

# **ADMINISTRACIÓN DE SEGUROS DE SALUD DE PUERTO RICO (ASES)**

## **PUERTO RICO HEALTH INSURANCE ADMINISTRATION (PRHIA)**



### **PHARMACY BENEFIT MANAGER (PBM) AND REBATE AGGREGATOR (RA) SERVICES**

**GOVERNMENT HEALTH PLAN**

### **REQUEST FOR PROPOSALS**

### **RFP # PHARMACY 2022**

**ISSUE DATE: MARCH 31, 2021**

**PROPOSAL DUE DATE: JULY 12, 2021 2:00 PM (AST)**

**AMENDMENT #1 ISSUE DATE: APRIL 5, 2021**

**AMENDMENT #2 ISSUE DATE: APRIL 13, 2021**

**AMENDMENT #3 ISSUE DATE: MAY 10, 2021**

**AMENDMENT #4 ISSUE DATE MAY 27, 2021**

**AMENDMENT #5 ISSUE DATE JUNE 22, 2021**

**AMENDMENT #6 ISSUE DATE JUNE 30, 2021**

**AMENDMENT #7 ISSUE DATE JULY 8, 2021**

## INTRODUCTION

This document constitutes an amendment to the request for competitive proposals (RFP) titled Pharmacy Benefit Manager (PBM) and Rebate Aggregator (RA) Services for the Government Health Plan (RFP #Pharmacy 2022), issued by the Puerto Rico Health Insurance Administration (Administración de Seguros de Salud - ASES) (referred to herein as “Amendment #7”). Due to: (1) a calculation error in Rows 110 (Section 5.1) of Worksheets 2B & 2C of the Cost Proposal Template – App. J of the RFP; and (2) a clerical error in Section 8.1 of the RFP, Amendment #7 is being issued on July 8, 2021 to modify the Cost Proposal Template, **now Amended Appendix J - Version 4, and sections of the RFP directly affected.**

Changes are included in track changes. Accordingly, deletions to the current RFP language are noted in red and strikethrough and additions are noted in red and underline.

## PUBLICATION

Amendment #7 will be available in the secure website by July 8, 2021. Also, the Procurement Contact will send Amendment #7 via e-mail to all Potential Offerors appearing in the procurement distribution list pursuant to Section 3.3.2 of this RFP.

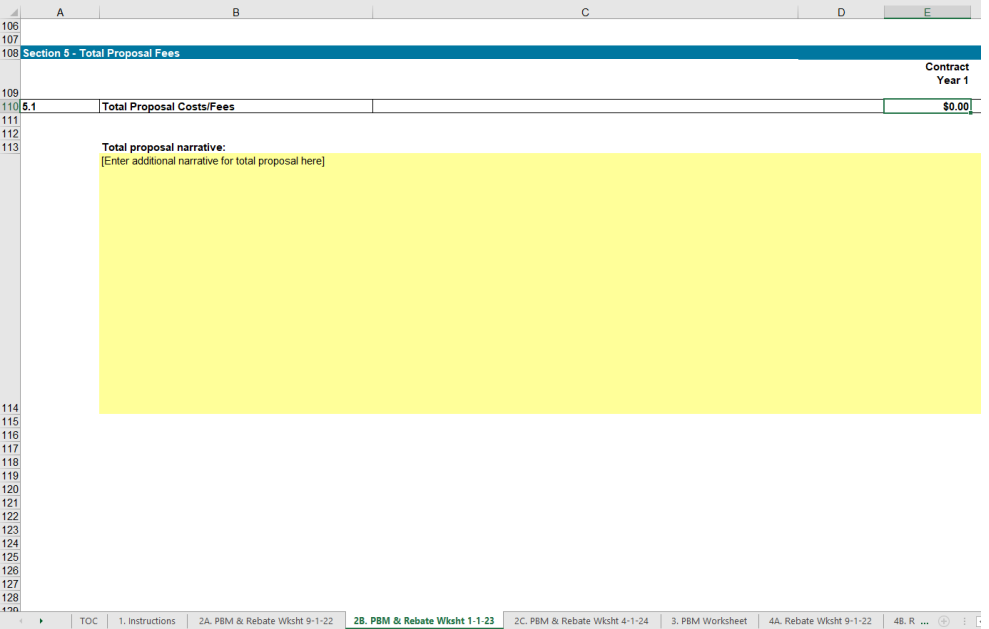
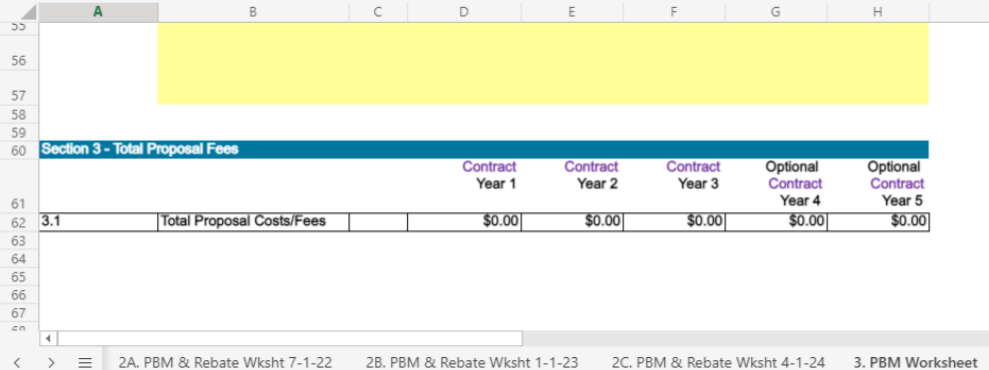
### 1. Amendment to Table A of Section 3.4.8

*Table A of Section 3.4.8 is amended to reflect the new version of the Cost Proposal Template and the corresponding cell reference to be used for the submission of the Proposal and calculation of the Proposal Bond.*

#### 3.4.8 Proposal Bond

A Proposal Bond in the amount of ten percent (10%) of the total bid for Contract Year 1 is **REQUIRED**. If the Offeror is presenting a Proposal for Combined Services, the amount of the Proposal Bond must be computed on the basis of the total bid for the Combined Services for Contract Year 1 under Scenario B of the Cost Proposal, that is, assuming an MDRP Implementation Date of January 1, 2023. If the Offeror is presenting a Proposal for RA services only, the amount of the Proposal Bond must be computed on the basis of the total bid for the RA services for Contract Year 1 under Scenario B of the Cost Proposal, that is, assuming an MDRP Implementation Date of January 1, 2023. **See Table A.**

**Table A:**

TYPE OF BID	AMOUNT OF PROPOSAL BOND	
<p><b>Combined</b></p>	<p><b>10% of the total sum of Section 5.1 for Contract Year 1, that is, the total sum of cells <del>D110</del> and E110 of the Amended Appendix J version <del>34</del> Cost Proposal Template, worksheet 2B. PBM &amp; Rebate Worksheet 1-1-23</b></p>	
<p><b>PBM Only</b></p>	<p><b>10 % of the amount of Section 3.1 for Contract Year 1, that is, the amount of cell D62 of the Amended Appendix J version <del>34</del> Cost Proposal Template, worksheet 3.</b></p>	

	<p><b>PBM Worksheet.</b></p>											
<p><b>RA Only</b></p>	<p><b>10% of the total sum of Section 4.1 for Contract Year 1, that is, the total sum of cells D82 and E82 of the Amended Appendix J version <del>34</del> Cost Proposal Template, worksheet 4B. Rebate Worksheet 1-1-23</b></p>	<table border="1"> <thead> <tr> <th></th> <th></th> <th>Contract Year 1: 9/1/2022-12/31/2022</th> <th>Contract Year 1: 1/1/2023-8/31/2023</th> <th>Contract Year 2</th> </tr> </thead> <tbody> <tr> <td>4.1</td> <td>Total Proposal Costs/Fees</td> <td>\$0.00</td> <td>\$0.00</td> <td>\$0.00</td> </tr> </tbody> </table>			Contract Year 1: 9/1/2022-12/31/2022	Contract Year 1: 1/1/2023-8/31/2023	Contract Year 2	4.1	Total Proposal Costs/Fees	\$0.00	\$0.00	\$0.00
		Contract Year 1: 9/1/2022-12/31/2022	Contract Year 1: 1/1/2023-8/31/2023	Contract Year 2								
4.1	Total Proposal Costs/Fees	\$0.00	\$0.00	\$0.00								

The Proposal Bond shall be accompanied with a pledge that the Offeror will enter into a contract with ASES on the terms stated in the Proposal Bond, if awarded the RFP.

The Proposal Bond shall be issued by a surety company duly authorized to do business in Puerto Rico, duly certified by the Insurance Commissioner of Puerto Rico, and accepted by ASES. The Proposal Bond must be valid beginning on the Proposal due date for One Hundred and Eighty (180) Calendar Days. The Proposal Bond will be payable to ASES.

**A true and exact copy of the Original Bond must be included with the Proposal on the due date for submission of the Proposal, that is, no later than 2:00 PM (AST) on July 12, 2021. The Original Bond must be delivered either via hand delivery or courier service delivery no later than 4:00 pm (AST) July 14, 2021 to ASES' Finance Office, located at Urb. Caribe Sector El Cinco, #1549 Calle Alda, San Juan, PR. IF THE COPY OF THE PROPOSAL BOND SUBMITTED WITH THE PROPOSAL IS NOT A TRUE AND EXACT COPY OF THE ORIGINAL BOND LATER SUBMITTED, IT WILL BE CONSIDERED THAT THE PROPOSAL BOND WAS NOT TIMELY SUBMITTED.** The name of the company to whom the Proposal Bond is issued as a Principal must be the Offeror. **No Letter of Credit and Annual Proposal Bond will be accepted.**

**FAILURE TO COMPLY WITH THE TIMELY SUBMISSION OF A PROPOSAL BOND, ISSUED BY A QUALIFIED INSTITUTION AS STATED IN THIS SECTION, IN THE NAME OF ASES AS OBLIGEE, TO COVER THIS PROCUREMENT PROCESS AND IN THE AMOUNT SPECIFIED HEREIN, WILL DISQUALIFY THE OFFEROR.**

If the Offeror(s) chosen to receive a Contract withdraws its Proposal after ASES issues the Notice of Intent to Award, does not honor the terms offered in its Proposal, does not sign the Contract within a reasonable period before the implementation review, or fails to comply with an approved Divestiture Action Plan or Conflict Avoidance Plan at the time of signature of the Contract, the Proposal Bond shall be forfeited by the Offeror(s) in favor of and kept by ASES.

The Proposal Bond will be returned to the unsuccessful bidders after One Hundred and Eighty (180) Calendar Days of the submission of the Proposal, unless the Proposal Bond term herein established is otherwise extended per ASES request due to an extension of the schedule of events of this procurement.

## **2. Amendment to Section 8.1**

*Section 8.1 is amended to reflect the new version of the Cost Proposal Template to be used for the submission of the Proposal and the correction of a clerical error in cells referenced under Scenario B.*

### **8.1 General Instructions**

The Offeror shall also submit a Cost Proposal, using the Cost Proposal Workbook template included in Amended Appendix J, version 34, that addresses all costs associated with meeting the requirements noted above in this RFP and in the Contract. At the discretion of ASES, the Contract may be extended for up to two (2) additional one (1) year contract extension periods, beyond the initial Contract period. See Section 1.6 of this RFP, as amended. Therefore, the Offeror's Cost Proposal submission must include costs for each year of the possible total five (5) Contract years, but only Contract Years 1 through 3 will be evaluated for Cost Proposal Points. See Section 5.5.2 of the RFP, as amended.

For the PBM Services Only bidding option, the sum of the Total Annual Costs proposed for Contract Years 1 through 3 will be evaluated for the Cost Proposal Evaluation (Offeror's Total Costs). **The MDRP Implementation Date does not affect the PBM Services.**

For the Combined Services bidding option and the RA Services Only bidding option, ASES is requesting Offerors to provide bids for the following MDRP Implementation Date Scenarios:

**Scenario A:** September 1, 2022 – Offerors should assume a September 1, 2022 MDRP Implementation Date. Both MDRP and Other Enrollee Rebate Services will be provided during all of Contract Years 1 through 3.

**Scenario B:** January 1, 2023 - Offerors should assume:

## Seventh Amendment to RFP #Pharmacy 2022

- Contract Year 1 (September 1, 2022 – December 31, 2022): Offerors will provide current Rebate program services for all populations, including Medicaid/CHIP populations.
- Contract Year 1 (January 1, 2023 – August 31, 2023): Offers will provide both MDRP Rebate Services and Other Enrollee Rebate Services.
- Contract Years 2 and 3: Offerors will continue providing both MDRP and Other Enrollee Rebate Services.

For the Combined Services bidding option and the RA Services Only bidding option, ASES will add Total Proposal Costs/Fees for Contract Years 1 through 3 for Scenarios A and B combined to determine Cost Proposal Points.

Specifically, for the Combined Services bidding option, ASES will sum cells ~~D100~~D101, ~~E100~~E101, and ~~F100~~F101 from Amended Appendix J version ~~34~~– Cost Proposal Template, worksheet “2A. PBM & Rebate Wksht 9-1-22” with cells ~~D110~~, E110, F110 and G110 from worksheet “2B. PBM & Rebate Wksht 1-1-23” to calculate an Offeror’s Total Proposal Costs/Fees for the Cost Evaluation Points determination.

For the RA Services Only bidding option, ASES will sum cells D73, E73 and F73 from Amended Appendix J, version ~~34~~– Cost Proposal Template, worksheet “4A. Rebate Wksht 9-1-22” with cells ~~D56~~D73, ~~E56~~E73, ~~F56~~F73 and ~~G56~~G73 from worksheet “4B. Rebate Wksht 1-1-23” to calculate the Offeror’s Total Proposal Costs/Fees for the Cost Evaluation Points determination.

**Scenario C:** April 1, 2024 – Offerors should assume:

- Contract Year 1: Offerors will provide current Rebate program services for all populations, including Medicaid/CHIP populations for the entire Contract Year.
- Contract Year 2 (September 1, 2023 – March 31, 2024): Offerors will provide current Rebate program services for all populations, including Medicaid/CHIP populations.
- Contract Year 2 (April 1, 2024 – August 31, 2024): Offerors will provide MDRP Rebate Services and Other Enrollee Rebate Services.
- Contract Year 3: Offerors will continue providing both MDRP and Other Enrollee Rebate Services.

Scenario C will be reviewed but not be included in the Cost Proposal Evaluation calculation for Cost Proposal Points. If ASES chooses and CMS approves an April 1, 2024 MDRP Implementation Date, ASES will renegotiate Contract Years 2 and 3 within plus or minus 10% of the total proposed costs submitted in the Cost Proposal Template, for the time period in which MDRP Services will be provided (April 1, 2024 through August 31, 2025).

For example, for the Combined Services bidding option, Scenario C, ASES will renegotiate within plus or minus 10% of the Total Proposal Costs/Fees submitted in cells F110 and G110 of the “2C. PBM & Rebate Wksht 4-1-24” of Amended Appendix J, version ~~34~~– Cost Proposal Template. For the RA Services Only bidding option, Scenario C, ASES will renegotiate within plus or minus 10% of the Total Proposal Costs/Fees

submitted in cells F82 and G82 of the “4C. Rebate Wksht 4-1-24” of Amended Appendix J, version 34– Cost Proposal Template.

ASES will not renegotiate any proposed costs if CMS approves a September 1, 2022 or January 1, 2023 MDRP Implementation Date (Scenarios A or B).

Under all scenarios, the Offeror should provide their best cost estimate for optional years 4 and 5. The Offeror should be aware that optional years 4 and 5 are subject to renegotiation based on prevailing market prices and evaluation of Contractor’s performance. Furthermore, proposed costs for Additional Rebate Aggregator Services (Article 16 of the Contract in Appendix K) also will be reviewed but not included in the Cost Proposal Evaluation calculation for Cost Proposal Points, as these services may be further negotiated upon ASES’s determination to exercise these services.

Offerors are cautioned not to make assumptions when submitting cost proposals. If clarifications are needed, please submit questions during the Q&A period to ensure all assumptions are confirmed or clarified. Costs left out of a proposal based on an assumption will not be negotiated at time of award.

**The Offeror MUST BID FOR ALL REQUIRED SERVICES/DELIVERABLES AND SCENARIOS PERTAINING TO THE PBM AND/OR RA SERVICES FOR WHICH THE OFFEROR IS BIDDING. FAILURE TO DO SO WILL CAUSE THE DISQUALIFICATION OF THE OFFEROR. See also Section 4.6 of the RFP.**

The submitted Cost Proposal must include a duly signed PDF copy of the cost proposal template with initials and printed name on each page (See Section 4.8 of the RFP) as well as an Excel version. Both must contain the same information and each page must be identified with the name of the Offeror. In case of any inconsistencies between the PDF signed copy and the Excel version of the Offeror’s Cost Proposal, the signed copy will prevail.

### **3. Amendment to Appendix J – Cost Proposal Template**

*Appendix J is amended to correct a calculation error in Rows 110 (Section 5.1) of Worksheets 2B & 2C.*

## **COST PROPOSAL TEMPLATE**

RFP # Pharmacy 2022

Amended Appendix J, version 34, is the Cost Proposal Template. It is not embedded in this document but is included as a separate Excel document entitled Amended Appendix J, Version 34, – Cost Proposal Template. **Offeror’s must use the Amended Template, version 34. See, Section 8.3.** (See Appendix 1 to the Amendment).