

State Procurement Office

Workshop No. 205

**Planning,
Using Requests for Information (RFI),
and Collaboration
for Health and Human Services**

Pursuant to HRS Chapter 103F

**Before You Procure:
Written Delegated Authority and Training**

- Before you approve a procurement or award you must:
- Have written delegated authority?
<http://hawaii.gov/spo>
 - > For State & County Procurement Personnel
 - > Procurement Delegation
- Have taken all required training?
 - See: <http://hawaii.gov/spo>
 - > Training for State and County Procurement Personnel
 - > Which Workshops Do I need to Take?

What We Learned So Far. The Basics – What Was Covered

- State Procurement Office (SPO)
- A comparison of Hawaii Revised Statutes (HRS) Chapters 103D and 103F
- HRS Chapter 103F
- Hawaii Administrative Rules (HAR) Chapter 103F
- 5 methods of procurement for health and human services
- Exemptions

The Basics – Review (continued)

- The SPO Website
 - Procurement Notices System (PNS)
 - Procurement Awards, Notices & Solicitations (PANS)
 - ~ Request for Proposals Website (RFPW)
 - ~ Awards/Contracts Database
 - Procurement Circulars and Directives

Starting the Procurement Process

- **Planning**

It takes time!!!!!!

Planning HAR Chapter 3-142

Why do we need to plan?

1. To determine what service to purchase based on the needs
2. To determine/improve and have clear service specifications
3. To establish procurement schedules and requirements
4. Planning with provider organizations



Planning: Identify the Team

- RFP coordinator
- Planner(s)
- Program manager
- Proposal evaluators
- Fiscal staff
- Contract administrator
- Program evaluator

Planning and Timelines

Work backwards. Things to consider:

- Service start date
- Provider start-up time after execution of contract
(Note: Ensure it is clear in the RFP if this is allowed/anticipated.)
- Time needed to get a contract executed
- Proposal preparation time by providers
- Request for Information (RFI)
- Development of RFP

Some Planning Activities

1. Requests for Information (RFI)
2. Collaboration with other state agencies, providers, and stakeholders
3. Needs assessments
4. Data and information gathering
(Awards/contracts database, RFPW, etc.)
5. Review current contract, program monitoring, evaluation reports

Requests for Information (RFI)

What is a Request For Information (RFI)?

- Tool used to gather, share, clarify, and incubate ideas and information.
- The RFI can be responded to in many ways including but limited to:
 - Writing
 - Meeting
 - e-mail
 - Teleconference
 - Video conference/webinar
 - Webcast

Permissible Subjects for an RFI

Includes but is not limited to:

- Long- and short-term goals/objectives, or the objective of a procurement;
- Target population to be served;
- Services the purchasing agency anticipates may be necessary to achieve its goals and objectives;
- Service specifications, feasibility, or cost;
- Request for expressions of interest to provide a service.

Examples of Subjects for RFIs

- **Configuration of services**
(Different combinations of services or geographic areas of services)
- **Method of payment**
(Cost reimbursements, unit rates, guaranteed minimums, etc.)
- **Target population**
(Expand/contract target population, include service for family members or significant others)
- **Personnel requirements**
(Require one MSW licensed social workers per 4 case managers who will supervise the 3 BA licensed social workers instead of all MSW.)

Conducting an RFI

Guiding Principles

- ✓ Be open
- ✓ Be fair
- ✓ Keep a good record

RFIs for Health & Human Services

Requirements Pursuant to HAR §3-142-202

- ***An RFI must be conducted whenever developing/preparing to issue an RFP***

“...At a minimum, a purchasing agency shall prepare a request for information prior to the development of a request for proposals to obtain community input and facilitate community planning activities...”

RFI Requirements (continued)

- **Notice of the RFI must be posted on the Procurement Notices System (PNS)**

“...Public notice shall be given for all requests for information in accordance with section 3-141-407 and shall be posted for a minimum of seven days...”

- **An RFI shall be in writing**

The RFI Timeline

- Varies depending on what the purchasing agency is seeking.
- Feasibility of a new service (RFI will occur early in the process)
- An established service (Might include a draft of the service specifications and be issued a little later in the process.)

RFI Timeline (continued)

- Give as much advance notice as possible when there will be significant change(s) in a RFP.
- For quality information, it must flow both ways. Allow time for respondents to ask clarifying questions.
- Recommended time for conducting an RFI is 2 to 9 months prior to the procurement notice for an RFP.

The RFI Notice

What do we need to include in the RFI notice?

- **Name of the state agency** issuing request;
- **Description of the information** being sought;
- **Procedure for responding**;
- If applicable, **other means by which the request for information is being solicited**; and

The RFI Notice (continued)

- ***Statements that shall be included in the RFI notice:***
 1. Participation is optional, and is not required to respond to any subsequent procurement action a purchasing agency may take.
 2. Neither the purchasing agency nor the interested party responding has any obligation under the request for information.

The RFI Notice (continued)

How much time do we need to allow for responses?

- Shall be posted on the PNS for a minimum of 7 days. Give more time whenever possible (2 weeks is better).
- If there will be an RFI meeting, provide more time.

Conducting an RFI Meeting

- Be Prepared!
- Have members of the team present
- Have an agenda
- Keep a good record of the meeting and who attended
- Answer questions

The RFI Meeting

Request for Written Responses

- Make the request for submittal of written responses after the meeting.

Summarizing the RFI Results

- **Summarize approximately how many responded.**
 - ~ How many attended the meeting.
 - ~ How many written responses.
- **Summarize the issues.**
 - ~ Generally questions are grouped into clusters of issues.
- **Summarize the purchasing agency's response.**
 - ~ Measures the purchasing agency plans to take in response to the feedback.

Summarizing RFI Results

Who Responded

Example:

“Approximately 35 individuals from 27 organizations attended the RFI general meeting held on March 8, 2008. Over 35 written responses were received. Most of the responses were from providers of services to youth and the majority of those were nonprofit providers on Oahu. Several responses were from parents and one was from an interested community member...”

Summarizing RFI Results

The Issues

Examples:

“Unit Rate: There were several comments about the unit rate. Most related to being paid the same unit rate for high intensity clients as low intensity clients and how this leads to “creaming.” There was one suggestion that pricing be a fixed price for an entire program and that only one contract awarded statewide. There was also a suggestion about utilizing capitated rates.

Service Configuration: There was one suggestion that services be configured for one provider to provide XXX services statewide. There were several other comments in this area reflecting that one statewide provider was unnecessary, severely limited competition and was neither advisable or feasible.”

Summarizing the RFI Results

Response to Feedback

Example 1:

“Unit Rate: It is unlikely there will be more than a slight increase in the total funds available for this service. ABCD will work to establish a graded unit rate for high and low intensity clients. ABCD has no experience with capitated rates for this type of service and would appreciate assistance from any providers/clients or interested community members who have knowledge of using capitated rates with this type of service.

Summarizing the RFI Results

Response to Feedback (continued)

Example 2:

Service Configuration: The biggest concern was the possibility of soliciting for one statewide contract. Several providers indicated it was not feasible in this field. ABCD will continue to contract by geographic by island with the exception that separate proposals will be accepted for East and West Hawaii...”

**Using RFIs
for
Federal Grant Applications**

RFI for Federal Grant Applications

Pursuant to HAR §3-143-614

- This is **not** an exemption from procurement whenever federal funds are involved.
- This special procedure may **not** be used with block grant federal funds.
- This special procedure is to be utilized when:
 - A state agency applies for a federal grant;
 - Grant application requires a description of how the funds will be spent; and
 - It is necessary or will increase the likelihood that the state agency will be awarded by naming the provider(s) in the grant application.

RFI for Federal Grant Applications *(continued)*

- Notice must be posted on the PNS for a minimum of 7 days.
- The names of all who responded and the justification for the selection shall be included as part of the procurement file.

RFI for Federal Grant Applications (*continued*)

What Must be Included in the RFI:

- ✓ The state agency issuing the request.
- ✓ A statement that the request is issued for the purpose of including a provider (or providers) in a federal grant application and that if awarded, may result in a contract with the provider(s).
- ✓ A description of the services.
- ✓ The criteria by which the provider(s) will be selected.
- ✓ The deadline for submission of responses.
- ✓ Contact information for questions.

RFI for Federal Grant Applications (*continued*)

- Request responses in writing, even if you hold a meeting.
- In describing the services, do not simply refer applicants to the federal website.

Utilizing the RFI

Summary

- Can be used to for a variety of purposes.
- Required when preparing an RFP for health and human services.
- Must be posted on the PNS for a minimum of 7 days.
- Can conduct more than one RFI.
- Providing the results of the RFI is extremely helpful.
- There are many ways an RFI can be conducted. (Check the Procurement Notices Website (PNS) to see how other purchasing agencies conduct theirs.)

Want to post your RFI on HlePRO (Hawaii State e-Procurement)

- Contact us
- Training
- Ensuring providers are registered in HlePRO

Collaboration

It's a good thing...

Collaboration

- Collaboration in the context of procurement is defined:
“To work together, especially in a joint intellectual effort.”
- *It is not this:*
“To cooperate treasonably, or as a traitor.”
Providers, advocates, the public, or the State are not the enemy...

Collaboration *(continued)*

Uncompensated provider participation is encouraged.

Ask providers, other state agencies, clients, etc. to participate in planning activities.

Collusion

It's Not okay

- A secret agreement between two or more parties for a fraudulent, illegal, or deceitful purpose (eg., appearing as adversaries though in agreement).

Areas for Collaboration

- Share information on community needs
- Determine best practices
- Inventory of available resources
- Budgetary or cost factors
- Configuration of services
- Recommendations for service specifications and requirements
- “Heads up:” advance notice gives time to plan & respond more effectively

Data Sources to Help with Planning

- **Procurement Awards, Notices and Solicitations (PANS) Website**
 - ~ **Awards/Contracts Database**
 - *Search by: key words (title and description); dept., division; year; provider; general and special population; island*
 - ~ **RFP Website (RFPW)**
 - *Includes RFPs issued since 2004.*
 - *A database of service specifications*
- **DBEDT website**
 - ~ *Economic data and trends, census, Hawaii databook*
- **The Web!**
 - ~ *A huge data source at your fingertips-*

“Coming together is a beginning.
Keeping together is progress.
Working together is success.”

- Henry Ford

Planning

If you don't have time to do it right...

Then you have time to do it over...

Questions?

The SPO website
<http://hawaii.gov/spo>
Click on “Health and Human Services”

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