

STATE OF IOWA DEPARTMENT OF
Health AND **Human**
SERVICES

IOWA DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF *PUBLIC HEALTH*

Laboratory Services

REQUEST FOR PROPOSAL 58825011

Project Period: *July 1, 2024 - June 30, 2030*
Contract Period: *July 1, 2024 - June 30, 2030*

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SECTION 1 -- GENERAL AND ADMINISTRATIVE ISSUES

1.01 Purpose

The purpose of this Request for Proposal (RFP) # 58825011 is to solicit applications that will enable the Iowa Department of Health and Human Services (referred to as Agency) to select the most qualified applicant to provide *Laboratory Services for cases being investigated by the Iowa Office of the State Medical Examiner (IOSME)*

1.02 Project Period and Contract Term

The **project period** shall be from *July 1, 2024 to June 30, 2030*.

The Agency expects the initial (base) **contract term** to be a *three year* term from *July 1, 2024 to June 30, 2027*. The Agency shall have the option to extend the contract at its sole discretion for up to *three additional one (1) year* terms. Contract extensions are at the Agency's sole discretion and are subject to: review of the contractor performance, contractor's compliance with the special and general terms and contingent terms of the contract, availability of funds, program modifications, or any other grounds determined by the Agency to be in the Agency's best interests.

The issuance of this RFP in no way constitutes a commitment by the Agency to award a contract.

1.03 Eligibility Requirements

Applicants must meet each of the following eligibility requirements for consideration.

Eligible Applicants

Laboratories accredited by College of American Pathologists (CAP) are eligible to submit an application in accordance with this RFP.

Electronic Communication Requirements

Applicant is required to maintain and provide to the Agency, upon application, a current and valid email account for electronic communications with the Agency.

Official email communication from the Agency regarding this application will be issued from iowa.grants@mail.webgrantscloud.com. Applicants are required to assure these communications are received and responded to accordingly.

1.04 Service Delivery Area

The service area is statewide.

1.05 Available Funds

The source of funding is *state general funds*.

The amount for a Contract to provide services awarded as a result of this RFP, shall not exceed **\$165,000.00** in any single Contract Year. Applicants will be expected to submit budgets for the first **annual** contract period (Contract Year 1), refer to section 2 and 3 of this RFP.

The Agency anticipates up to **\$990,000.00** available for approximately 6 awards. Actual total awards and individual contract funding levels may vary from that listed or funding may be withdrawn completely, depending on availability of funding or any other grounds determined by the Agency to be in the Agency's best interests.

1.06 Schedule of Important Dates (All times and dates listed are local Iowa time.)

The following dates are set forth for informational purposes. The Agency reserves the right to change them.

EVENT	DATE
RFP Issued	<i>May 8, 2024</i>
Written Questions and Responses	
Round 1 Questions Due: Responses Posted By:	<i>May 15, 2024 May 17, 2024</i>
Final Questions Due: Responses Posted By:	<i>May 22, 2024 May 24, 2024</i>
Applications Due	<i>May 29, 2024 by 4:00 PM Local Iowa Time</i>
Post Notice of Intent to Award	<i>June 19, 2024</i>

A. RFP Issued – The Agency will post the RFP under Grant Opportunities quick link at www.iowaGrants.gov on the date referenced in the Schedule of Events table above. The RFP will remain posted through the Applications Due date.

B. Applicant's Conference – An applicant's conference will not be held.

C. Written Questions and Responses – Written questions related to the RFP must be submitted through www.iowaGrants.gov no later than the dates specified in the table above. Applicant must be registered with IowaGrants in order to submit a question (Refer to Section 3.01 and the 'New User Registration Instructions for IowaGrants.gov' document posted under the Attachments section of this Funding Opportunity).

Written questions submitted after the date specified for final questions in the table above will not be considered and a response will not be provided by the Agency.

To submit a question:

- Registered Users login to www.iowaGrants.gov as a returning user;
- Search Funding Opportunities;
- Select this Funding Opportunity;
- Click on 'Ask A Question' link located at the top right-hand side of the Opportunity Details page, and enter a single question in the 'Post Question' box;
- Click the 'Save' button;
- A post question confirmation box will appear stating the question is under review.

Additional questions may be submitted by repeating the process above for each individual question. If the question or comment pertains to a specific section of the RFP, the section and page must be referenced. Verbal questions will not be accepted. Questions will not be displayed in IowaGrants until written responses are posted by the Agency.

The Agency will prepare written responses to all pertinent, timely and properly submitted questions according to the schedule of events table above. The Agency's written responses will be considered part of the RFP.

To view posted questions and responses:

- Login to www.iowaGrants.gov;
- Search Funding Opportunities;
- Select this Funding Opportunity;
- Scroll to the bottom of the Opportunity Details page, under the **Questions** subsection to view the posted questions and answers.

It is the responsibility of the applicant to check this Funding Opportunity in www.iowaGrants.gov periodically for written questions and responses to this RFP.

D. Application Creation – The application will consist of multiple required forms (refer to Section 3) available within the Electronic Grant Management system at www.iowaGrants.gov. Each form of the application must be completed in its entirety or IowaGrants will not permit the application to be submitted.

Each individual within the applicant organization who desires access to the application must be registered in IowaGrants (refer to section 3.01 and the 'New User Registration Instructions for

IowaGrants.gov' document posted under the Attachments section of this Funding Opportunity). **The first user to initiate an application for a Funding Opportunity is designated by the system as the primary user (Registered Applicant) for that application.** This primary user can add additional registered users as Grantee Contacts within their organization to the Funding Opportunity for completion/edit/review of forms and submission of the application. If multiple users are editing the same form within an application at the same time, the last saved version will over-ride any changes made by other users.

IowaGrants will permit multiple registered users of the applicant organization to create separate applications for the same Funding Opportunity, thereby creating multiple applications for the same Funding Opportunity. The applicant is responsible for ensuring only one entire application is completed and submitted for each requested service area (refer to Sections 1.04 and 1.14) in response to this RFP.

E. Applications Due – Applications must be submitted by 4:00 p.m. (local Iowa time) **May 29, 2024** in the Electronic Grant Management System at www.iowaGrants.gov. Attempted submission of a completed application after the stated due date and time will not be allowed by the system. This Funding Opportunity will not be available as a Current Opportunity on the Electronic Grant Management System after the stated due date and time. If submission of an application is attempted after the stated date and time, the applicant will receive a notice stating "The Funding Opportunity is closed".

Applications submitted to the Agency in any manner other than through Electronic Grant Management System of the IowaGrants website (e.g. electronic mail to any other address, faxed, hand-delivered, mailed or shipped or courier-service delivered versions) will be rejected, not reviewed by the Agency and a rejection notice will be sent to the applicant. Any information submitted separately from the application will not be considered in the review process.

The date and time system of the IowaGrants Electronic Grant Management System shall serve as the official regulator for the submission date and time of an application.

The due date and time requirements for submission of the application within the Electronic Grant Management System of IowaGrants website are mandatory requirements and will not be subject to waiver as a minor deficiency.

Submission Confirmation Screen: After an applicant submits an application, a confirmation screen containing an Application ID number will appear on your computer screen.

It is the applicant's sole responsibility to complete all Funding Opportunity Forms and submit the application in sufficient time.

F. Release of Names of Applicants – *June 4, 2024*. The names of all applicants who submitted applications by the deadline shall be released to all who have requested such notification via an email request to *John McMullen* at john.mcmullen@idph.iowa.gov. The announcement of applicants who timely submitted an application does not mean that an individual application has

been deemed technically compliant or accepted for evaluation.

G. Notice of Intent to Award – A Notice of Intent to Award the contract(s) will be posted for 10 business days on the Agency Web page

<https://hhs.iowa.gov/about/funding-opportunities/notice-intent-award> under *Funding*

Opportunities link by 4:30 pm on the date specified in the Schedule of Events table above.

Applicants are solely responsible for reviewing the Notice of Intent to Award to determine their award status.

H. Contract Negotiations and Execution of the Contract – Following the posting of the Notice of Intent to Award, the Authorized Official for the successful applicant(s) will receive a contract document via email from the Agency. The successful applicant has ten (10) working days from date of receipt in which to negotiate and sign a contract with the Agency. If a contract has not been executed within ten (10) working days of applicant's receipt, the Agency reserves the right to cancel the award and to begin negotiations with the next highest ranked applicant or other entity deemed appropriate by the Agency. The Agency may, at its sole discretion, extend the time period for negotiations of the contract.

1.07 Inquiries

Inquiries related to the RFP shall be submitted in accordance with Section 1.06 (C).

For assistance regarding IowaGrants, please contact the Agency IowaGrants Helpdesk at iowagrants.helpdesk@idph.iowa.gov or by calling 1-866-520-8987 (available between 8:00 AM and 4:00 PM on weekdays, excluding state holidays).

Unauthorized contact regarding this RFP with other state employees may result in disqualification. In no case shall verbal communications override written communications. Only written communications are binding on the Agency.

The Agency assumes no responsibility for representations made by its officers or employees prior to the execution of a legal contract, unless such representations are specifically incorporated into the RFP or the contract.

Any verbal information provided by the applicant shall not be considered part of its application.

1.08 Amendments to the RFP

The Agency reserves the right to amend the RFP at any time. In the event the Agency decides to amend, add to, or delete any part of this RFP, a written amendment will be posted at www.iowaGrants.gov under the Attachments section of this Funding Opportunity. The applicant is advised to check this website periodically for amendments to this RFP. In the event an amendment occurs after the Funding Opportunity is closed, the Agency will email the written amendment to the individuals identified in the submitted application as the Project Officer (Registered Applicant) and the Authorized Official listed in the Cover Sheet- General Information

Form.

1.09 Open Competition

No attempt shall be made by the applicant to induce any other person or firm to submit or not to submit an application for the purpose of restricting competition.

1.10 Withdrawal of Applications

An application created in IowaGrants.gov cannot be deleted. An application may be withdrawn by request of an applicant at any time prior to the due date and time. An applicant desiring to withdraw an application shall submit notification including the application ID, title of the application, and the applicant organization name via email to iowagrants.helpdesk@idph.iowa.gov.

After this funding opportunity closes, the Agency may withdraw applications that have not been submitted.

1.11 Resubmission of Withdrawn Applications

A withdrawn application may be resubmitted by an applicant at any time prior to the stated due date and time for the submission of applications.

To access a withdrawn application:

- Registered Users login to www.iowaGrants.gov as a returning user;
- Search Funding Opportunities;
- Select this Funding Opportunity;
- Click on 'Copy Existing Application';
- Select the application that you want to copy by marking it under the 'Copy' column (Note: all applications whether in editing, submitted or withdrawn status will be displayed to be copied);
- Click the 'Save' button.

The application that was copied will be open in this funding opportunity. Be sure to re-title the application if necessary by going into the General Information form and editing it. Continue to complete the application forms and submit following the guidance provided in sections 1.06 (D) and (E), and in section 3 of this RFP.

Withdrawn applications for this RFP posting must be submitted by the due date provided in section 1.06 in order to be considered for funding. Withdrawn, submitted, or editing status applications are also available to copy to other Funding Opportunities in IowaGrants at any time.

1.12 Acceptance of Terms and Conditions

- A. An applicant's submission of an application constitutes acceptance of the terms,

conditions, criteria and requirements set forth in the RFP and operates as a waiver of any and all objections to the contents of the RFP. By submitting an application, an applicant agrees that it will not bring any claim or have any cause of action against the Agency or the State of Iowa based on the terms or conditions of the RFP or the procurement process.

- B. The Agency reserves the right to accept or reject any exception taken by an applicant to the terms and conditions of this RFP. Should the successful applicant take exception to the terms and conditions required by the Agency, the successful applicant's exceptions may be rejected and the Agency may elect to terminate negotiations with that applicant. However, the Agency may elect to negotiate with the successful applicant regarding contract terms which do not materially alter the substantive requirements of the RFP or the contents of the applicant's application.

1.13 Costs of Application Preparation

All costs of preparing the application are the sole responsibility of the applicant. The Agency is not responsible for any costs incurred by the applicant which are related to the preparation or submission of the application or any other activities undertaken by the applicant related in any way to this RFP.

1.14 Multiple Applications

An applicant may submit only *one* application for a service area.

1.15 Oral Presentation

Applicants may be requested to make an oral presentation of the application. The determination of need for presentations, the location, order, and schedule of the presentations is at the sole discretion of the Agency. If an oral presentation is required, applicants may clarify or elaborate on their applications, but may in no way change their original application.

1.16 Rejection of Applications/Cancellation of the RFP

- A. The Agency reserves the right to reject, in whole or in part, any or all applications, to advertise for new applications, to arrange to receive or itself perform the services herein, to abandon the need for such services, and to cancel this RFP if it is in the best interests of the Agency.
- B. Any application will be rejected outright and not evaluated for any of the following reasons:
 - 1. The applicant is not an eligible applicant as defined in section 1.03.
 - 2. An applicant submits more than one application for the same service area for the same funding opportunity.

3. An application is submitted in a manner other than the Electronic Grant Management System at www.iowaGrants.gov.
- C. Any application may be rejected outright and not evaluated for any one of the following reasons:
1. The applicant fails to include required information or fails to include sufficient information to determine whether an RFP requirement has been satisfied.
 2. The applicant fails to follow the application instructions or presents information requested by this RFP in a manner inconsistent with the instructions of the RFP.
 3. The applicant provides misleading or inaccurate answers.
 4. The applicant states that a mandatory requirement cannot be satisfied.
 5. The applicant's response materially changes a mandatory requirement.
 6. The applicant's response limits the right of the Agency.
 7. The applicant fails to respond to the Agency's request for information, documents, or references.
 8. The applicant fails to include any signature, certification, authorization, or stipulation requested by this RFP.
 9. The applicant initiates unauthorized contact regarding the RFP with a state employee.

1.17 Restrictions on Gifts and Activities

Iowa Code Chapter 68B contains laws which restrict gifts which may be given or received by state employees and requires certain individuals to disclose information concerning their activities with state government. Applicants are responsible for determining the applicability of this chapter to their activities and for complying with these requirements.

In addition, Iowa Code Chapter 722 provides that it is a felony offense to bribe a public official.

1.18 Use of Subcontractors

- A. The Agency acknowledges that the selected Applicant may contract with third parties for the performance of any of the Contractor's obligations. The Agency reserves the right to provide prior approval for any subcontractor used to perform services under any contract that may result from this RFP.
- B. Current individual employees of the State of Iowa may not act as subcontractors under this contract.
- C. The applicant is fully responsible for all work performed by subcontractors. No subcontract into which the applicant enters into with respect to performance under the contract will, in any way, relieve the applicant of any responsibility for performance of its duties.

1.19 Reference Checks

The Agency reserves the right to contact any reference to assist in the evaluation of the application, to verify information contained in the application and to discuss the applicant's qualifications and the qualifications of any subcontractor identified in the application.

1.20 Criminal Background Checks

The Agency reserves the right to conduct criminal history and other background investigations into the applicant, its officers, directors, managerial and supervisory personnel, clerical or support personnel, and health care professional personnel retained by the applicant for duties related to the performance of the contract. Such information may be used in determining contract awards. The applicant shall cause all waivers to be executed by appropriate persons to effectuate the investigations.

1.21 Information from Other Sources

The Agency reserves the right to obtain and consider information from other sources concerning an applicant, including the applicant's product or services, personnel, and subcontractors, and the applicant's capability and performance under other Agency contracts, other state contracts and contracts with private entities. The Agency may use any of this information in evaluating an applicant's application.

1.22 Verification of Application Contents

The Agency reserves the right to verify the contents of an application submitted by an applicant. Misleading or inaccurate responses may result in rejection of the application pursuant to Section [1.16](#).

1.23 Litigation and Investigation Disclosure

The applicant shall disclose any pending or threatened litigation, administrative, or regulatory proceedings or similar matters which could affect the ability of the applicant to perform the required services. Failure to disclose such matters at the time of application within the Business Organization Form (Refer to Section 3 of this RFP) may result in rejection of the application or in termination of any subsequent contract. This is a continuing disclosure requirement. Any such matter commencing after submission of an application must be disclosed within 30 days in a written statement to the Agency.

1.24 Financial Accountability

The applicant shall maintain sufficient financial accountability and records. The applicant shall disclose each irregularity of accounts maintained by the applicant discovered by the applicant's accounting firm, the applicant, or any other third party. Failure to disclose such matters, including the circumstances and disposition of the irregularities, at the time of application within

the Business Organization Form (Refer to Section 3 of this RFP) may result in rejection of the application or in termination of any subsequent contract. This is a continuing disclosure requirement. Any such matter commencing after submission of an application must be disclosed within 30 days in a written statement to the Agency.

1.25 RFP Application Clarification Process

The Agency may request clarification from applicants for the purpose of resolving ambiguities or questioning information presented in the application. Clarifications may occur throughout the application evaluation process. Requests for clarification will be issued to the primary user (Registered Applicant) through email from an IDPH Service Contract Compliance Officer. Clarification responses shall be in writing in the format provided by the Agency and shall address only the information requested. Responses shall be submitted to the Agency within the time stipulated at the time of the request. An applicant will not be permitted to modify or amend its application if contacted by the Agency for this reason.

1.26 Waivers and Variances

The Agency reserves the right to waive or permit cure of non-material variances in the application's form and content providing such action is in the best interest of the Agency. In the event the Agency waives or permits cure of nonmaterial variances, such waiver or cure will not modify the RFP requirements or excuse the applicant from full compliance with RFP specifications or other contract requirements if the applicant is awarded the contract. The determination of materiality is in the sole discretion of the Agency.

1.27 Disposition of Applications

All application submissions become the property of the Agency.

If the Agency awards funds to an applicant, the contents of all applications will be in the public domain at the conclusion of the selection process and will be open to inspection by interested parties subject to exceptions provided in Iowa Code Chapter 22 or other provision of law.

1.28 Public Records and Requests for Confidential Treatment of Application Information

The Agency's release of public records is governed by Iowa Code chapter 22. Applicants are encouraged to familiarize themselves with Chapter 22 before submitting an application in response to this RFP.

The Agency will copy and produce public records upon request as required to comply with Chapter 22 and will treat all information submitted by an applicant as non-confidential records unless applicant requests specific parts of the application be treated as confidential at the time of the submission as set forth herein AND the information is confidential under Iowa or other applicable law.

All information submitted by an applicant will be treated as public information following the conclusion of the selection process unless the applicant properly requests that information be treated as confidential at the time the application is submitted.

Failure of the Applicant to request information be treated as confidential as specified herein shall relieve Agency personnel from any responsibility for maintaining the information in confidence. Applicants may not request confidential treatment with respect to pricing or budget information and transmittal letters. An applicant's request for confidentiality that does not comply with this section or an applicant's request for confidentiality on information or material that cannot be held in confidence as set forth herein are grounds for rejecting an application as non-responsive.

A. Confidential Treatment of Information is Requested by the Applicant

An applicant requesting confidential treatment of information contained in its application shall be required to submit two copies of its application (one complete application (containing confidential information) and one redacted version (with confidential information excised) and complete and submit Form 22 with both applications; as outlined herein:

1. Complete and Submit Form 22 with both applications

APPLICANT NOTE: SUBMISSION OF THIS FORM 22 IS REQUIRED **ONLY** IF REQUESTING CONFIDENTIAL TREATMENT OF APPLICATION INFORMATION.

In order to request information contained in an application to be treated as confidential, the applicant must complete and submit FORM 22 with both applications. Failure of the applicant to accurately and fully complete FORM 22 with the application submission may result in the application to be considered non-responsive and not evaluated. The Form 22 is available to download from a link located in the attachments section of the standard application form titled Application Certification and Conditions (refer to section 3 of this RFP). Applicant must download Form 22 from a link within this form, complete it, and upload it into the specific field of the electronic Application Certification and Conditions form in both applications.

Form 22 will not be considered fully complete unless, for **each** confidentiality request, the applicant: (1) enumerates the specific grounds in Iowa Code chapter 22 or other applicable law that supports treatment of the material as confidential, (2) justifies why the material should be maintained in confidence, (3) explains why disclosure of the material would not be in the best interest of the public, and (4) sets forth the name, address, telephone, and e-mail for the person authorized by applicant to respond to inquiries by the Agency concerning the confidential status of such material. Requests to maintain an entire application as confidential will be rejected as non-responsive.

2. An applicant that submits an application containing confidential information must submit two copies of its application (one complete application and one redacted version of the application) for this RFP. Completed Form 22 shall be uploaded in the Application Certifications and Conditions form in **both** copies.

One copy of the application must be completed and submitted in its entirety, containing the confidential information. This is the application that will be reviewed.

The applicant must submit one copy of the application labeled “Redacted Copy” from which the confidential information had been excised. In order to do this, the applicant shall rename the copy with the word ‘Redacted’ added as the **first** word in the application title, using the exact same title as the first copy of the application. The applicant must then revise each form within the copied/redacted application removing the confidential information and inserting the word ‘redacted’ in the required fields. The confidential material must be excised from the redacted version in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the application as possible.

Both copies of the application must be submitted by the applicant by the due date and time outlined in Section 1.06 (D).

B. Public Requests

In the event the Agency receives a public request for application information marked confidential, written notice shall be given to the applicant seventy-two (72) hours prior to the release of the information to allow the applicant to seek injunctive relief pursuant to Iowa Code Section 22.8. The information marked confidential shall be treated as confidential information to the extent such information is determined confidential under Iowa Code Chapter 22 or other provisions of law by a court of competent jurisdiction. If the Agency receives a request for information that applicant has marked as confidential and if a judicial or administrative proceeding is initiated to compel the release of such material, applicant shall, at its sole expense, appear in such action and defend its request for confidentiality. If an applicant fails to do so, the Agency may release the information or material with or without providing advance notice to the applicant and with or without affording applicant the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction.

Additionally, if applicant fails to comply with the request process set forth herein, if applicant’s request for confidentiality is unreasonable, or if applicant rescinds its request for confidential treatment, Agency may release such information or material with or without providing advance notice to applicant and with or without affording applicant the opportunity to obtain an order restraining its release from a court possessing competent jurisdiction.

The applicant’s failure to request confidential treatment of material pursuant to this

section and the relevant law will be deemed by the Agency as a waiver of any right to confidentiality which the applicant may have had.

1.29 Copyrights

By submitting an application, the applicant agrees that the Agency may release the application for the purpose of facilitating the evaluation of the application or to respond to requests for public records. By submitting the application, the applicant consents to such release and warrants and represents that such release will not violate the rights of any third party. The Agency shall have the right to use ideas or adaptations of ideas that are presented in the applications. In the event the applicant copyrights its application, the Agency may reject the application as noncompliant.

1.30 Appeal of Rejection Decision

The applicant's receipt of a rejection notice constitutes receipt of notification of the adverse decision per 641 Iowa Administrative Code Chapter 176.8(1). Applicants may appeal the adverse decision only for a timely submitted application. The appeal shall be submitted in writing within ten (10) business days of the applicant's receipt of the notification of the adverse decision. The appeal shall be addressed to the contract compliance officer cited in the RFP John McMullen, and shall be submitted via email, including a read receipt verification, to john.mcmullen@hhs.iowa.gov. Appeals must clearly and fully identify all issues being contested and demonstrate what procedures in the RFP were not followed by the Agency. In the event of an appeal, the Agency will continue working with the successful applicant(s) pending the outcome of the appeal.

Appeal of Award Decision

The posting of the Notice of Intent to Award on the Agency website constitutes receipt of notification of the adverse decision per 641 Iowa Administrative Code Chapter 176.8(1). Applicants may appeal the adverse decision only for a timely submitted application. The appeal shall be submitted in writing within ten (10) business days of the applicant's receipt of the notification of the adverse decision. The appeal shall be addressed to the contract compliance officer cited in the RFP John McMullen, and shall be submitted via email, including a read receipt verification, to john.mcmullen@hhs.iowa.gov. Appeals must clearly and fully identify all issues being contested and demonstrate what procedures in the RFP were not followed by the Agency. In the event of an appeal, the Agency will continue working with the successful applicant(s) pending the outcome of the appeal.

1.31 Definition of Contract and exclusivity

The full execution of a written contract by both parties shall constitute the making of a contract for services and no applicant shall acquire any legal or equitable rights relative to the contract until the contract has been fully executed by the successful applicant and the Agency. Any contract resulting from this RFP shall not be an exclusive contract.

1.32 Construction of RFP

This RFP shall be construed in light of pertinent legal requirements and the laws of the State of Iowa. Changes in applicable statutes and rules may affect the award process or the resulting contract. Applicants are responsible for ascertaining the relevant legal requirements. Any and all litigation or actions commenced in connection with this RFP shall be brought in the appropriate Iowa forum.

SECTION 2 – BACKGROUND AND SCOPE OF WORK

2.01 Background

IOSME has the need to run laboratory testing on cases being investigated by the Iowa Office of the State Medical Examiner (IOSME) to assist in resolution of cause and manner of death.

Goals and Objectives of the program

Provide timely and accurate laboratory testing of postmortem and ante mortem specimens to assist the IOSME in resolution of cause and manner of death. Provide timely and qualified consultation interpretation of laboratory testing results when requested.

2.02 Definitions

- A. RFP General Definitions.** When appearing as capitalized terms in this RFP, including attachments, the following quoted terms (and the plural thereof, when appropriate) have the meanings set forth in this section.

“Administrative Costs” means those costs and fees that may include, but are not limited to, those that have been incurred for common or joint purposes or objectives, benefitting more than one cost objective, and/or cannot be readily identified with a particular final cost objective. For the purposes of this RFP, examples of Administrative Costs shall include general administration and general expenses such as accounting, expenses of executive officers, personnel administration, costs of operating and maintaining the facility, rent and lease payments, utilities, data collection and data processing costs, printing, communications equipment and services, depreciation, and other costs necessary to support the delivery of services.

“Agency” means the Iowa Department of Health and Human Services.

“Business Day” means any day other than a Saturday, Sunday, or State holiday as specified by Iowa Code § 1C.2.

“Equipment” means any single item with a cost or value of \$5,000 or more and with an anticipated useful life of one year or more.

“Indirect Costs” represent the expenses of doing business that are not readily identified with a particular grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs. These may be costs and fees that have been incurred by the Grantee for common or joint purposes or objectives, benefitting more than one cost objective, and/or cannot be readily identified with a particular final cost objective. For the purposes of this RFP, examples of Indirect

Costs shall include general administration and general expenses such as accounting, expenses of executive officers, personnel administration, costs of operating and maintaining the facility, rent and lease payments, utilities, data collection and data processing costs, printing, communications equipment and services, depreciation, and other costs necessary to support the delivery of services.

“Indirect Cost Plan or Indirect Cost Allocation” means an accounting function by which estimates are made to distribute indirect costs to programs or functions, in order to approximate their full cost.

“Negotiated Indirect Cost Rate Agreement (NICRA)” is a document published to reflect an estimate of indirect cost rate negotiated between the Federal Government and a Grantee's organization which reflects the indirect costs (facilities and administrative costs) and fringe benefit expenses incurred by the organization.

“Request for Proposal” or “RFP” means a formal Request for Proposal that involves the state Agency soliciting bids to purchase services through a competitive process.

“Performance Measures” means measures that assess the Deliverables or activity under this Contract. Performance measures include, but are not limited to quality, input, output, efficiency, and outcome measures.

2.03 Scope of Work.

The Successful Applicant shall:

1. Perform the requested laboratory services on specimens submitted by the Agency . Any questions regarding laboratory services will be directed to the appropriate pathologist at the IOSME.
2. Maintain all case related information as confidential and maintain signed confidentiality statements for all employees who have access to case related information. Case information will only be released to outside agencies with the express written permission of the Agency.
3. Store microbiology specimens received for culture for 5 days from date of receipt before disposing of said specimen. All other specimens (i.e. blood, urine, vitreous, and CSF) shall be stored for at least one year after completion of testing and make available for potential subsequent test requests by Agency. All specimens submitted to the contractor

shall be kept in a secure manner.

4. Shall forward specimens to an outside facility only if unable to perform themselves (i.e. not able to process a specific postmortem test on specimens submitted). In such an event, the fee list of this service must be provided to the Agency for prior approval and for reimbursement purposes. The Contractor will directly pay for the services provided by the outside facility. These costs will be clearly indicated and become part of the billing/invoice submitted to the Agency.
5. Final reports will be due within 4 hours from receipt of specimen for STAT testing, 10 calendar days for standard lab testing, and 30 days for microbiology testing to include viral cultures and bacterial cultures. Any non-compliance with this timeline shall be reported to the Agency immediately.
6. Provide status/progress reports submitted in written format, delivered via email, portal or telephone conversation. Final written report to include the decedent's name, state case number, date, specimen type, collection site (femoral blood, heart blood, etc.), test, and type of histology stain. Report to include photographs, either in electronic format or printed. All addendum reports must be clearly marked as such. Final reports to be delivered via email or secure portal.
7. Provide special equipment and/or software for the receipt of results from the Agency. Such equipment and/or software shall at all times remain the property of the Contractor and be used exclusively for the purposes set forth in this contract.
8. Provide at no cost to the Agency, courier service for submission of specimens. The courier service needs to be available to transport specimens on a daily basis and on an as needed basis.
9. Provide at no cost to the Agency, requisition forms/chain of custody forms, collection materials, and packaging for specimen submission.
10. Submit a monthly non-generic (i.e. on original letterhead) invoice. The monthly invoice must be itemized specifying state case number, decedent's name, date, type of test, unit cost, and subtotal per decedent. Invoices will be submitted within 15 days of the month of expenditure.
11. The Contractor must make himself/herself within a reasonable time frame, to be available

upon request of the Iowa Department of Health and Human Services for legal proceedings to include but not limited to depositions and trial whether those cases have arisen during or after termination of this contract.

The Agency shall:

1. Submit requests (specimens) in a timely and proper manner and will include the name and state case number for the decedent.

A. Work Plans. The Applicant will develop and implement Work Plans compliant with the Deliverables and timelines listed in section B within the forms in IowaGrants as described in Section 3 of this RFP.

B. Deliverables. In compliance with the Agency-approved work plan within IowaGrants, the Contractor shall provide the deliverables as outlined in 2.03 Scope of Work.

C. Contractor's Personnel for Project Implementation. Staffing must be sufficient to implement the project as described in this RFP. The Contractor shall maintain an accurate listing of staff specified for project implementation, meeting all minimum staffing requirements as required by the Agency, within the personnel form Component, located in the IowaGrants.

At a minimum, applicants must identify the following key personnel and provide a resume or a CV:

Staff acting as laboratory directors, and all certifiers – CV Required

Board Certification

Program Administrator

Other Staff associated with the program

Please explain the availability for board certified pathologists that have experience and expertise on consulting pathologists on laboratory testing results and expert witness testimony.

D. Required Reporting. The Agency requires reporting of compliance with the resulting Contract and performance of the Deliverables and Work Plans pursuant to proposed action/work plans, provision of services, and incurred expenses by resulting contractors. Successful applicants will be required to submit reports outlined below. The reports and submission requirements are subject to change at the sole discretion of the Agency. The Agency shall review and monitor submitted reports, as well as other data and information for completeness, timeliness, and overall performance pursuant to the Contract.

Anticipated reports (progress and data) include:

Reports must include the decedent's name, state case number, date, specimen type, test, and type of histology stain. Report to include photographs, either in electronic format or printed. All addendum reports must be clearly marked as such.

Program Reports

The successful applicants shall be expected to prepare the following reports on templates provided by the Agency.

Report Title	Form Frequency/Type	Date Due
Subcontracts- draft, unsigned	Type: Subcontract Documents	Submit for Agency approval Prior to obtaining signatures
Lab Report	1 Original	Within 10 days for routine testing, 30 days for microbiology, and *Verbal report within 4 hours for STAT testing, followed up with a hard copy within 3 days
Invoice	1 Original	Within 15 days of the month of service

Invoices shall be available through a portal, sent utilizing a secure electronic delivery system, or mailed to:

Billing
Division of Public Health
Iowa Office of the State Medical Examiner
2250 S. Ankeny Blvd.
Ankeny, Iowa 50023-9093

Reports shall be available through a portal or sent utilizing a secure electronic delivery system. In the event of electronic transfer failure, reports shall be faxed.

FAX Number - (515)725-1414

E. Contract Performance Measures. The Agency anticipates the following performance measures to be included in a successful applicant's contract.

The Contractor will provide final reports within 10 days from Contractor's receipt of specimen for routine lab testing, within 30 days from Contractor's receipt of specimen for microbiology testing,

and within 4 hours from Contractor's receipt of specimen for STAT testing which is documented through the Forensic Advantage System (FAS tracking system). Invoice for expenses must be received within 30 days of the month of which they were incurred.

If the contractor fails to meet any of the above mentioned case submission dates, 15% of the invoice total will be withheld from the monthly claim amount for the Submission Date which is delinquent. Date of specimen submission to the Contractor and date of final report receipt by the Agency shall be tracked by the Forensic Advantage System (FAS).

The Contractor shall submit any documentation required for the performance measure to the Agency as required.

2.04 Contractor Budget(s) and Contract Payment Methodology

A. Contractor Payments. The Contractor is anticipated to be paid an amount not to exceed \$165,000.00 per year for services as described in section 2.03. The Contractor shall invoice the Agency monthly for reimbursement of the costs associated with meeting the Deliverables of the Contract.

B. Cost Restrictions.

1. Unit cost per test and the drugs included in each test/screen, to include cost of shipping, consultation fees and testimony fees. Consideration will be given for drugs included in panels and policies on quantitative analysis

SECTION 3 -- APPLICATION CONTENT

In compliance with the minimum requirements and scope outlined in Section 2 – Description of Work and Services, applicants must complete each form listed below from within IowaGrants for this Funding Opportunity.

3.01 Application Instructions

Each user will complete the registration process, only if not already registered. Follow the steps outlined in the 'New User Registration Instructions for IowaGrants.gov' as posted under the Attachment section of the Funding Opportunity. New Users should allow at least a few days for the registration to be processed.

Refer to Section 1.06 (D) for instructions on Application Creation.

Note: IowaGrants will permit multiple users within the Applicant Organization to register and begin creation of an application for each funding opportunity.

The applicant is responsible for ensuring **only one entire application is completed and submitted for the same service area** (refer to Sections 1.04, 1.06, and 1.14) in response to this RFP.

For general instructions on completing applications in IowaGrants, as well as how to copy previously created applications, refer to the 'the Agency Application Instruction Guidance' as posted under the Attachment section of the Funding Opportunity.

- Submitted applications must meet all minimum and eligibility requirements outlined in this RFP.
- Promotional materials or other items not required by this RFP will not be considered during the review process.
- Any information or materials not required to be submitted as an attachment by this RFP application will not be considered in the review process.

Upon starting an application, the first screen that appears is the General Information Form. This is where the applicant will title their application and identify the Organization they are representing. The registered applicant must be representing an eligible entity (refer to section 1.03). After clicking 'Save'; the applicant can re-open and edit this form to add other users registered with the represented organization in IowaGrants.gov as 'Additional Contacts'.

The saved **General Information** Form appears as the first form in your application.

3.02 Application Forms:

Applicants must complete each application form listed below following the instructions here and within the Electronic Grant Management System at www.lowagrants.gov. Each required field of

each Application Form must be completed or the system will not allow the form to be saved. Once an application form is completed, the applicant must mark it as complete. All forms must be marked as complete or IowaGrants will not permit the application to be submitted. Follow the instructions for each section and field within the form in IowaGrants. A summary of each Form's contents is listed below.

Cover Sheet - General Information: This form requires the applicant to identify the Authorized Official, the Fiscal Contact, and additional required information.

Business Organization: This form requires information about the applicant organization, including legal name, address, alternate mailing address for warrant/payments, business structure, history, table of organization, any pending or threatened litigation or investigation which may affect the Applicant's ability to perform the required services (refer to RFP Section 1.23), as well as identification of the applicant's accounting firm and reporting any irregularities discovered in any of the accounts maintained by the applicant (refer to RFP Section 1.24), and disclosure of history of contract default or terminations.

SME Certification and Conditions: This form provides for the certification and assurance of the Applicant's intent and commitment to provide the services included in the application if an award is issued. This form will also identify the individual designated as the Grantee Contact with full responsibility for assignment of individuals to a resulting grant site (if applicable) in IowaGrants. Optional sections of this form include a section for the request for confidentiality in compliance with section 1.28 of this RFP and upload field for transmittal letters and other applicable communications.

The Certification and Conditions Form is required to be completed, electronically signed and dated by the appropriate business signatory authorized by the applicant.

- o Iowa Code Section 554D.103 defines an electronic signature as "an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record." An applicant may insert an electronically scanned signature, a digital signature, or a typed name, symbol, etc. in compliance with this definition for the electronic signature.

An applicant's submission of an application indicates the applicant's agreement to conduct this transaction by electronic means.

Background and Demonstrated Experience: This form requires information about the applicant organization background, demonstrated experience in provision of services, and established community partnerships. Applicant shall include relevant information about their background and experience that has prepared them for the work as described in this RFP. Include community partnerships and services the applicant has already developed and established.

- Identify other projects in which the applicant is currently providing or has provided services similar to the services described in the RFP.

- Describe other similar contracts or projects currently undertaken by the applicant.

Project Personnel: This form requires specific information about the project personnel related to providing the services described in this RFP. Specifically applicants will identify the title/position, name, role and responsibilities, experience and education, and credential or license # as applicable for each person with time dedicated to this project.

At a minimum, applicants must identify the following key personnel and provide a resume or a CV:

- *Staff acting as laboratory directors, and all certifiers – CV Required*
- *Board Certification*
- *Program Administrator*
- *Other Staff associated with the program*

References Form: Please provide References from at least 2 other medical examiner offices with indication if accredited by National Association of Medical Examiners (NAME).

Laboratory Services Project Work Plan Form: This form requires the applicant to identify the details for implementing the work and services as described in this RFP. Applicants shall demonstrate within their work plan their capability to implement the minimum requirements as described in section 2.

- o Copy of current laboratory compliance with the guidelines of the College of American Pathologists (CAP) or a state reference laboratory.
- o Copy of any current inspections for oversight agencies or other accreditations.
- o Provide support documentation for typical turnaround times and support documentation for the last 2 years showing the date of specimen receipt and date of final report received by customer.
- o Timeframes – support documentation showing turnaround time percentages from time of specimen submission to final report on standard cases and complicated cases.
- o Please describe the secure electronic delivery system used for the distribution of reports to include ability to export data sets to the Forensic Advantage (FAS) case management system. In the event of electronic transfer failure will you have Fax capability?
- o Provide 2 Examples of standard reports demonstrating pathological diagnosis and opinions provided to other organizations.
- o Interpretation of analysis that would appear on the written report.

- o Please explain the requirements for obtaining specimens, required packaging and shipping requirement for specimens.
- o Unit cost listing per consultation/test, professional fee and/or hourly rate for post mortem pathology consultation.
- o Please explain the process for contacting for consultation, response time, and anticipated availability.
- o Optional Requirement – State type of DNA (mitochondrial or nuclear) testing can be performed, by laboratory or in house, costs and turnaround time. (For Identification - Paternal and Fraternal)

Subcontract Plan: This form requires specific information about the applicant's proposed plan for subcontracts. Applicant shall identify if subcontracts are proposed, and if so, the applicant shall include the scope of work of subcontracted services; anticipated amount for each proposed subcontract; the name, contact information, experience of subcontractor (if known at the time of application); and the delivery area(s) to be served through the subcontract.

Minority Impact Statement: This form collects information about the potential impact of the project's proposed programs or policies on minority groups.

SECTION 4 – APPLICATION REVIEW PROCESS AND CRITERIA

4.01 Overview of Review Process

Review/evaluation of applications submitted under this RFP will be conducted in three phases.

Phase I -- Technical Review: The first phase will involve a preliminary review by the Agency staff of an applicant's compliance with the mandatory requirements, such as eligibility and application content for submitted applications. Applications which fail to satisfy technical requirements or application content may be eliminated from the application review. These applications may be rejected. The Agency will notify the applicant of a rejection that occurs during Phase I of the review process. The Agency reserves the right to waive minor variances at the sole discretion of the Agency.

Phase II – Review Committee: Applications determined to be compliant with technical requirements and application content will be accepted for the second phase of evaluation, which shall be completed by a review committee or committees established by the Agency. The membership of the review committee(s) shall be determined by the bureau chief with input and oversight from the respective division director. The review committee(s) shall evaluate applications in accordance with a point system. Each committee member will review the applications and the evaluation criteria outlined in this chapter and assign a point total for each criterion. If an applicant is requested to make an oral presentation of the application pursuant to *RFP Section 1.15*, the committee members may consider the oral presentation of the applicant in determining the points awarded.

The total score awarded by each committee member will be averaged to arrive at the final score for each application and the applications will then be ranked based on the average of the evaluation scores. The Agency staff may solicit additional input and recommendations from the review committee(s).

In the event competitive applications receive an equal number of points, a second review may be conducted utilizing the same scoring process. In the event a second review is conducted, the respective program's division director will designate two management employees and one non-management employee to conduct a second review.

Phase III -- Agency Review and Award: The third phase will be a final review. The Agency will consider the submitted applications and the review committee's scores and recommendations.

The Agency may also consider geographical distribution, budget information, any information received pursuant to Sections 1.19 - 1.24 of the RFP, and any other information received pursuant to the procurement process. The Agency reserves the right not to award the contract to the applicant with the highest point average.

4.02 Scoring of Applications

A maximum of 100 points may be awarded to each application. A minimum average score of 60 or greater is required for the application to be considered for funding. Applications scoring less than the minimum average score will be rejected.

Accepted applications will be evaluated based on the following criteria:

- A. All parts of each section are included and addressed.*
- B. Descriptions and detail are clear, organized and understandable.*
- C. Descriptions are responsive to the intent of the RFP objectives.*
- D. The overall ability of the applicant, as judged by the evaluation committee, to successfully complete the project within the proposed schedule. This judgment will be based upon factors such as budget, project management plan and availability of staff.*

Points will be assigned for each item listed as follows:

- 5 Applicant's application or capability is exceptional and exceeds expectations for this criterion.
- 4 Applicant's application or capability is superior and slightly exceeds expectations for this criterion.
- 3 Applicant's application or capability is satisfactory and meets expectations for this criterion.
- 2 Applicant's application or capability is unsatisfactory and contains numerous deficiencies for this criterion.
- 1 Applicant's application or capability is not acceptable or applicable for this criterion.

The maximum points to be awarded for each application section are as follows:

<u>Application Form</u>	<u>Weight</u>	<u>Potential Maximum Score</u>
Cover Page	--	Required
Business Organization Form	--	Required
Certification and Conditions	--	Required
Background and Demonstrated Experience	3	15
Personnel	3	15
References Form	--	Required
Laboratory Service Proposal Form	—	Required
-Certifications, Inspections, and Accreditations	5	25
-Examination TurnAround Time	4	20
-Examination Reports	2	10
-Cost, Specimen Submission and Contacting for Consult	4	20
Subcontract Plan	--	Required
Minority Impact Statement	--	Required
Maximum Score		100

SECTION 5 – CONTRACT

5.01 Contract Conditions

Contract Conditions: Any contract awarded by the Agency shall include specific contract provisions including the [General Terms and Contingent Terms](#) as posted on the Agency's website. Refer to the Attachments section on the Funding Opportunity page for the Draft Sample Contract Template. The Draft Sample Contract Template included is for reference only and is subject to change at the sole discretion of the Agency.

The contract terms contained in the general terms and contingent terms are not intended to be a complete listing of all contract terms, but are provided only to enable applicants to better evaluate the costs associated with the RFP and the potential resulting contract. Applicants should plan to include such terms in any contract awarded as a result of the RFP. All costs associated with complying with these requirements should be included in the application. If the contract exceeds \$500,000, or if the contract together with other contracts awarded to the Contractor by the Agency exceeds \$500,000 in the aggregate, the Contractor shall be required to comply with the provisions of Iowa Code chapter 8F.

5.02 Incorporation of Documents

The RFP, any amendments and written responses to applicant questions, and the application submitted in response to the RFP form a part of the contract. The parties are obligated to perform all services described in the RFP and application unless the contract specifically directs otherwise.

5.03 Order of Priority

In the event of a conflict between the contract, the RFP and the application, the conflict shall be resolved according to the following priorities, ranked in descending order:

1. the Contract;
2. the RFP;
3. the Application.

5.04 Contractual Payments

The Agency provides contractual payments on the basis of reimbursement of expenses in accordance with Iowa Code 8A.514. In the event the contractor lacks sufficient working capital to provide the services of the contract, an advance not to exceed one month's value of the contractual amount may be provided by the Agency. One -third (1/3) of this advance will be deducted from eligible reimbursement of expenses for the 7, 8, and 9th months of service.

If applicant is not a current contractor with the Agency, a completed current and accurate W-9 form will be requested by the Agency upon award of a contract. The Agency shall not provide any reimbursement of expenses until the W-9 is received and accepted.

5.05 Early Contract Termination

If a contract awarded by the Agency pursuant to this RFP is terminated by either party prior to the end of the project period for any reason, the Agency may procure services for the remainder of the contract period or project period by (1) awarding the contract to a contractor from the same or a contiguous service area; (2) awarding the contract to another entity deemed

appropriate by the Agency, or (3) issuing an RFP. An Applicant's submission of an application to this RFP constitutes mutual agreement among the Agency and the Applicant/Contractor pursuant to 641 IAC 176.3 that the Agency has sole discretion in procuring such services.

SECTION 6 – ATTACHMENTS

The following reference documents are posted separately under the Attachment section of this Funding Opportunity.

- A- *RFP 58825011 Laboratory Services*
- B- New User Registration Instructions for IowaGrants.gov
- C- IowaGrants Application Forms Instruction Guidance
- D- *RFP58825011 Laboratory Services Draft Contract*
- E- *RFP58825011 Laboratory Services Draft Score Tool*

SECTION 7 – LINKS

The following reference documents are available by clicking on the link provided in the website Links section of this Funding Opportunity.

- A. [General Terms and Contingent Terms](#)