



Advertisement Notice

REQUEST FOR PROPOSALS (RFP) #101 LSCB

for

CLIENT-BASED LABORATORY SERVICES

Date Posted: December 4, 2020

Open Proposal Date: December 21, 2020

Burke is seeking Proposals from qualified vendors for **LABORATORY SERVICES** for Burke clients within each of the twelve county regions Burke serves. Vendors will offer experience in providing client-based services.

RFP NOTICE AND DOCUMENT may be obtained via internet at www.myburke.org. OR at the Burke Central Administration Building at 2001 S. Medford Dr. Lufkin, Texas 75901, beginning December 21, 2020.

The initial contract period shall commence on March 1, 2021, and will continue through August 31, 2023, unless renewed, extended, or terminated according to the terms and conditions of the contract and upon mutual agreement. Burke, at its sole discretion, may extend or renew the contract on one-year terms, provided the contract term, including all extension or renewals, and does not exceed two years.

PROPOSAL CLOSING DATE, TIME and LOCATION is JANUARY 21, 2021 at 5:00 p.m. at 2003 S. Medford Drive, Lufkin, Texas 75901. All proposal responses and all requested proposal submission content must be submitted before the closing date and time at the location specified. The official time and date submitted shall be determined by the time/date stamp when received at location. Faxed responses shall not be accepted.

All proposals that are submitted between the opening and closing date and time become the property of Burke and will not be returned to the Respondent. Proposals received after the closing date and time will be returned unopened and shall be considered void and unacceptable.

MINORITY OWNED BUSINESSES: Minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, creed, sex, or national origin in consideration for an award.

Burke appreciates your time and effort in preparing your proposal

I. BACKGROUND INFORMATION

Burke Center dba Burke is the Texas Health and Human Services Commission (HHSC) designated Mental Health and Developmental Disability Authority established to plan, coordinate, develop policy, develop and allocate resources, supervise, and ensure the provision of community based mental health and developmental disability services for the residents of twelve (12) Deep East Texas Counties which include Angelina, Houston, Jasper, Nacogdoches, Newton, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, and Tyler counties.

II. DESCRIPTION OF REQUEST FOR PROPOSAL

A. Purpose of Laboratory Services

The purpose of this Request for Proposal is to obtain laboratory services for Burke clients within each of the twelve county regions Burke serves that will offer experience in providing client-based services, beginning March 1, 2021.

B. Scope of Services

All proposals will consider and include the following conditions for laboratory services:

- Bi-Directional Interface with Burke’s Electronic Health Record (E.H.R. – Clinical System) and Portal submission of results; see section IV, B, Technical Support;
- Drawing of blood specimens and urine collection;
- Processing of laboratory chemistry profiles for Burke clients;
- For, but not limited to, lab tests shown in Exhibit A;
- Provision of Phlebotomist, per Burke’s request under specified circumstances;
- Any supplies and equipment necessary for submitting specimens to the Vendor’s laboratory;
- Convenient off-site lab draw station;
- 24-hour turn-around on Chemistry Profiles, STAT testing and repeat Assays when needed; and
- Billing of third-party carriers

C. Terms of the Contract

The contract for laboratory services will be for the following term:

- March 1, 2021 through August 31, 2023.
Burke reserves the right to terminate any resulting contract within thirty (30) days written notice

D. Key Dates Required for the RFP

The following table outlines Burke’s key dates and events for RFP process.

| Activity | Due Dates |
|---------------------------------|-------------------|
| RFP Notice Published/Posted | 12/4/20 |
| RFP Opening | 12/21/20 |
| Questions Due | 1/8/21 |
| RFP Closing | 1/21/21 |
| Opening of Proposal Submissions | 2/5/21 |
| Intent to Award | 3/1/21 |
| Contract Negotiations | 2/18/21 – 2/19/21 |
| Implementation | 3/1/21 |

III. STATEMENT OF REQUIREMENTS

A. Minimum Qualifications

A prospective Respondent must affirmatively demonstrate Respondent's responsibility and must meet the following minimum requirements:

- Have adequate financial resources, or the ability to obtain such resources as required;
- Be able to comply with the required or proposed service schedule for laboratory services;
- Have a satisfactory record of performance, integrity and ethics;
- Be otherwise qualified and eligible to receive an award;
- Be licensed to do business in the State of Texas;
- Current certifications and licenses;
- Accredited Laboratory status by The College of American Pathologists;
- CLIA Laboratory Certificate of Compliance;
- Maintain policies of general and professional liability insurance coverage;
- Consistently maintain and allocate enough staffing resources to provide timely service for Burke's laboratory service needs;
- Maintain staff that are qualified and available to provide specialized technical expertise in various disciplines as necessary;
- Maintain all standards applicable to medically-related services; and
- Maintain all standards related to confidentiality and releases of information.

B. Proposal Guidelines

Please observe and follow these guidelines and respond, as outlined in this request for proposal:

- Where brand names are specified, proposals on alternate brands will be considered, provided they meet specification requirements;
- Any corrections, deletions, or additions to proposals may be made prior to closing date and time of the solicitation. No oral, telephone, telegraphic, fax, E-mail, or other electronically transmitted corrections, deletions, or additions shall be accepted. The Respondent shall submit substitute pages in the appropriate number of copies with a letter documenting the changes and the specific pages for substitution. The signatures on the form and letter must be original and of equal authority as the signatures on the offer;
- Burke reserves the right to modify the general description on the advertising notice and Scope of Services by issuing written addenda to Respondent of any such modifications;
- Any interpretations, corrections or changes to the Request for Proposal, prior closing date and time, shall be made by written addenda. Sole issuing authority of addenda shall be vested in the RFP Evaluation Committee. Addenda shall be mailed to all who are known to have received a copy of the Request for Proposal. Upon issuance, all such addenda become an inseparable part of the specifications which must be met for the offer to be considered. All Respondents shall acknowledge receipt of all addenda by either mail or email;
- A proposal price may not be altered or amended after proposal has been submitted and opened by reviewer. No increase in price will be considered after proposal is reviewed and scored. A Respondent may reduce its price provided that it is the lowest and best proposal among the Respondent and is otherwise entitled to the award. Material changes to a proposal, after the proposal has been opened will result in cancelation of the procurement process without award;
- Any Respondent currently held in abeyance from or barred from the award of a Federal or State contract may not contract with Burke;
- Proposal must comply with all federal, state, county and local laws concerning these types of service;
- Late proposals received after the closing time and date shall be returned unopened. Burke is not responsible for lateness of mail, carrier, etc. The official time shall be determined by the time/date stamp when received by the designated staff at Burke's specified location.

- Respondent may withdraw or cancel a proposal upon written request at any time prior to the proposal closing date and time. The signature on the withdrawal letter must be original and must be of equal authority as the signature of the Respondent;
- The apparent silence of these specifications as to any detail or to the apparent omission from it of a detailed description concerning any point, shall be regarded as meaning that only best practices of quality services and facilities will prevail. All interpretations of these specifications shall be made on the basis of this statement; and
- All proposals meeting the intent of this Request for Proposal shall be considered for award. Respondents taking exception to the specifications, terms and conditions or offering substitutions, shall state these exceptions in the section provided in Exhibit C as part of the proposal. The absence of such a list shall indicate that the Respondent has not taken exceptions and Burke shall hold the resultant Contractor responsible to perform in strict accordance with any and/or none of the exception(s)/substitution(s) as deemed to be in the best interest of Burke.

IV. REQUIRED PROPOSAL SUBMISSION CONTENT

To comply with the requested proposal submission content, the Respondent will provide:

A. Administrative Component

- Respondent's organization name, type of organization, address and telephone number;
- A detailed description of the organization and the services it provides (Exhibit D);
- Technical and Management component required content;
- Credentials of the organization for providing the goods or services such as applicable certifications and licenses, evidence of liability of insurance, evidence of financial solvency, evidence of compliance or ability to comply with relevant Texas HHSC rules;
- Respondent Assurances Agreement, signed by an authorized representative of the Respondent's organization;
- At least three (3) references where the Respondent has provided client-based laboratory services; and
- Exhibit A, with pricing and code, Exhibit B, pricing and code of additional labs Respondent's organization will provide, Exhibit C, Exceptions/Substitutions (if any) and Exhibit D, Detailed Description of proposal.

B. Technical Component

To describe clearly the laboratory's understanding of the work to be done, the Respondent will provide:

- Demonstration of previous experience and/or ability in developing Bi-Directional Lab Ordering and Results Interfaces with Electronic Health Record systems;
- Evidence that the Respondent has experience in performing laboratory services for community Mental Health (MH) – Intellectual Developmental Disabilities (IDD) centers and include current and past client contact information;
- An explanation of the Respondent's approaches to performing laboratory services, including the methodology, nature and extent of laboratory procedures to be performed;
- A description of the Respondent's staff in terms of job positions in the laboratory clinic; and
- A description of the level of assistance that will be expected from Burke personnel.

D. Management Component

The Respondent will furnish satisfactory evidence of capability to provide in a professional and timely manner when providing the services stated in the Request for Proposal. To meet this requirement, the Respondent will provide:

- If applicable, the name of the external quality control review organization of which the Respondent is a

member and the Respondent's length of membership. Also, state the review organizations planned frequency of reviews;

- If applicable, state whether the laboratory has received a review and whether in the most recent review an unqualified report was issued (a copy of the review report must be provided to Burke);
- State whether the Respondent is a national, regional or local laboratory clinic; and
- State whether the Respondent is currently under the terms of a public or private reprimand by any Texas licensing boards or agencies of other states.

V. PROPOSAL SUBMISSION PROCEDURES AND CONDITIONS

A. RFP delivery of responses

SUBMIT BY MAIL or in PERSON, one (1) original sealed proposal, including one (1) copy of your proposal, and all other requested proposal submission content in the same envelope, clearly marked with “**Sealed Proposal RFP# 101 LSCB**”. The original, copy and all requested proposal submission content, including items to be signed must be submitted and signed by an authorized representative of the Respondent’s organization.

SUMIT PROPOSALS TO:

Burke Business Services
Attn: Jennifer H. Collins
2003 S. Medford Dr.
Lufkin, TX 75901

All proposal responses and all requested proposal submission content must be submitted before the closing date and time at the location specified. The official time and date submitted shall be determined by the time/date stamp when received at location. Faxed responses will not be accepted.

B. Questions

Questions regarding RFP must be emailed by **12:00 PM, JANUARY 8, 2021.**

SUBMIT QUESTIONS TO:

Jennifer.Collins@myburke.org

C. Acceptance/Rejection of Submittal

Burke reserves the right to accept or reject any and/or all proposals for any or all services covered in this solicitation and to waive informalities or defects in proposals or to accept such proposals as it shall deem to be in the best interest of Burke. Proposals will be invalid and not considered under the following circumstances.

- If the proposal or any requested proposal submission content is received after the closing time and date;
- If a proposal has incorrect information on the envelope, e.g., wrong opening date, which results in it not being considered for award;
- If the proposal or any of the requested proposal submission content is not signed or dated by Burke is not responsible for lateness of mail, carrier, etc.an authorized representative of the organization;
- If there is material failure to comply with the specification requirements;
- If the proposal or any other the requested proposal submission content is missing;
- If any of the minimum requirements for prospective Respondents are not met;
- If there are any material changes to proposal after proposal has been opened; and
- If the Respondent is currently held in abeyance or barred from the award of a federal or state contract.

D. Protest Procedures

Any Respondent wishing to protest or appeal the selection process must do so, in writing, within fifteen (15) calendar days of the date of notification of the unsuccessful proposal in order to be considered. Protest or appeal letter must be titled "Protest Demand Letter" and must include:

- Name of Respondent's organization, contact name, address, phone number, email address and fax number (if applicable);
- Clearly and specifically state the nature of the protest, including Burke's decision which the Respondent's organization is protesting or appealing;
- Approximate date of Burke's decision which the Respondent's organization is protesting or appealing and;
- Any additional information not listed to those who will make the decisions in the protest/appeal process.

Send letter, via certified mail to:

Burke | Attn: CEO | 2001 S. Medford Dr. | Lufkin, Texas 75901

VI. EVALUATION/AWARD

A. Evaluation

The evaluation process is as follows.

- All proposals received by the date and time in this notice and document will be evaluated and ranked by Burke's Evaluation Committee according to the award criteria;
- Respondents meeting the requirements and criteria may be invited to interview with Burke to further clarify the evaluation of proposal, if deemed necessary by the committee;
- Additional information, such as copies of the Respondent's Organizational Policies, Procedures and Quality Assurance documents, may be requested during contract negotiations;
- Visits may be conducted to potential service contractors; and
- Based on result ranking of the proposals one or more Respondents may be asked to participate in negotiation with Burke.

B. Award Criteria

Any award made based upon this Request for Proposal will have been evaluated by best value to Burke, which is the optimum combination of economy and quality resulting from fair, efficient, and practical procurement decision-making and which consider the following relevant factors:

- Any installation or service cost;
- The delivery terms;
- The quality and reliability of the Respondent's goods or services;
- The extent to which the goods or services meet local authority's needs;
- Indicators of probable Respondent performance under a contract, such as past Respondent performance, the Respondent's financial resources and ability to perform, the Respondent's experience and responsibility, and the Respondent's ability to provide reliable maintenance agreements;
- The impact on the ability of the local authority to comply with laws and rules relating to historically underutilized businesses or relating to the procurement of goods and services from persons with disabilities;
- The total long-term cost to the local authority of acquiring the Respondent's goods or services;
- The acquisition price;

- The Respondent's history of compliance with the laws relating to its business operations and the affected service(s) and whether it is currently in compliance.
- The Respondent's compliance with public policy, record of past performance and financial and technical resources;
- The character, responsibility, integrity, reputation, and experience of the Respondent;
- Any other factor relevant to determining the best value for Burke in the context of a particular acquisition; and
- The ability of the Respondent to meet all applicable written policies, principles, and regulations; and previous experience with Burke will be considered.

C. Award Recipient

- The successful Respondent shall not sell, assign, transfer or convey any contract resulting from this RFP, in whole or in part, without the prior written consent of Burke;
- The successful Respondent and Burke agree that both parties have all rights, duties and remedies available as stated in the Uniform Commercial Code;
- Any notice provided by this proposal (or required by Law) to be given to the successful Respondent by Burke shall be deemed to have been given and received on the next day after such written notice has been deposited in the mail in Lufkin, Texas by Registered or Certified Mail with sufficient postage affixed thereto, addressed to the successful Respondent at the address so provided; provided this shall not prevent the giving of actual notice in any other manner;
- Successful Respondent shall defend, indemnify and hold harmless Burke or its designee and its officers, directors and employees from any and all suits, claims, actions, losses, damages, liability and expenses, including attorney's fees arising from any negligent or willful act, error, omission or misrepresentation of Contractor or his employees, agents (including subagents) or servants. The provisions of the subparagraph shall continue and be ongoing in any contract resulting from this RFP; and
- Successful Respondent must provide proof of minimum insurance coverage prior to start of contract and annually thereafter of liability insurance (including general liability, and worker's compensation coverage) Schedule as follows:
 - General Liability \$1,000,000/\$3,000,000;
 - Certificate of Insurance naming Burke as an additional insured shall be provided prior to start of work.
 - Worker's Compensation in accordance with Texas Statutory Requirements;

VII. FINANCIAL GOVERNANCE

A. Funding

- Funds for payment shall come from Burke.

B. Sales Tax

- Burke is by statute exempt from the State Sales Tax and Federal Excise Tax; therefore, proposal shall not include tax.

C. Billing

- Contractor will bill for services performed on Burke clients; and
- Contractor will provide Burke with a statement of services rendered indicating the individual's name, prescribing physician or prescriber, date of service, service type, and service cost. The Contractor agrees not to bill Burke for any remaining third-party insurance provider balances or for any private pay patient balances. Burke will pay the remaining balance as per contracted rates for any client services for those individuals with State Supported services.

D. Invoices

- Invoices shall show all information as required and shall be delivered to Burke Business Services at 2003 S. Medford Dr., Lufkin Texas 75901 or emailed to the Director of Accounting, Shandi Porterfield at shandi.porterfield@myburke.org. For additional questions regarding invoices, call 936-633-5653.

E. Payment

- Payment shall be made with 30 days upon receipt of valid invoice and approval by Burke of all completed services as set out in the contract entered into by Burke and the selected Respondent,

RESPONDENT ASSURANCES AGREEMENT

The undersigned does make the following assurances that:

1. That the Respondent is not currently held in abeyance or barred from the award of a federal or state contract.
2. That the Respondent is not currently delinquent in its payments of any franchise tax or state tax owed to the state of Texas, pursuant to Texas Business Corporation Act, Texas Civil Statutes, Article 2.45.
3. No attempt will be made by the Respondent to induce any person or firm to submit or not to submit a response, unless so described in the RFP response document.
4. The Respondent does not discriminate in its services or employment practices on the basis of race, color, religion, sex, national origin, disability, veteran status, or age.
5. That no employee of Burke, Texas HHSC, and no member of Burke's Board of Trustees will directly or indirectly receive any pecuniary interest from an award of the proposed contract. If the Respondent is unable to make the affirmation, then the Respondent must disclose any knowledge of such interests.
6. Respondent accepts Burke's right to cancel the RFP at any time prior to contract award.
7. The RFP response submitted by the Respondent has been arrived at independently without consultation, communication, or agreement for the purpose of restricting competition.
8. No claim will be made for payment to cover costs incurred in the preparation of the submission of the application or any other associated costs.
9. The individual signing this document and any subsequent contract (if necessary) is authorized to legally bind the Respondent.
10. That Respondent will comply with the rules and standards adopted under Section 534.052 of the Texas Health and Safety Code, the Texas HHSC Community Standards of Community Mental Health Centers and Community Service Programs, and applicable local, state, and federal laws, rules and regulations, including the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

The Respondents organization or Individual named below offers and agrees to furnish all labor, materials, and services offered within the designated time frame for the amount to be agreed upon and upon conclusion of a successful contract.

Name of Respondent's Organization: _____

Name of Organization's Authorized Representative: _____

Type of Legal Entity: _____

Address: _____

Phone No.: _____ **FAX No.:** _____

Auth. Signature: _____ **Date:** _____

Printed Name: _____

REFERENCES

Please provide at least three (3) references where similar services have been provided by Respondent's organization. Include the name of organization, contact name, address, telephone number, description of services and if any, fax number and email address.

REFERENCE 1

Company: _____ Contact Name: _____

Address: _____ Phone Number _____

Fax: _____ Email: _____

Description of Services Provided: _____

REFERENCE 2

Company: _____ Contact Name: _____

Address: _____ Phone Number _____

Fax: _____ Email: _____

Description of Services Provided: _____

REFERENCE 3

Company: _____ Contact Name: _____

Address: _____ Phone Number _____

Fax: _____ Email: _____

Description of Services Provided: _____

EXHIBIT A
Client-Based Laboratory Services Schedule
Burke Center FY 2021 - FY 2023
March 1, 2021 - August 31, 2023

Please write the proposal amount and code for services to be rendered within all aspects of this RFP.

Laboratory services by test description:

| DESCRIPTION | CODE | PRICING |
|----------------------------|------|---------|
| CBC w/ Diff | | |
| CMP | | |
| TSH | | |
| Lipid Panel | | |
| Glucose | | |
| HgbA1C | | |
| Vitamin D | | |
| Lithium Level | | |
| Urinalysis | | |
| Valproic Acid Level | | |

 Organization's Authorized Representative Signature

 Date

 Printed Name

EXHIBIT B
Addition Lab Testing Provided By Organization

Please attach or include a list of testing, with code and pricing, for all additional labs tests that your organization will provide to Burke clients.

EXHIBIT C
Exceptions/Substitutions (Optional)

The absence of this list shall indicate that the Respondent has not taken exceptions and Burke shall hold the resultant Contractor responsible to perform in strict accordance with any and/or none of the exception(s)/substitution(s) as deemed to be in the best interest of Burke.

Comments: _____

Attach any relevant documents or use the space below to insert:

EXHIBIT D
Respondent details for RFP Client-Based Laboratory Services

Details of proposal:

Details may include hours, number of individuals, travel expense, etc. _____
