

LDH RFP Post-Evaluation Review Process

1. After the Evaluation Team has completed its evaluation and scoring of the proposals, the RFP Coordinator shall tally scores using the excel spreadsheet and reach out to the Division of Safety/Security and Administrative Services (DSSAS) Contract Manager, or their designee to verify the scores and ensure accuracy.
2. After the scores have been verified and confirmed as accurate, the RFP Coordinator shall immediately forward the completed, but unsigned, technical evaluation and scores to the Bureau of Legal Services (“BLS”) for its review and written approval.
3. Subsequently, but as soon as practicable, the RFP Coordinator shall prepare a draft Selection Memorandum and schedule a meeting to review the memo and attachments with the DSSAS Contract Manager, or their designee to ensure completeness. Once a review has been completed, the RFP Coordinator shall then forward the unsigned draft Selection Memorandum, together with all applicable supporting documents listed in the attached checklist (hereinafter the “supporting documentation”), except for the technical evaluation and scores, the cost scores, and the Hudson/Veteran scores, to BLS for its review and written approval.
 - a. The draft Selection Memorandum, at this point, shall refer only to events that have already occurred and documents that have already been finalized; it shall not state that any proposer is to be awarded the contract or that any proposer has been disqualified.
 - b. The RFP Coordinator shall not inform BLS of the cost scores or the Hudson/Veteran scores until after BLS’s review and approval of the technical evaluation and scores, and any necessary remediation thereof, have been completed.
 - c. The cost scores and the Hudson/Veteran scores cannot be revealed to the Evaluation Team until after BLS’s review and approval of all components of the evaluation, scoring, and supporting documentation, and any necessary remediation thereof, have been completed.
 - d. No Recommendation to Award shall be drafted or signed until after all components of the award recommendation have been fully reviewed and approved by BLS and, if applicable, by the Executive Management Team (“EMT”).
4. BLS shall review the technical evaluation and scores and the other documentation described above in order to determine, to the best of its ability within the limits of the documents and information presented to it, whether:
 - a. The Evaluation Team utilized the correct and approved scoring criteria and methodology in compliance with the terms of the RFP, the approved evaluation tool, any rating guide or other document approved for the Evaluation Team’s use in evaluating and scoring;

- b. The Evaluation Team did not unilaterally change or deviate from the correct and approved scoring criteria and methodology;
 - c. The scores appear to fairly and accurately reflect the strengths, weaknesses, or other comments noted by the Evaluation Team for each proposal;
 - d. The Evaluation Team has documented their evaluation that confirms they evaluated and scored all proposals fairly, reasonably, consistently, and in a manner that would be defensible against a potential protest;
 - e. All numerical and mathematical elements of the technical scoring have been calculated, computed, and recorded accurately; and
 - f. The supporting documentation furnished by the RFP Coordinator appears to be complete and accurate in light of the foregoing factors.
5. Upon conclusion of its review, BLS shall provide a written opinion (in the form of email correspondence or other written documentation) either approving or disapproving the technical evaluation and scoring, depending on whether it has identified any problems, issues, or gaps that require remediation. If BLS disapproves, it shall advise the RFP coordinator and the DAS Contract Manager as to the remediation required, including, if appropriate, a re-evaluation and/or re-scoring by the Evaluation Team. BLS shall issue a new opinion indicating its approval only after all identified problems, issues, or gaps have been satisfactorily corrected, supplemented, or clarified. Only after BLS has issued its approval shall the Evaluation Team sign the original or, if applicable, revised technical evaluation and scores.
6. The RFP Coordinator shall schedule the meeting with the DSSAS contract team to go over and confirm the total score, including technical, Veteran/Hudson and cost components.
7. Upon receiving BLS's written opinion indicating its approval of the technical evaluation and scoring, the RFP Coordinator shall forward the cost scores and the Hudson/Veteran scores to BLS, at which time BLS shall complete its review of all components of the evaluation, scoring, and supporting documentation other than the technical evaluation and scoring.
8. After BLS has determined that all components of the evaluation, scoring, and supporting documentation are in order, the RFP Coordinator shall forward BLS's written opinion(s), a completed but unsigned Recommendation to Award, and a completed but unsigned Selection Memorandum to the head of the program office that issued the RFP (hereinafter the "agency head") (the Medicaid Executive Director or the appropriate Assistant Secretary for OPH, OBH, OAAS, OWH, or OCDD) and cc'ing the DSSAS Contract Manager, or their designee.
9. Upon receipt of BLS's written opinion(s) and the completed but unsigned Recommendation to Award and Selection Memorandum, the agency head shall proceed as follows:
 - a. For contracts with a total expenditure of \$10,000,000 or more, or as otherwise directed by EMT:

- i. The agency head shall prepare an action memorandum to EMT regarding his/her recommendation for award of the RFP (including his/her agreement or disagreement with BLS's written opinion(s)), and shall forward the action memorandum, together with BLS's written opinion(s), to EMT (cc'ing DSSAS Contract Manager, or their designee) for its review and written approval.
 - ii. Upon receipt of the action memorandum and BLS's written opinion(s), the EMT will review and may make additional recommendations before approving the final decision as to the awarding of the RFP, which will be transmitted to the agency head, BLS, and the RFP Coordinator.
 - b. For contracts with a total expenditure of less than \$10,000,000, except as otherwise directed by EMT:
 - i. The agency head shall provide notice to all individuals who exercise direct supervision over the agency head, up to and including the Secretary (cc'ing DSSAS Contract Manager, or their designee), before making a final decision on behalf of the agency.
 - ii. After providing notice to all individuals who exercise direct supervision over the agency head, up to and including the Secretary, the agency head will make the final decision as to the awarding of the RFP, which will be transmitted to BLS, DSSAS Contract Manager, or their designee, and the RFP Coordinator.
10. Upon receipt of the final decision, BLS will work with the RFP coordinator and DAS contract manager to finalize the necessary documents for submission to OSP, including the signing of the Recommendation to Award and the Selection Memorandum by the agency head.
11. Once the agency head has signed the Recommendation to Award and Selection Memorandum, the RFP Coordinator shall transmit all required documents via LaGOV or LESA within one (1) business day of the completion and approval of documents to OSP to seek its concurrence in the award.
12. The expected timeframe for completion of tasks 1 through 11 should not exceed 14 days.
13. All RFP documents will be stored on the DOA/OSP LESA database and on the agencies RFP SharePoint site while the RFP process is actively occurring.

At the conclusion of the RFP Process the agency RFP Coordinator shall upload all documents from the agency RFP SharePoint site onto a jump drive key. The jump drive key is to be submitted to the DSSAS Contract Manager, or their designee and shall be uploaded to the secured DSSAS network drive for electronic storage. Once loaded onto the DSSAS network drive the jump drive key shall be returned to the agency.

The actions taken by BLS staff in this process are pursuant to their responsibility to provide legal advice to LDH and is not intended to waive any attorney client privilege.