

September 15, 2022

To: All Interested Vendors {Bidders}

Bid Solicitation: Telehealth- Telemedicine Study

Quote Submission Due Date: Friday, September 23, 2022, by 4 PM EST

Bid Amendment #1

The following constitutes Bid Amendment #1 to the above-referenced Bid Solicitation:

- This Bid Amendment includes answers to questions.

It is the sole responsibility of the Vendor {Bidder} to be knowledgeable of all of the additions, deletions, clarifications, and modifications to the Bid Solicitation and/or the New Jersey Standard Terms and Conditions relative to this Bid Solicitation as set forth in all Bid Amendments.

All other instructions, terms, and conditions of the Bid Solicitation shall remain the same.

Answers to Questions

#	Bid Solicitation Section Reference	Question (Bolded) and Answer
1	Scope of Work	<p>Q: Can you provide the number of individual people (stakeholders) that will be involved in the project and their positions?</p> <p>Answer: The NJ DOH Office of Research Initiatives will oversee this project.</p>
2	Scope of Work	<p>Q: Can the State provide a budget range for the proposed project?</p> <p>Answer: The State will not provide a budget range</p>
3	NJST&C 4.2 Insurance	<p>Q: As it relates to 4.2 Insurance, would the State consider the following modification for clarity?</p> <p>The contractor shall provide the State with current certificates of insurance for all coverages and renewals thereof (except for the Professional Liability policy and Automobile policy).</p> <p>Answer: The State does not accept the proposed modification</p>
4	NJST&C 4.2 Insurance	<p>Q: Would the State consider modifying the language to include “any hired and non-owned” since we do not own any automobiles and the Automobile liability insurance only covers hired and non-owned automobile used by the insured?</p> <p>Automobile Liability Insurance which shall be written to cover any hired and non-owned automobile used by the insured. Limits of liability for bodily injury and property damage shall not be less than \$1,000,000 per occurrence as a combined single limit. The State must be named as an “Additional Insured” and a blanket additional insured endorsement or its equivalent must be provided when the services being procured involve vehicle use on the State’s behalf or on State controlled property;</p> <p>Answer: The State does not accept the proposed modification</p>
5	Waivered Contracts Supplement 4.2 Insurance	<p>Q: Would the State consider the following modification for clarity?</p> <p>D. Professional Liability Insurance: When it is common to the contractor’s profession to do so, the contractor shall carry Errors and Omissions, Professional Liability Insurance and/or Professional Liability Malpractice Insurance sufficient to protect the contractor from any liability arising out the professional obligations performed pursuant to the requirements of the Contract. The insurance shall be in the amount of not less than \$1,000,000 per claim and in such policy forms as shall be approved by the State. If the contractor has claims-made coverage and subsequently changes carriers during the term of the Contract, it shall obtain from its new Errors and Omissions, Professional Liability Insurance and/or Professional Malpractice Insurance carrier an endorsement for retroactive coverage.</p>

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		Answer: The State does not accept the proposed modification
6	NJ ST&C's 5.7 Termination of Contract	<p>Q: Would the State allow a cure period sufficient to address the default by deleting the following:</p> <p>C. In cases of emergency the Director may shorten the time periods of notification and may dispense with an opportunity to respond; and</p> <p>Answer: The State does not accept the proposed modification</p>
7	NJ ST&C's 5.23 Confidentiality; B.	<p>Q: As it relates to SSTC section 5.23 Confidentiality, would the State consider the below revision to narrow the definition of confidentiality?</p> <p>C. The State's Confidential Information shall consist of all information or data contained in documents supplied by the State, any information or data gathered by the Contractor in fulfillment of the Contract and any analysis thereof (whether in fulfillment of the Contract or not);</p> <p>Answer: The State does not accept the proposed modification</p>
8	NJ ST&C's 5.23 Confidentiality; B.	<p>Q: As it relates to SSTC section 5.23 Confidentiality, would the State consider the below revision to expand where we may be required to provide State Confidential Information?</p> <p>G. In addition, in the event Contractor receives a request for State Confidential Information pursuant to a court order, subpoena, or other operation of law or as required under applicable professional standards, Contractor shall, if permitted by law, provide the State with as much notice, in writing, as is reasonably practicable and Contractor's intended response to such order of law. The State shall take any action it deems appropriate to protect its documents and/or information; and</p> <p>Answer: The State does not accept the proposed modification</p>
9	NJ ST&C's 5.23 Confidentiality; B.	<p>Q: As it relates to SSTC section 5.23 Confidentiality, would the State consider the below revision to expand where we may be required to provide State Confidential Information?</p> <p>H. Notwithstanding the requirements of nondisclosure described in this Section, either party may release the other party's Confidential Information:(i) if directed to do so by a court or arbitrator of competent jurisdiction; or(ii) pursuant to law or a lawfully issued subpoena or other lawful document request:(a) in the case of the State, if the State determines the documents or information are subject to disclosure and Contractor does not exercise its rights as described in Section 5.23(F), or if Contractor is</p>

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		<p>unsuccessful in defending its rights as described in Section 5.23(F); or(b) in the case of Contractor, if Contractor determines the documents or information are subject to disclosure and the State does not exercise its rights described in Section 5.23(G), or if the State is unsuccessful in defending its rights as described in Section 5.23(G).(iii) in the case of Contractor, if disclosure is required under applicable professional standards.</p> <p>Answer: The State does not accept the proposed modification</p>
10	Waivered Contracts Supplement 4.1.3 Limitation of Liability	<p>Q: Would the State consider limitation of liability to 1x the value of the contract?</p> <p>Answer: The State does not accept the proposed modification</p>
11	Waivered Contracts Supplement 4.1.3 Limitation of Liability	<p>Q: Would the State consider narrowing indemnification clause to third party claims arising from death, bodily injury, damage to tangible property and intellectual property infringement?</p> <p>Answer: The State does not accept the proposed modification</p>
12	NJST&C's 7.0 Terms Relating to All Contracts Funded, In Whole or In Part, By Federal Funds	<p>Q: As it relates to SSTC Section 7.0, can you confirm if this contract will be federally funded?</p> <p>Answer: The State will not confirm funding source</p>
13	Section 4	<p>Q: The purpose and intent references engaging one or more vendors and the project deliverables and time frames section in section 4 states ""NJDOH will contract with two (2) vendors." Could one vendor be selected or will there definitely be two vendors?</p> <p>Answer: Please refer to the Statement of Work. This will be two separate analyses. However, if one vendor has the skill set in both areas the two analyses can be completed by the single (one) vendor.</p>
14	Section 4	<p>Q: Do you want vendors to submit one proposal for the policy survey and payment parity survey as described in section 4, or do you want separate submissions for each?</p> <p>Answer: If the Vendor has capability to respond to both the policy survey and payment parity survey the submissions can be submitted together. Or, should the vendor have a network of subcontractors to subcontract one or the other</p>

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		surveys required, the Vendor may still submit one response that will include both surveys
15		<p>Q: For the comparative analysis, will you specify the jurisdictions for comparison or look to the vendor for recommendations? Either way, can you confirm that it will not entail a 50-state analysis and allow for more criteria for selection of states?</p> <p>Answer: No, the State (DOH) cannot specify the jurisdiction thus the project /initiative for a competitive bid. The analysis does not include all 50-states and should only be done for New Jersey providers. The jurisdiction for the analyses must be limited to New Jersey providers. Should the vendor want to compare analysis from other States to the analysis for New Jersey that will be acceptable.</p>
16	Section 2(1)(a)	<p>Q: Section 2(1)(a) references a survey and section 4 also refers to surveys. In this context, does this reference a survey of health care providers or research through literature and policy analysis?</p> <p>Answer: This section pertains to the existing policies addressing telemedicine/telehealth that have been established by CMS, Medicaid, etc. and, a survey that must be performed by the Vendor of the providers participating in a telemedicine/telehealth practice in the State of New Jersey</p>
17	Page 6	<p>Q: Is text cut off from Page 6 1a. Part 1. a) and Part1b. Part 2.?</p> <p>Answer: The page 6 1a. Part 1.a IDENTIFICATION is corrected to now include the following- summarize findings of an environmental scan of other jurisdictions utilizing telemedicine and telehealth: a) Clinical Efficacy, b) Standard, Quality or Cost of Care, c) Utilization Management, d) Health Equity and Disparities, Provider Availability/Network Adequacy in rural and other underserved populations.</p> <p>The page 6 Part 1b Part 2. DELIVERY OF SERVICES is corrected to now include the following- report conclusions of effectual impact on the standard of care, quality, or cost of care, including a) Utilization, b) Access to care, c) Patient outcomes, d) Patient satisfaction</p>
18		<p>Q: Do you anticipate any in person meetings or can the full scope be performed remotely?</p> <p>Answer: The DOH will determine if in-person meetings will be necessary or beneficial after the award is made. However, the Vendor should anticipate all meetings being held remotely – on a virtual platform- as necessary.</p>
19	Page 5 Attachment B	<p>Q: Page 5 references Attachment B. Can you confirm that the table immediately following the narrative text is attachment B? If not, can you provide Attachment B?</p>

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		<p>Answer: Page 4 #3 of the document titled <i>Telemed-Telehealth RFP-Updated 8-8-22</i> is Attachment A (Statement of Work SOW) and, page 5 #4 is Attachment B (Project Deliverables and Timeframes).</p>
20		<p>Q: How will you be sharing responses to questions?</p> <p>Answer: The DOH will provide the vendor responses up to 5 days after answers have been posted. Please routinely check the website where the original bid is located for all bidder questions and responses. https://nj.gov/health/mgmt/bids.shtml</p>
21		<p>Q: Do you have a preferred template for budgets? If not, are you looking for a single price or a breakdown to include all elements described in Section 6 on pricing?</p> <p>Answer: Bidders are advised to include a breakdown of pricing, which also must include all elements as described in Section 6.</p>
22	Statement of Work (Page 4-5)	<p>Q: Could a vendor respond to the stated scope of work excluding clinical efficacy and utilization portions of the scope? (See Rationale)</p> <p>Answer: No. It is important to examine telehealth’s efficacy in terms of clinical application and impact on utilization. This type of evaluation is necessary to determine the availability and provision of health services delivered via telehealth/telemedicine.</p>
23	Project Deliverables and Timeframes (Page 5-6)	<p>Q: Could a vendor limit the deliverables to the stated list excluding clinical efficacy and utilization portions? (See Rationale)</p> <p>Answer: See the answer above to question # 22</p>
24	Experience (Page 7)	<p>Q: Could a vendor provide a qualified team with requisite experience excluding the requirement for active License Nursing Home Administrators License?</p> <p>Answer: Please see the Question/ Answer #29 which states: Confirming the LNHA is no longer a requirement as it is not included in the amended version</p>
25	General	<p>Q: Could NJ DOH consider an extension of 10 business days to assess and incorporate impacts of your responses, complete our due diligence process, and submit our proposal?</p> <p>Answer: See Question # 28</p>
26		<p>Q: Will the state provide claims data? If so, will it include Medicare, Medicaid and commercial claims data and what time range will it cover?</p>

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		<p>Answer: The successful bidder will be able to request data needed through DOH and the respective State agencies as described in the document titled <i>Ch310-2021(1) pdf</i> to ensure requests are made and data is received in a timely manner.</p>
27		<p>Q: The RFP indicates the report provided by vendor should outline findings and recommendations that will be used for legislation, administrative action and other actions as NJ DOH deems appropriate. Can recommendations be excluded from the report and only findings outlined for vendors who are not lobbying, advocating, providing legal advice or similar services that are not permissible?</p> <p>Answer: The findings and recommendation are a requirement as stipulated by the Chapter 310 Telemedicine-Telehealth Parity Act. The findings and recommendations must be presented to the DOH. DOH will present the findings and recommendations to the Governor's Office and Legislature.</p>
28		<p>Q: Due to the short time period between Q&A submission and responses to those questions prior to response due date, can we respectfully request a two week extension to provide a thorough response once those answers are obtained?</p> <p>Answer: The DOH will provide the vendor responses up to 5 days after answers have been posted. Please routinely check the website where the original bid is located for all bidder questions and responses. https://nj.gov/health/mgmt/bids.shtml</p>
29		<p>Q: Confirming the LNHA is no longer a requirement as it is not included in the amended version: Contractor shall have long-term care experience, with an active License Nursing Home Administrators License and experience with reviewing and assessing statewide systems of health care delivery.</p> <p>Answer: Yes Correct</p>
30		<p>Q: Are the consultants required for this opportunity able to be subbed out at the start, pending they are equally qualified as those portrayed in the response resumes?</p> <p>Answer: The selected vendor can subcontract with other vendors.</p>
31		<p>Q: Can you please provide additional clarification on how the assessments will work with two separate vendors?</p> <p>Answer: The two areas of interest require different skill sets and will not overlap. The assessments are separate</p>
32		<p>Q: Does the State have an estimated number of people required to complete these assessments?</p>

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		<p>Answer: The State does not have an estimated number. The vendor must make that determination.</p>
33		<p>Q: Who, if any, are the incumbent providers to date?</p> <p>Answer: This question is unclear as posed and cannot be answered.</p>
34		<p>Q: What major stakeholders would we be working with to complete these assessments?</p> <p>Answer: The Vendor must make that determination through its surveillance</p>
35		<p>Q: Would the State consider using the GSA to procure these services?</p> <p>Answer: Not at this time.</p>
36		<p>Q: Is the State giving preference to local vendors? MBE?</p> <p>Answer: MBEs are encouraged to apply.</p>
37		<p>Q: Will the State share the evaluation scorecard each vendor receives?</p> <p>Answer: No. Bidders may request that information through Open Public Records Act (OPRA) after award.</p>
38		<p>Q: Can you please share what the expectation is to be "onsite" vs. "remote"?</p> <p>Answer: The expectation is for the vendor to operate separately and independently from the DOH</p> <p>Q: What is the expectation of travel for this resource?</p> <p>Answer: Please see Question # 18</p> <p>Q: Will there be a "home-office"?</p> <p>Answer: The expectation is for the vendor to operate separately and independently from the DOH</p> <p>Q: What are the hours/shifts required, even estimated?</p> <p>Answer: Bidders should anticipate being available during DOH's normal business hours (Monday-Friday 8:30am to 4:30pm). DOH is closed all public holidays.</p>
39		<p>Q: Would there be consideration for this to be time/materials (billed at an hourly rate) verse fix fee or a hybrid of the two?</p>

#	Bid Solicitation Section Reference	Question (Bolded) and Answer
		Answer: No. DOH anticipates there will be a firm fixed rate for all project deliverables. DOH hours of operation are Monday-Friday 8:30am to 4:30pm.
40		<p>Q: If we are unable to provide certain materials, equipment, etc, what is the state willing to provide throughout the duration of this assessment?</p> <p>Answer: The State will not provide or purchase materials and, or equipment needed for this project. The Vendor must factor all relatable cost into its final pricing.</p>
41		<p>Q: Will modifications be allowed, post award, if the scope of work requires additional add-on?</p> <p>Answer: Only if a modification is deemed necessary and mutually agreed upon between the State and the bidder.</p>
42		<p>Q: Are these two different studies, one vendor per each or two vendors to do this same study for a comparative analysis? Would there be consideration for this to be a single source effort, if the state felt the agency can provide all that is requested? Can you kindly elaborate & share the goal of selecting one or more vendors?</p> <p>Answer: Please refer to the Statement of Work. This will be two separate analyses. However, if one vendor has the skill set in both areas the two analyses can be completed by the single (one) vendor</p>
43		<p>Q: As far as skill sets to be provided; is there any particular resource that would be vital to have throughout the duration of the project that we should take into consideration?</p> <p>Answer: The Vendor should identify the appropriate resources that they feel will be vital to the completion of the project as required.</p>
44		<p>Q: Would the State allow data from other States who have had telehealth parity laws in place longer with more data to analyze the benefits?</p> <p>Answer: The State is not opposed to the vendor obtaining data from other states. However, the primary focus of the study/project must be based on NJ data.</p>