



GOBIERNO DE PUERTO RICO

ADMINISTRACIÓN DE SEGUROS DE SALUD

Directora Ejecutiva | Edna Y. Marín Ramos | emarin@asespr.org

NOTIFICATION OF NEED OF PROFESSIONAL SERVICES

#NNSP-2023-008-AL

Professional and Consulting Legal Services in federal regulation for FY 2023-2024

Pursuant to OE-2021-029 and OGP Circular Letter 013-2021, the Puerto Rico Health Insurance Administration (PRHIA or “Administración de Seguro de Salud” or ASES for its Spanish acronym) is soliciting proposals for professional and legal counseling and advisory services in the area of federal regulation.

Background:

Pursuant to Title XIX of the Federal Social Security Act, codified as 42 USC 1396 et seq. (“the Social Security Act”), and Act No. 72 of September 7, 1993, of the Laws of Puerto Rico (“Act 72”), as amended, a comprehensive program of medical assistance exists in Puerto Rico. The Puerto Rico Health Department (“the Health Department” or PRHD) is the single State agency designated to administer medical assistance in Puerto Rico under Title XIX of the Social Security Act of 1935, as amended, and is charged with ensuring the appropriate delivery of health care services under the Medicaid and the Children’s Health Insurance Program (“CHIP”) in Puerto Rico. ASES manages these programs pursuant to a delegation of authority.

ASES is a public corporation with autonomy to develop and execute the terms of its organic law - Act Number 72. As part of its responsibilities, ASES contracts with Managed Care Organizations (MCOs) to provide health services to persons who are eligible for Medicaid and other Enrollees, as established by applicable law. It also contracts with a Pharmacy Benefit Manager (PBM) to administer and provide pharmacy benefits and manage the Medicaid Drug Rebate Program (MDRP). Pursuant to this statutory provision, ASES has established a managed care program under the medical assistance program, known as “Government Health Plan”, GHP,” or “Plan Vital”. The GHP serves approximately 1,298,116 beneficiaries in Puerto Rico.

The purpose of the notice is to publicize that ASES has a need for services that will potentially result in the contracting of professional services to provide the following services:

1. Legal counseling on federal government, federal regulations and ASES’ processes in compliance with the regulations of the Centers for Medicare and Medicaid Services (CMS) and the contracts of the Vital Plan and Medicare Platino.
2. Legal counseling in the recovery processes resulting from audits carried out in ASES.

PROPOSAL SUBMISSION: Proposals must be submitted on or before **11:59 PM (AST) on Friday, April 28, 2023**, to the email ASESPROUREMENT@ASESPR.ORG. Proposals will be received electronically only. The proposal and the email shall include in the subject line the reference number of this Notice (#NNSP-2023-008-AL). ASES will not accept physical proposal submissions, nor will it accept or evaluate proposals received outside the established time and date.



QUESTIONS: All questions and concerns regarding this request must be made exclusively in writing to the email ASESPROUREMENT@ASESPR.ORG and include the reference number of this Notice. Responses will be provided by email and posted on the ASES portal along with the Service Need Notification at least two (2) business days prior to the deadline for submission of proposals.

MINIMUM REQUIREMENTS:

To participate in this process, proponents must meet the following minimum criteria:

1. Submit a timely proposal with all the documentation required to evidence compliance with the minimum requirements.
2. Demonstrate the availability of resources that have a Juris Doctor and are admitted to the legal profession.
3. Provide evidence of license to practice the legal profession of the state in which the resources were admitted.
4. Demonstrate that the lead attorney in charge of the account has practiced the profession, at least in the last 10 years.
5. Demonstrate that the resources to be provided have experience and extensive proficiency in the last five (5) years in Healthcare Law, federal regulation in the area of healthcare, particularly CMS regulation and in Public and Private Contractual Law.
6. The proposal should describe the total scope of the service and the hourly rate for the professional services it offers to provide.
7. The proponent must submit with the proposal a section describing its business history, capacity and technical expertise and experience.
5. References: Provide a list of at least three (3) contracts of a similar size and scope to the work described herein that the proposer has performed during the past three (3) years. Include a brief description of the services provided, the contract period, the name of the contact person(s) directly involved in the project along with an email address and phone numbers.
6. In the event that the proponent is a legal entity, the proposal must include evidence that it is legally authorized to conduct business in Puerto Rico and is in "Good Standing". Otherwise, provide evidence of the current status of its request to be legally authorized to do business in Puerto Rico. Include the name, marital status, profession, and place of residence of the person authorized to sign the contract, the resources available, the *curriculum vitae* of each resource that will offer direct services and the costs (per hour) of each resource.
7. Certification of the Single Registry of Professional Service Providers ("RUP" for its Spanish acronym) issued by the Puerto Rico General Services Administration ("Administración de Servicios Generales de Puerto Rico" or "ASG" for its Spanish acronym).
8. Have a unique identification number "UEI Number" and maintain an active registration status in SAM.Gov. It must include evidence of active registration and SAM expiration date. If it is in the process of acquiring one or renovating its registration, provide evidence of the current status of the process.
9. Certify whether the proponent has or not a contractual relationship with another agency or entity of the Government of Puerto Rico. If in the affirmative, identify with which agency or entity.
10. The proponent shall indicate whether any aspect related to service under this proposal creates an actual or potential conflict of interest. The conflict should be explained in sufficient detail.

WARNING: ASES reserves the right to reject a proposal or impose additional conditions on proponents based on its best interests and in its sole discretion.

11. Any other requirement and/or documentation required by law applicable to services of this nature.


TERMS AND CONDITIONS

1. Services will commence from the signature of the contract until the last day of the fiscal year 2023-2024, subject to availability of funds.
2. By submitting the proposal, the proponent acknowledges and agrees that: (a) Has the power to bind and comply with all parameters and requirements applicable to government procurement of professional services; (b) All information submitted is true and verification may be requested; and c) The proposal containing any false or incorrect information will be discarded.
3. If the selected proponent is a legal entity, as part of the documents to be delivered prior to the formalization of the contract, a certification will be required in which the names of all the owners, shareholders and officers of the corporation to be hired are declare
4. At its sole discretion, 00ASES may communicate with individuals and/or firms that submit proposals to clarify any doubts or coordinate an interview and presentation in person or virtually.
5. ASES reserves the right to accept or reject one or all of the proposals, as well as to cancel this process.
6. The selected proponent must comply with the entire government procurement process and requirements.

SELECTION CRITERIA

ASES will award the contract to the proponent that meets all the minimum requirements, is best qualified to meet the needs of the service in the most appropriate manner and under the most favorable conditions, ensuring the best interests of the ASES and within the applicable budgetary parameters and any other criterion of trust and confidentiality that is considered prudent and necessary. The quality of the service (e.g., academic preparation, experience, and other distinctive elements of the service proposal) will prevail over the cost criterion.

ASES is an equal opportunity employer and service provider and does not discriminate on the basis of sex, gender or sexual identity or orientation, race, age, national origin, religious beliefs, marital status, armed forces veteran status, or disability.



Edna Y. Marín Ramos
Executive Director

4/18/23 .

Publication date

