



*Delaware Health
And Social Services*

DIVISION OF MANAGEMENT SERVICES

PROCUREMENT

DATE: December 19, 2017

HSS-17-030

Local Child Care Market Rate Study of Delaware's Child Care Providers

For

Division of Social Services

Date Due: January 4, 2017
By 11am Local Time

ADDENDUM # 1
Questions and Answers Document

PLEASE NOTE:

THE ATTACHED SHEETS HEREBY BECOME A PART OF THE ABOVE
MENTIONED RFP.

Kimberly Jones
Procurement Administrator

Belvie S. Herbert
Senior Administrator

1. Appendix B, Scope of Work and Technical Requirements, Section D, Paragraph 2, page 42, states that “Information on licensed facilities will come from the Department of Services for Children, Youth and Their Families, Division of Family Services. Information on license exempt care will come from the Divisions of Social Services.”

Question: Can the State clarify the type of provider information that will be provided (e.g., name of facility, contact name, phone number, email, mailing address)?

DHSS Response: The type of Information that will be provided includes the name of the facility, contact name, phone number, address, email, Delaware Star level, etc.

2. Appendix B, Scope of Work and Technical Requirements, Section E, Paragraph 1, page 42, states: “Review the prior survey instrument see website <http://www.dhss.delaware.gov/dss/files/mrs2015.pdf> and make recommendations.”

Question: The 2015 Final Report at that web link references a “Part 2 *Appendix*” which contains the survey instruments. However, Part 2 Appendix is not included. Can a copy of this Appendix and the survey instrument be provided for prospective vendors to review?

DHSS Response: Although it is listed as an Appendix and a separate document the information regarding how the study was conducted can be found in the executive summary beginning on page 6. Beginning on this page you will find information regarding the methodology, sampling frame, the sampling plan, selection of providers, the survey used, etc.

3. II Scope of Services, Required Information, Section C. RFP Evaluation Process, Paragraph Criteria Weight/Evaluation Criteria Table, page 13, item 6 states: “ACA Safe Harbor Additional Fee*” with a percentage of 10% and Points of 10.

Question: Please provide more information about how the “ACA Safe Harbor Additional Fee” will be evaluated as an evaluation criteria. There is an asterisk next to the term on page 13, but no note in the document. Can you provide more information?

DHSS Response: The State and its utilizing agencies are not the employer of temporary or contracted staff. However, the State is concerned that it could be determined to be a Common-law Employer as defined by the Affordable Care Act (“ACA”). Therefore, the State seeks to utilize the “Common-law Employer Safe Harbor Exception” under the ACA to transfer health benefit insurance requirements to the staffing company. The Common-law Employer Safe Harbor Exception can be attained when the State and/or its

agencies are charged and pay for an "Additional Fee" with respect to the employees electing to obtain health coverage from the Vendor.

The Common-law Employer Safe Harbor Exception under the ACA requires that an Additional Fee must be charged to those employees who obtain health coverage from the Vendor, but does not state the required amount of the fee. The State requires that all Vendors shall identify the Additional Fee to obtain health coverage from the Vendor and delineate the Additional Fee from all other charges and fees. The Vendor shall identify both the Additional Fee to be charged and the basis of how the fee is applied (i.e. per employee, per invoice, etc.). The State will consider the Additional Fee and prior to award reserves the right to negotiate any fees offered by the Vendor. Further, the Additional Fee shall be separately scored in the proposal to ensure that neither prices charged nor the Additional Fee charged will have a detrimental effect when selecting vendors.

4. II. Scope of Services, Section A. Overview, Paragraph 1, page 2, refers to "the contract".

Question: Please specify the type of contract (e.g., firm fixed price, time and materials, etc.) the Agency intends to award.

DHSS Response: The state intends to award a one year, firm fixed contract to the prospective vendor.

5. III. Professional Services RFP Administrative Information, B. RFP Submissions, Paragraph 12, page 8, states that "no Vendor shall retain the right to declare their pricing confidential."

Question: Can the Agency provide the contract value of the 2015 Market Rate Study? Or, what is the expected contract value for the 2018 Market Rate Study?

DHSS Response: The value of the 2015 contract was \$115,917