

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 have the Evaluation Team verify the scores and ensure accuracy.
2. After the scores have been verified and confirmed as accurate, the RFP Coordinator will immediately forward the completed, but unsigned, technical evaluation and scores to OSP management for preliminary review. Once this task has been completed, OSP will initiate the “Award Recommendation” task in LESA.
3. The LDH Project Lead(s) shall ensure that the Bureau of Legal Services (“BLS”) receives a copy of the award recommendation, along with access to all documentation included on the LDH Legal RFP Award Checklist (“supporting documentation”) for its review and written approval.
 - a. No Recommendation to Award shall be signed or approved in LESA until after all components of the award recommendation have been fully reviewed and approved by BLS, the Agency signature authority 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 Evaluation Team has documented strengths, weaknesses, or other comments for each proposal, which do not appear to be arbitrary or capricious;
 - 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

DSSAS 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 approve the original or, if applicable, revised technical evaluation and scores.

6. 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.
7. 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 approval or rejection with reasons via email of the Recommendation to Award 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.**
8. Upon receipt of BLS's approval or rejection with reasons of the Recommendation to Award, 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 approval or rejection with reasons, and shall forward the action memorandum, together with BLS's approval or rejection with reasons, 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 approval or rejection with reasons 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.
9. Upon receipt of the final decision, the DSSAS Contract Manager will work with the RFP coordinator to finalize the necessary documents for submission to OSP, including the signing of the Recommendation to Award by the agency head.

10. Once the agency head has signed the Recommendation to Award, the designated LESA Agency Approver shall approve the task in LESA within one (1) business day of the completion and approval of documents to OSP to seek its concurrence in the award.
11. The expected timeframe for completion of tasks 1 through 10 should not exceed 14 days.
12. All RFP documents will be stored on the DOA/OSP LESA database. The determination of financial stability reports may be securely stored in DSSAS RFP files.

Disclaimer: 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.