

Attachment P – Minimum Qualifications Sample Export

1 Solicitation Information

State of Maryland

Department of Budget and Management (DBM)

Multi-Step Invitation for Bids (MS-IFB)

Pharmacy Benefits Management Services and Purchasing Pool Management

MS-IFB Number BPM039929

See eMMA for State Required Attachments listed in MS-IFB

2 Instructions for Bidders

A. MANDATORY INSTRUCTIONS FOR BIDDERS

Bidder shall complete all applicable sections of the MS-IFB during each phase and provide submissions by the stated deadlines.

Electronic responses and the online Reverse Auction will be facilitated through this platform. Paper submissions, or submissions in any other form or format, shall not be accepted.

Bidders shall submit a Non-Disclosure and Intent to Bid Agreement in order to complete registration and receive login credentials.

Failure to follow these instructions may be grounds for rejection of Bidder response.

B. SUBMISSION PROCESS

The MS-IFB process will be broken out into three (3) phases as follow:

Phase I: Minimum Qualifications

Phase II: Participant Bidding Agreement (PBA)

Phase III: Reverse Auction

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Registered Bidders shall receive login credentials to complete Phase I: Minimum Qualifications. After the State has confirmed Bidder meets the minimum qualifications set forth, each qualified Bidder shall be invited to participate in Phase II: PBA responses.

All submissions shall be electronic, using the Milliman RFP360 platform in accordance with the timeliness described herein.

Next, minimum qualified Bidders shall respond to Phase II: PBA, which encompasses the technical requirements and terms of the Bidder submission which are not the Reverse Auction. The PBA shall be submitted no later than the specified deadline. **Bidder shall not alter or adjust any answers in the PBA in any way after submission.**

The Reverse Auction phase will contain three (3) rounds of bidding. Bidders that pass both Phase I and Phase II shall be invited to bid via the Reverse Auction.

All Bids will remain valid from the submission deadline until Contract award. A Bidder's disclosure or distribution of submissions other than to the State shall be grounds for disqualification. No more than one (1) Bid per respondent shall be submitted.

The definitions, terms, and statements in the PBA must be satisfied in order for the Bidder to be considered for the State's Pharmacy Benefit Manager. Bidder shall respond ("Agree" or "Disagree") as to whether you agree with the definitions and conditions in the PBA. An "Agree" response indicates that the terms you bid fully comply with the specific requirement. Any other response (e.g., "Disagree") indicates you cannot comply with the specific requirement.

Responses to the PBA apply to both Functional Area 1: Active Employees, non-Medicare Retirees, and State of Maryland Rx Purchasing Pool (Commercial) and Functional Area 2: Medicare Eligible Retirees Employer Group Waiver Program (EGWP) unless explicitly stated.

C. TECHNICAL SUPPORT

All communications except for technical support with Milliman's RFP360 platform shall be directed to the State Procurement Officer as indicated in the MS-IFB Key Information Summary Sheet. Technical support includes user access, navigation help, and system-related response issues. Any questions related to the context of a question shall be directed to the State Procurement Officer ahead of the Phase I process. After Phase I has begun, the only communication with Bidders is limited to technical support of the platform as described herein.

Platform frequently asked questions (FAQs) and support can be found here: [Support Home \(site.com\)](#)

3 Phase I: Minimum Qualifications

The requirements below are mandatory qualifications for the Bidder to be considered for review in this Pharmacy Benefit Management (PBM) Multi-Step Invitation to Bid (MS-IFB). The State will review each Bidder's response to the mandatory requirements as the first step in the review process and will determine if the Bidder qualifies for Phase II: PBA.

By attaching supporting documentation to each minimum qualification in this section, Bidder is confirming acceptance of the minimum qualifications.

Additionally, Bidders shall include an unredacted file and redacted file for each minimum qualification.

3.1 Functional Area 1 Minimum Qualifications

As part of the determination to be considered reasonably susceptible of being selected for award, the Bidder shall document in its Bid that, within the last seven (7) years, the following minimum qualifications have been met for Functional Area 1.

1. The Bidder shall have at least ten (10) years' experience providing pharmacy benefit management services.

Required Documentation: As proof of meeting this requirement, the Bidder shall submit a document detailing the required ten (10) years' experience including client names, contact information to include telephone number and email address for a person within each client's organization who can attest to the Bidder's experience, a description of services provided, start and end date of contract, and contract duration.

2. The Bidder shall have at least five million (5,000,000) participants across the Bidder's pharmacy benefit management book of business as of the bid submission date. Discount card programs are not to be counted towards this population requirement.

Required Documentation: As proof of meeting this requirement, the Bidder shall submit a document detailing the required number of participants including client names, description of services provided, and number of participants. The Bidder shall also provide confirmation that participants covered by discount card programs are not counted towards this population requirement.

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3. The Bidder has administered at least five billion dollars (\$5,000,000,000) in annual gross costs charged to plan sponsors for pharmacy benefit costs for calendar year 2022. Bidders shall not include administrative fees.

Required Documentation: As proof of meeting this requirement, the Bidder shall submit a document detailing the total required annual gross costs including client names and annual charges to plan sponsors for calendar year 2022.

4. The Bidder must provide proof of registration and/or certification as required by the following State laws:

a) Certification as a Private Review Agent under Md. Ann. Code, Insurance Art., Title 15, subtitle 10B. This certification may be held by either the Bidder or the entity that performs utilization review, as defined in Md. INSURANCE Code Ann. § 15-10B-01 (m), on behalf of the Bidder; and

b) Registration as a Pharmacy Benefits Manager under Md. Ann. Code, Insurance Art., Title 15, subtitle 16 and the required disclosure report as described in Md. Ann. Code, Insurance Art. § 15-1623. Registration must be held by the legal entity of the Bidder itself. For the purposes of meeting this qualification, registration may not be held by any other legal entity, including subsidiaries.

Required Documentation: As proof of meeting the requirement in a) the Bidder shall submit a copy of the certification as a private review agent issued by the Maryland Insurance Administration (MIA) to the Bidder or, if appropriate, to the entity that performs utilization review on behalf of the Bidder. If a Bidder or the entity that performs utilization review on behalf of the Bidder is not certified by the date of bid submission, a Bidder may submit with its Bid, in lieu of proof of certification, a copy of the application-receipt acknowledgment letter provided by the MIA to the Bidder, or if appropriate, to the entity that performs utilization review on behalf of the Bidder. If such a statement is submitted with a Bidder's Bid, the Procurement Officer will verify with MIA that the application was timely filed with MIA. Once a Bidder or its designated utilization review entity receives notice of certification as a private review agent from MIA, that Bidder shall supplement its bid by providing to the Procurement Officer a copy of that notice. Certification as a private review agent for a Bidder recommended for award shall be completed within ten (10) Business Days of the formal notification of recommendation for Contract award.

As proof of meeting the requirement in b), the Bidder shall submit a copy of the Bidder's registration as a Pharmacy Benefits Manager issued by the MIA, as required by State laws.

3.2 Functional Area 2 Minimum Qualifications

As part of the determination to be considered reasonably susceptible of being selected for award, the Bidder shall document in its Bid that, within the last seven (7) years, the following minimum qualifications have been met for Functional Area 2.

1. The Bidder shall have five (5) years experience as an approved Centers for Medicaid and Medicare Services (CMS) contractor for Medicare Part D to current clients.

Required Documentation: As proof of meeting this requirement, the Bidder shall submit a copy of a current contract with CMS as a Medicare Part D Prescription Drug Plan evidencing the Bidder is providing and for the last five (5) years has been providing EGWP benefits to current clients.

2. The Bidder shall have at least five (5) years' experience providing EGWP benefits to current clients.

Required Documentation: As proof of meeting this requirement, the Bidder shall submit a document detailing the required experience including current client names, contact information to include telephone number and email address for a person within each client's organization who is able to attest to the Bidder's experience, a description of the EGWP services provided, start and end date of contract, implementation time frame, and contract duration.

4 Phase II: Participant Bidding Agreement

To be completed in Phase II. See Attachment T: Participant Bidding Agreement (PBA) Sample Export.

5 Phase III: Reverse Auction

To be completed in Phase III. See Attachment B: Reverse Auction Instructions & Sample Export.