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Lieutenant Governor

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Secretary

MARC L. NICOLE  
Deputy Secretary

**QUESTIONS AND RESPONSES # 5**  
**PROJECT NO. F10B640003**  
**Audit Services for State Employee and Retiree Health and Welfare Benefits Program**  
**January 28, 2016**

Ladies/Gentlemen:

This List of Questions and Responses #5 is being issued to clarify certain information contained in the above named RFP. The statements and interpretations of contract requirements, which are stated in the following questions of potential offerors, are not binding on the State unless the State expressly amends the RFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require.

Please note that many vendors submitted questions that were significantly similar or requested the same information. Duplicate questions of this type are not repeated in this Q&A. Therefore, a vendor may not see its question reproduced here exactly. Please read through all the Q&As carefully before re-submitting a question. Thank you.

23. **QUESTION:** Can we receive a copy of the RFP for the previous contract with the State?

**RESPONSE:**

Yes. A copy of the RFP for the previous contract is located on the DBM website at the following link:  
<http://dbm.maryland.gov/proc-contracts/Documents/ContractLibrary/SvcsBenefitsAudit2011/AuditBenefitServicesRFP.pdf>

24. **QUESTION:** How many erroneous payments were identified during the last audit contract term?

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**RESPONSE:**

Please see response to Q #20 from Q&A#3.

25. **QUESTION:** Section 3.2.5 requires a review of and familiarity with the performance guarantees provided in each Vendor Contractor's contract with the State. What type(s) of performance guarantees do the respective Vendor Contractor's contracts contain? Administrative? Clinical? Staffing requirements?

**RESPONSE:**

Please refer to the DBM website under Contract Library, which provides the requirements for each employee benefits contract including performance guarantees for each contract. The link for the Vendor Contracts is <http://dbm.maryland.gov/proc-contracts/Pages/contract-library/EmployeeBenefitsContracts.aspx>

26. **QUESTION:** Section 3.2.6 requires a review of the Vendor Contract terms and conditions to ensure that the Vendor Contractor complies with all terms of the Contract with the State. Specifically, the RFP indicates the Contractor will verify and ensure that the Vendor Contractor is performing in accordance with the Vendor Contract related to HIPAA compliance. What level of specificity do the Vendor Contracts contain related to HIPAA Compliance? If the Vendor Contract calls for "HIPAA Compliance" generally, without explicit instruction as to how to achieve "compliance," is there an expectation that the Contractor will review all of the Vendor Contractor's HIPAA policies, procedures, and safeguards against all of the Privacy and Security Rules as set forth by the Code of Federal Regulations, and provide an independent opinion as to whether the Vendor Contractor is HIPAA Compliant?


**RESPONSE:**

Please see response to Q #25. In accordance with Section 3.2.6B Audit of Contract Terms, Contractor shall review the Vendor Contract terms and conditions to ensure that Vendor Contractor complies with all terms of the Contract with the State as stated in Section 3.2.6B and the RFP. The Contractor is not expected to provide a separate independent opinion as to whether the Vendor Contractor is HIPAA Compliant.

**Remember Proposals are due on March 31, 2016 no later than 2:00 p.m.** If there are questions concerning this solicitation, please contact me via e-mail at [joy.epstein@maryland.gov](mailto:joy.epstein@maryland.gov) or call me at (410) 260-7570 as soon as possible.

Date Issued: March 8, 2016

By



Joy Epstein  
Procurement Officer