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Deputy Secretary

**QUESTIONS AND RESPONSES # 3**  
**PROJECT NO. F10B4400008**  
**Department of Budget & Management**  
**Employee and Labor Relations Division**  
**Employee Assistance Program**  
**March 21, 2014**

Ladies/Gentlemen:

This List of Questions and Responses #3, questions #47 through #53, is issued to clarify certain information contained in the above named RFP.

In most instances the submitted questions and the Department's responses merely serve to clarify the existing requirements of the RFP. Sometimes, however, in submitting questions potential Offerors may make statements or express interpretations of Contract requirements that may be inconsistent with the Department's intent. To the extent that the Department recognizes such an incorrect interpretation, the provided answer will note that the interpretation is erroneous and either state that the question is moot once the correct interpretation is explained or provide the answer based upon the correct interpretation.

No provided answer to a question may in and of itself change any requirement of the RFP. If it is determined that any portion of the RFP should be changed based upon a submitted question, the actual change may only be implemented via a formal amendment to the RFP. In this situation the answer provided will reference the amendment containing the RFP change.

*47. Our company provides traditional, stand-alone EAP services, but is not a Third Party Administrator (TPA). Would not being a TPA preclude our company from being awarded the Contract for this RFP?*

**RESPONSE:** Proof of Registration as a Third Party Administrator is required for all Offerors. An Offeror who does not submit proof of Third Party Administrator registration will not meet the Minimum Qualifications to proposed services for this solicitation. See RFP Section 2.1.3 and 2.2.3 and Q&A 1 #32. Offerors desiring information on TPA registration should contact the Maryland Insurance Administration.

*48. Md. Ann. Code, Insurance Article 15 Subtitle 10B as referenced in Section 2.1.3 appears to be intended for an insurance company, but our company is not an insurance company. Are we able to indicate that the Minimum Qualification to be certified as a Private Review Agent is not*

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*applicable to our company? If so will the RFP be amended to indicate, or will a “Not Applicable” statement be acceptable?*

**RESPONSE:** The requirement for Private Review Agent certification was removed from the Minimum Qualifications for this solicitation. See Amendment 1 dated February 28, 2014, items 1 and 2. Therefore, an Offeror does not need to be certified as a Private Review Agent to propose services for this solicitation.

*49. Given that our company is not a Third Party Administrator or an insurance company, is the Minimum Qualification to be registered as Third Party Administrator applicable to our company? If so will the RFP be amended to indicate registration as a Third Party Administrator is not required, or will a Not Applicable statement be acceptable?*

**RESPONSE:** Proof of Registration as a Third Party Administrator is required for all Offerors. An Offeror responding that Third Party Administrator registration is “Not Applicable” will not meet the Minimum Qualifications for this solicitation. See RFP Section 2.1.3 and 2.2.3 and Q&A 1 #32. Offerors desiring information on TPA registration should contact the Maryland Insurance Administration.

*50. Our provider network is considered proprietary, and as such our company does not disclose either provider names or the other provider information requested in Section 2.2.2. To meet this Minimum Qualification, will a statement of our provider network be acceptable along with information on the numbers/extent of our provider network?*

**RESPONSE:** Offerors must submit the information required in Section 2.2.2 to meet the Minimum Qualifications for this solicitation. An Offeror should identify any information contained in its Proposal that it deems confidential or proprietary in a separate section after the Title Page and before the Table of Contents of its Proposal submission. See RFP Sections 1.14 and 4.4.3.2.

*51. If a company is not a Third Party Administrator or a Private Review Agent as required in Sections 2.1.3 and 2.1.4, can the company respond that proof of those qualifications as required in Sections 2.2.3 and 2.2.4 is not applicable to it?*

**RESPONSE:** The requirement for Private Review Agent certification was removed from the Minimum Qualifications for this solicitation. See Amendment 1 dated February 28, 2014, items 1 and 2. Proof of Registration as a Third Party Administrator is required for all Offerors in order to meet the Minimum Qualifications. See RFP Section 2.1.3 and 2.2.3 and Q&A 1 #32.

*52. Who is your current provider of EAP services?*

**RESPONSE:** The State’s contractor for the current Behavioral Health & Employee Assistance Program (EAP) Benefit Administration Services 2011-2014 contract is APS Healthcare Bethesda, Inc. See Q&A 1 #18 and #22.

*53. If the current provider is an insurance related company, is it the State’s plan to continue with an insurance company as the provider of EAP services?*

**RESPONSE:** It is the State's intention to evaluate proposals in light of the Minimum Qualifications and evaluation criteria contained in the RFP in order to select the Offeror whose proposal is deemed most advantageous to the State.

**Remember proposals are due on April 8, 2014, no later than 2:00 p.m.** If there are questions concerning this solicitation, please contact me via e-mail at [rachel.hershey@maryland.gov](mailto:rachel.hershey@maryland.gov) or call me at (410) 260-7681 as soon as possible.

Date Issued: 03/21/2014

By:

Rachel Hershey  
Procurement Officer