit the State's ability to adequately assess performance.
103	Section 10.1, Attachment I Will the State allow Contractor to return its records within 30 days?	No, OGB will not rephrase its requirements in Section 1.40.
104	Section 12.1, Attachment I Will the State accept notification of a Security Event within 72 hours?	OGB will not rephrase the requirements in Attachment I, Section 12.1. "Contractor is responsible for reporting to the State any known breach of security no later than forty-eight (48) hours after confirmation of the event."
105	Section 5, Attachment II Will the State consider the receipt of notice within 72 hours?	No. OGB will not rephrase this Section of the Business Associate Addendum.
106	What are the total number of file interfaces to support both FSA and COBRA including all census, enrollment, Payroll, new plan member and qualifying events?	There are a total of 4 file interfaces for both FSA and COBRA to the incumbent contractor, and a total of 2 file interfaces for both FSA and COBRA from the incumbent contractor. Please note, the agencies submit their FSA contributions directly to the vendor.
107	Please describe in detail the FSA payroll deduction funds flow.	FSA funds are deducted from the employee's check. The funds are submitted to OFSS and held in an account until reimbursement is requested from Incumbent on a daily basis.

AMENDMENTS TO RFP

Amendment to RFP, Section 1.5 Definitions

Original Text:

Account Management Team – Contractor's staff assigned to OGB which includes a dedicated Account Executive, Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst, COBRA Operations Manager, and Customer Service Manager. Contractor's staff assigned to OGB will also include a Privacy Officer that is not required to be exclusively dedicated to OGB.

Revised Text:

Account Management Team – Contractor's staff assigned to OGB which includes a dedicated Account Executive. Contractor's staff assigned to OGB will also include a Privacy Officer, Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst,

COBRA Operations Manager, and Customer Service Manager that is not required to be exclusively dedicated to OGB.

AMENDMENTS TO RFP

Amendment to RFP, Section 1.9 (F) Proposed Staff Qualifications

Original Text:

F. Proposed Staff Qualifications

The Proposer should provide detailed information about the experience and qualifications of the Proposer's dedicated Account Management Team, including but not limited to, the assigned Account Executive, Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst, Privacy Officer, Customer Service Manager, and COBRA Operations Manager as well as any other personnel considered key to the success of the project. This information should include education, training, technical experience, functional experience, specific dates and names of employers, relevant and related experience, past and present projects with dates and responsibilities and any applicable certifications. This should also specifically include the role and responsibilities of each person on this project, their planned level of effort, their anticipated duration of involvement, and their on-site availability. Also, the Account Executive must have at least one (1) back-up staff member designated to handle the overall responsibility of OGB. The Proposer should demonstrate that their staff and/or subcontractor(s) have the necessary experience and knowledge to successfully perform the services listed in Section 2, Scope of Services. Individual resumes should be provided for the Account Management Team and any other assigned personnel considered key to the success of the project and include information detailing education, training, technical experience, functional experience, specific dates and names of employers, relevant and related experience, past and present projects with dates and responsibilities, customer references (name, title, company name, address, email address, and telephone number) for the cited projects, and any applicable certifications.

Revised Text:

F. Proposed Staff Qualifications

The Proposer should provide detailed information about the experience and qualifications of the Proposer's Account Management Team, including but not limited to, the assigned dedicated Account Executive, as well as the Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst, Privacy Officer, Customer Service Manager, and COBRA Operations Manager and any other personnel considered key to the success of the project. This information should include education, training, technical experience, functional experience, specific dates and names of employers, relevant and related experience, past and present projects with dates and responsibilities and any applicable certifications. This should also specifically include the role and responsibilities of each person on this project, their planned level of effort, their anticipated duration of involvement, and their on-site availability. Also, the Account Executive must have at least one (1) back-up staff member designated to handle the overall responsibility of OGB. The Proposer should demonstrate that their staff and/or subcontractor(s) have the necessary experience and knowledge to successfully perform the services listed in Section 2, Scope of Services. Individual resumes should be provided for

the Account Management Team and any other assigned personnel considered key to the success of the project and include information detailing education, training, technical experience, functional experience, specific dates and names of employers, relevant and related experience, past and present projects with dates and responsibilities, customer references (name, title, company name, address, email address, and telephone number) for the cited projects, and any applicable certifications.

AMENDMENTS TO RFP

Amendment to RFP, Section 1.6 Schedule of Events

Original Text:

1.6 Schedule of Events

EVENT	DATE
Post RFP to LaPAC	May 22, 2020
Deadline for Receipt of Written Inquiries	4:00 PM CT, June 1, 2020
Issue Responses to Written Inquiries	June 19, 2020
Deadline for Receipt of Proposals by Electronic Submission	4:00 PM CT, June 30, 2020
Oral Presentations, if required	Time, Date, and Location to be determined
Notice of Intent to Award Announcement	TBD
Begin Implementation	August 1, 2020
Contract Effective Date	January 1, 2021

NOTE: OGB reserves the right to revise this schedule of events. Revisions, if any, before the Proposal submission deadline will be formalized by issuance of one or more addenda to the RFP.

Revised Text:

1.6 Schedule of Events

EVENT	DATE
Post RFP to LaPAC	May 22, 2020
Deadline for Receipt of Written Inquiries	4:00 PM CT, June 1, 2020
Issue Responses to Written Inquiries	June 19, 2020
Deadline for Receipt of Proposals by Electronic Submission	4:00 PM CT, June 30, 2020
Oral Presentations, if required	Time, Date, and Location to be determined
Notice of Intent to Award Announcement	TBD
Begin Implementation	August 1, 2020
Contract Effective Date	January 1, 2021

NOTE: OGB reserves the right to revise this schedule of events. Revisions, if any, before the Proposal submission deadline will be formalized by issuance of one or more addenda to the RFP.

AMENDMENTS TO RFP

Amendment to RFP, Section 1.7 Proposal Submittal through Electronic Means Only

Original Text:

1.7 Proposal Submittal through Electronic Means Only

Firms/individuals who are interested in providing services requested under this RFP must submit a Proposal containing the mandatory information specified in this RFP pursuant to the requirements of Section 1.9 Proposal Response Format and Section 1.10 Number of Copies of Proposals.

Due to the COVID-19 Public Health Emergency declared by Governor John Bel Edwards in Proclamations 2020-30, 2020-27, and 2020-25, electronic proposal delivery is being utilized for this RFP. The Proposal must be received via email in electronic format, to OGB.Proposals@la.gov, by 4:00 PM CT on the date specified in Section 1.6, Schedule of Events. **Facsimile and hard copy submissions shall not be acceptable.**

It is solely the responsibility of each Proposer to ensure that its Proposal is delivered at the specified email address and prior to the deadline for submission. Proposals received after the deadline will not be considered.

Revised Text:

1.7 Proposal Submittal

Firms/individuals who are interested in providing services requested under this RFP must submit a Proposal containing the mandatory information specified in this RFP pursuant to the requirements of Section 1.9 Proposal Response Format and Section 1.10 Number of Copies of Proposals.

Proposals may be submitted online by accessing the link below.

<https://stateofla.app.box.com/f/7cbf1668f2ac48c9a003a426577f625b>

OR

Proposals may be mailed to the Office of Group Benefits.

If Proposer submits the Proposal via mail, the Proposal must be received in hard copy (printed) version by the OGB RFP Coordinator/Blackout Period Contact on or before 4:00 PM CT on the date specified in the Schedule of Events. Facsimile and electronic mail (“e-mail”) submissions shall not be acceptable.

Proposers mailing their Proposals should allow sufficient mail delivery time to ensure receipt of their Proposal by the time specified.

The Proposer should label Proposal submissions as follows:

Flexible Spending Arrangement and COBRA Administration Services

Proposer’s Name

The Proposal package must be delivered at the Proposer’s expense to:

OGB RFP Coordinator/Blackout Period Contact
Office of Group Benefits

1201 N. 3rd Street
Claiborne Building, Suite G-159
Baton Rouge, LA 70802

It is solely the responsibility of each Proposer to ensure that its Proposal is delivered at the specified place and prior to the deadline for submission. Proposals received after the deadline will not be considered.

Proposers are hereby advised that the U.S. Postal Service does not make deliveries to OGB's physical location.

It is solely the responsibility of each Proposer to ensure that its Proposal is delivered at the specified address or link and prior to the deadline for submission. Proposals received after the deadline will not be considered.

AMENDMENTS TO RFP

Amendment to RFP, Section 1.10 Proposal Submittal through Electronic Means Only

Original Text:

1.10 Number of Copies of Proposals

OGB requests the number of Proposal copies specified below be submitted to the OGB RFP Coordinator/Blackout Period Contact.

- One (1) electronic copy of the Technical Proposal in both PDF and Word formats. **The electronic copy should be clearly marked "Technical Proposal." Electronic or scanned copies of signatures will be accepted; no original signatures are required for the Proposal submission.**
- One (1) electronic copy of the Cost Proposal in both Word and Excel formats. **The electronic copy should be clearly marked "Cost Proposal." Electronic or scanned copies of signatures will be accepted; no original signatures are required for the Proposal submission.**
- If applicable (see Section 1.14), Proposer should also submit one (1) electronic copy of the redacted versions of the Proposal. **All should be clearly marked "Redacted."**

A certified copy of a board resolution granting such authority should be submitted if Proposer is a corporation.

Revised Text:

1.10 Number of Copies of Proposals

The Proposer may submit Proposal via electronic link provided in Section 1.7 Proposal Submittal or may submit hard copy Proposal via mail/delivery to the Office of Group Benefits. Instructions for both methods are provided below.

Electronic Submission Instructions:

OGB requests the number of Proposal copies specified below be submitted to the OGB RFP Coordinator/Blackout Period Contact.

- One (1) electronic copy of the Technical Proposal in both PDF and Word formats. **The electronic copy should be clearly marked “Technical Proposal.” Electronic or scanned copies of signatures will be accepted; no original signatures are required for the Proposal submission.**
- One (1) electronic copy of the Cost Proposal in both Word and Excel formats. **The electronic copy should be clearly marked “Cost Proposal.” Electronic or scanned copies of signatures will be accepted; no original signatures are required for the Proposal submission.**
- If applicable (see Section 1.14), Proposer should also submit one (1) electronic copy of the redacted versions of the Proposal. **All should be clearly marked “Redacted.”**

A certified copy of a board resolution granting such authority should be submitted if Proposer is a corporation.

Hard Copy Mailed Submission Instructions:

1.10 Number of Copies of Proposals

OGB requests the number of Proposal copies specified below be submitted to the OGB RFP Coordinator/Blackout Period Contact.

- One (1) Original (clearly marked “Original”) and three (3) numbered copies of the Technical Proposal. **All should be clearly marked “Technical Proposal.”**
- Three (3) portable drives of the entire Technical Proposal in both PDF and Word formats. **All should be clearly marked “Technical Proposal.”**
- One (1) Original (clearly marked “Original”) and two (2) numbered copies of the Cost Proposal. **All should be clearly marked “Cost Proposal.”**
- Three (3) portable drives of the entire Cost Proposal in both Word and Excel formats. **All should be clearly marked “Cost Proposal.”**
- If applicable (see Section 1.14), Proposer should also submit two (2) portable drives of the electronic redacted versions of the Proposal. **All should be clearly marked “Redacted.”**

At least one (1) copy of the Proposal shall contain original signatures of those individuals, firm officials, or agents duly authorized to sign Proposals or contracts on behalf of the individual/firm. A certified copy of a board resolution granting such authority should be submitted if Proposer is a corporation. The copy of the Proposal with original signatures will be retained for incorporation in any Contract resulting from this RFP.

AMENDMENTS TO RFP

Amendment to RFP, Section 2.2 Tasks and Services, Task 1: Implementation Services, No. 3

Original Text:

3. Provide an implementation credit to OGB in the amount of \$100,000 to offset OGB's expense associated with the RFP, transition, and ongoing services. In no case shall OGB be required to repay all or a portion of the used or unused implementation credit. Contractor will track such services and provide OGB a quarterly report, upon request, of current utilization and remaining balance, if any, of the implementation credit. Any remaining balance will not expire and will be available for use during the term of this Contract and any subsequent amendments to or extensions of the Contract.

Revised Text:

3. Provide an implementation credit to OGB in the amount of \$50,000 to offset OGB's expense associated with the RFP, transition, and ongoing services. In no case shall OGB be required to repay all or a portion of the used or unused implementation credit. The implementation credit will be applied on an as needed basis to provide RFP, transition, and ongoing services. Contractor will track such services and provide OGB a quarterly report, upon request, of current utilization and remaining balance, if any, of the implementation credit. Any remaining balance will not expire and will be available for use during the term of this Contract and any subsequent amendments to or extensions of the Contract.

AMENDMENTS TO RFP

Amendment to RFP, Section 2.2 Tasks and Services, Task 4: COBRA Administration Services

Original Text:

Task 4: COBRA Administration Services

1. Administer all aspects of COBRA, including special limited health care FSA plans, as required by the U.S. Department of Labor and any other applicable federal or state agency, including compliance with all applicable state and federal regulations.
2. Prepare, print, and mail all COBRA communications (i.e., COBRA specific rights notice letter, QLE notice, election notice/enrollment applications, premium billing, cancellation notices, rate change letters, termination letters, unavailability, delinquent payments, payment deadlines, etc.) using first-class mail. All communications are subject to approval and customization by OGB prior to distribution. Contractor will be responsible for all costs associated with producing, printing, and mailing of such communications. All COBRA communications must be in compliance with PPACA Section 1557, <https://www.gpo.gov/fdsys/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf>.
3. Provide technical guidance and administrative support to OGB regarding compliance with COBRA regulations and any other pertinent federal laws, rules, and regulations.
4. Determine eligibility of terminated employees and/or COBRA participants and the length of COBRA continuation coverage for second QLEs.
5. Track eligibility, elections, payments, cancellation dates due to nonpayment and/or expiration dates and timely notify OGB of such.
6. Invoice, collect and maintain premium payment records for COBRA participants and remit payments to OGB, including the two percent (2%) administration fee, with a premium remittance report on a monthly basis. Do not report to OGB as paid any participant that did not remit the required payment amount.

7. Maintain communications with COBRA Participants concerning eligibility for Medicare, Plan changes, and/or premium changes.
8. Resolve all servicing issues related to the administration of services, including premium received and remitted, enrollment elections and discrepancies, address changes, etc.
9. Accommodate various COBRA premium payment structures that OGB currently has in place. **OGB currently offers multiple medical plans with more than one (1) carrier.**
10. Determine cancellation dates due to nonpayment or expiration of coverage.
11. Submit electronic eligibility files and premium payments to OGB and its benefit administrators using an agreed upon schedule.
12. Offer additional insurance offerings through the marketplace for COBRA participants.
13. Implement and administer the current COBRA plans by January 1, 2021, administered by the incumbent contractor.
14. Administration of COBRA plans for QLEs that occurred prior to calendar year 2015.
15. Provide OGB with the ability to run standard reports such as the following: detailed participant reporting, termination reporting, QLE reporting, new hire COBRA notices mailed each month, individuals who elect and decline continuation coverage per month, and Medicare eligible participants.
16. Provide integrated COBRA systems that generate both health and FSA COBRA notices for applicable QLE. The FSA COBRA notices will utilize information maintained in the Contractor's FSA system.

Revised Text:

Task 4: COBRA Administration Services

1. Administer all aspects of COBRA, including special limited health care FSA plans, as required by the U.S. Department of Labor and any other applicable federal or state agency, including compliance with all applicable state and federal regulations.
2. Prepare, print, and mail all COBRA communications (i.e., COBRA specific rights notice letter, QLE notice, election notice/enrollment applications, premium billing, cancellation notices, rate change letters, termination letters, unavailability, delinquent payments, payment deadlines, etc.) using first-class mail. All communications are subject to approval and customization by OGB prior to distribution. Contractor will be responsible for all costs associated with producing, printing, and mailing of such communications. All COBRA communications must be in compliance with PPACA Section 1557, <https://www.gpo.gov/fdsys/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf>.
3. Provide technical guidance and administrative support to OGB regarding compliance with COBRA regulations and any other pertinent federal laws, rules, and regulations.
4. Determine eligibility of terminated employees and/or COBRA participants and the length of COBRA continuation coverage for second QLEs.
5. Track eligibility, elections, payments, cancellation dates due to nonpayment and/or expiration dates and timely notify OGB of such.

6. Invoice, collect and maintain premium payment records for COBRA participants and remit payments to OGB, including the two percent (2%) administration fee, with a premium remittance report on a monthly basis. Do not report to OGB as paid any participant that did not remit the required payment amount.
7. Maintain communications with COBRA Participants concerning eligibility for Medicare, Plan changes, and/or premium changes.
8. Resolve all servicing issues related to the administration of services, including premium received and remitted, enrollment elections and discrepancies, address changes, etc.
9. Accommodate various COBRA premium payment structures that OGB currently has in place. **OGB currently offers multiple medical plans with more than one (1) carrier.**
10. Determine cancellation dates due to nonpayment or expiration of coverage.
11. Submit electronic eligibility files and premium payments to OGB and its benefit administrators using an agreed upon schedule.
12. Offer additional insurance offerings through the marketplace for COBRA participants.
13. Implement and administer the current COBRA plans by January 1, 2021, administered by the incumbent contractor.
14. Provide OGB with the ability to run standard reports such as the following: detailed participant reporting, termination reporting, QLE reporting, new hire COBRA notices mailed each month, individuals who elect and decline continuation coverage per month, and Medicare eligible participants.
15. Provide integrated COBRA systems that generate both health and FSA COBRA notices for applicable QLE. The FSA COBRA notices will utilize information maintained in the Contractor's FSA system.

AMENDMENTS TO RFP

Amendment to RFP, Attachment I: Sample Contract, Section 2 Definitions

Original Text:

Account Management Team – Contractor's staff assigned to OGB which includes a dedicated Account Executive, Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst, COBRA Operations Manager, and Customer Service Manager. Contractor's staff assigned to OGB will also include a Privacy Officer that is not required to be exclusively dedicated to OGB.

Revised Text:

Account Management Team – Contractor's staff assigned to OGB shall include a dedicated Account Executive. Contractor's staff assigned to OGB will also include a Privacy Officer, Implementation Manager, Financial Analysis, Senior Operations Specialist, Compliance Analyst, COBRA Operations Manager, and Customer Service Manager that is not required to be exclusively dedicated to OGB.

AMENDMENTS TO RFP

Amendment to RFP, ATTACHMENT III: TECHNICAL QUESTIONNAIRE

Original Text:

General

1. Indicate the number of FSA and COBRA plans your firm has in force as of January 1, 2020.
 - a. What is the average tenure of your client?
 - b. What is the average size of those clients?
2. How many group health plans do you currently support?
3. Does your firm outsource any portions of the FSA and COBRA administration?
 - a. If so, what specific portions?
4. Describe the administrative system used to record, save, and track FSA and COBRA data including: age of system, date of last update, frequency of updates, recent and planned enhancements, system security and organizational approach to handle security.
5. Is your firm currently in the process of any system conversions (i.e., adjudication platform, reporting tools including web-based, phone, website, etc.)?
 - a. If yes, which systems and when is completion expected?
6. Provide the date (month and year) of the last major system revision (i.e., adjudication platform, reporting tools including web-based, phone, website, etc.), how long it took to implement, and describe the type of revision or enhancement to each system.
7. Are there any major changes, upgrades, or modifications of your systems scheduled in the next thirty-six (36) months?
 - a. If yes, describe your product changes (i.e., enhancement, upgrades, etc.), processes and procedures, and implementation schedule.
8. Have you been cited or fined or been threatened with citation or financial penalties within the last five (5) years by federal or state regulators for violations of federal or state laws and/or failure to implement regulations?
 - a. If yes, explain fully.
9. Provide an overview and the resources assigned to the steps your firm is taking to comply with HIPAA regulations.
10. Identify the name and title of the individual within your organization responsible for HIPAA compliance.
11. Provide an overview of the steps your firm has taken or will take to ensure compliance with PPACA requirements applicable to OGB, including but not limited to Section 1557, when communicating in any way with OGB participants. This would require, for example, that OGB's Notice of Nondiscrimination and taglines be included with all significant communications.
12. Provide your procedures for unclaimed or returned mail.
13. Provide your procedures for unopened emails or email bounce back occurrences.

14. Confirm that your company will monitor unopened emails or email bounce back occurrences.
15. Confirm that your company will generate and submit paper notices to participants if unopened emails or email bounce backs occur.
16. Describe your firm's plan for a system back-up in the event of a system failure or disaster.
17. What is the latest date you would be comfortable beginning the implementation of OGB's business?
18. Have any of your firm's contracts to provide administration services for FSA and COBRA been terminated for cause?
 - a. If so, explain and identify the vendor.
19. How does your firm monitor and communicate to clients regarding legislative, regulatory, and compliance issues related to FSA and COBRA administration?
20. Describe internal-control procedures in place to ensure compliance with IRS, Department of Labor and Department of Treasury regulations for administration of FSA and COBRA.
21. Has your firm filed (or had filed against it) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignment for the benefit of creditors?
 - a. If so, provide an explanation including all relevant details.
22. Are there any pending Securities Exchange Commission investigations or other government investigations involving your firm?
 - a. If such are pending or in progress, include an explanation providing relevant details and an attached opinion of counsel as to whether the pending investigation(s) will impair the firm's performance in a contract issued pursuant to this RFP.
23. Identify all open or pending litigation initiated by Proposer or where Proposer is a defendant, involving a customer matter.
24. Are there any pending Securities Exchange Commission investigations or other government investigations involving your firm?
25. Identify all open or pending litigation initiated by Proposer or where Proposer is a defendant, involving a customer matter.
26. Identify all suits filed against your firm within the past three (3) years.
27. Identify any and all litigation in which Proposer is a party and in which the amount in controversy exceeds \$1,000,000.
28. If applicable, provide details surrounding any mergers, sales, or acquisitions as to your business or book of business scheduled for the next twelve (12) months.
29. Identify the members of the implementation team that will service OGB's account during implementation.
30. Identify the members of the Account Management Team who will work with the account after implementation.
31. What services and/or special features set your firm apart from its competitors?

32. Does your firm have integrated COBRA systems that generate both health and FSA COBRA notices for applicable QLEs? Confirm that your firm agrees to integrate health and FSA COBRA notices for applicable QLEs.
33. Is your website compliant with PPACA Section 1557?
 - a. If not, detail the steps you will take to become compliant and timeline for such.
34. Is your website available in languages other than English?
 - a. If yes, detail what languages are supported.
35. Provide a link, login and password to access your firm's online portal as a FSA and COBRA participant and plan sponsor/client.
36. Provide a copy of the unclaimed property reporting and escheatment process.

Revised Text:

General

1. Indicate the number of FSA and COBRA plans your firm has in force as of January 1, 2020.
 - a. What is the average tenure of your client?
 - b. What is the average size of those clients?
2. How many group health plans do you currently support?
3. Does your firm outsource any portions of the FSA and COBRA administration?
 - a. If so, what specific portions?
4. Describe the administrative system used to record, save, and track FSA and COBRA data including: age of system, date of last update, frequency of updates, recent and planned enhancements, system security and organizational approach to handle security.
5. Is your firm currently in the process of any system conversions (i.e., adjudication platform, reporting tools including web-based, phone, website, etc.)?
 - a. If yes, which systems and when is completion expected?
6. Provide the date (month and year) of the last major system revision (i.e., adjudication platform, reporting tools including web-based, phone, website, etc.), how long it took to implement, and describe the type of revision or enhancement to each system.
7. Are there any major changes, upgrades, or modifications of your systems scheduled in the next thirty-six (36) months?
 - a. If yes, describe your product changes (i.e., enhancement, upgrades, etc.), processes and procedures, and implementation schedule.
8. Have you been cited or fined or been threatened with citation or financial penalties within the last five (5) years by federal or state regulators for violations of federal or state laws and/or failure to implement regulations?
 - a. If yes, explain fully.
9. Provide an overview and the resources assigned to the steps your firm is taking to comply with HIPAA regulations.

10. Identify the name and title of the individual within your organization responsible for HIPAA compliance.
11. Provide an overview of the steps your firm has taken or will take to ensure compliance with PPACA requirements applicable to OGB, including but not limited to Section 1557, when communicating in any way with OGB participants. This would require, for example, that OGB's Notice of Nondiscrimination and taglines be included with all significant communications.
12. Provide your procedures for unclaimed or returned mail.
13. Provide your procedures for unopened emails or email bounce back occurrences.
14. Confirm that your company will monitor unopened emails or email bounce back occurrences.
15. Confirm that your company will generate and submit paper notices to participants if unopened emails or email bounce backs occur.
16. Describe your firm's plan for a system back-up in the event of a system failure or disaster.
17. What is the latest date you would be comfortable beginning the implementation of OGB's business?
18. Have any of your firm's contracts to provide administration services for FSA and COBRA been terminated for cause?
 - a. If so, explain and identify the vendor.
19. How does your firm monitor and communicate to clients regarding legislative, regulatory, and compliance issues related to FSA and COBRA administration?
20. Describe internal-control procedures in place to ensure compliance with IRS, Department of Labor and Department of Treasury regulations for administration of FSA and COBRA.
21. Has your firm filed (or had filed against it) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignment for the benefit of creditors?
 - a. If so, provide an explanation including all relevant details.
22. Are there any pending Securities Exchange Commission investigations or other government investigations involving your firm?
 - a. If such are pending or in progress, include an explanation providing relevant details and an attached opinion of counsel as to whether the pending investigation(s) will impair the firm's performance in a contract issued pursuant to this RFP.
23. Identify all open or pending litigation initiated by Proposer or where Proposer is a defendant, involving a customer matter.
24. Are there any pending Securities Exchange Commission investigations or other government investigations involving your firm?
25. Identify all suits filed against your firm within the past three (3) years.
26. Identify any and all litigation in which Proposer is a party and in which the amount in controversy exceeds \$1,000,000.
27. If applicable, provide details surrounding any mergers, sales, or acquisitions as to your business or book of business scheduled for the next twelve (12) months.
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