



June 18, 2019

**VIA EMAIL AND CERTIFIED  
MAIL RETURN RECEIPT**

**TO: Truenorth Corporation  
Alight Solutions Caribe, Inc.**

**NOTICE OF INTENT TO AWARD CONTRACT UNDER THE RFP #EC-2019;  
REQUEST FOR PROPOSALS FOR THE ENROLLMENT COUNSELOR FOR  
THE PUERTO RICO GOVERNMENT HEALTH PLAN**

**I. Request for Proposal<sup>1</sup>:**

*A.S.M.*  
On March 26, 2019, the Puerto Rico Health Insurance Administration (“ASES” for its acronym in Spanish) issued its Request for Proposals RFP#EC-2019 (the “RFP”) for the selection of a qualified entity to serve as an Enrollment Counselor for the Puerto Rico Government Health Plan known as “Plan Vital” to provide support and choice counseling to active enrollees during their annual open enrollment period and ongoing for newly eligible individuals.

The main scope of work and deliverables requested under the RFP are the following four (4) services:

- Web-Based Application for online choice counseling services to support all Enrollment Counselor activities, including but not limited to the collection of Enrollee selection of Managed Care Organization (“MCO”) Primary Care Physician (“PCP”) and Primary Medical Group (“PMG”), and corresponding reporting functions established by ASES;
- Provider Search Website Portal accessible to the general public and integrated into the Web-Based Application to allow Enrollees to elect PCP and/or PMGs;
- Call Center Services for Choice Counseling; and

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<sup>1</sup> Capitalized terms used herein and not otherwise defined, shall have the meaning ascribed to them in the RFP.

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- In person Choice Counseling at Medicaid and other government offices.

II. **Participating Offerors:**

In response to the RFP, the following entities (collectively, "Offerors"), submitted their respective proposals on or before 6:00 PM (AST) April 10, 2019: Truenorth Corporation ("Truenorth") and Alight Solutions Caribe, Inc. ("Alight"). Said proposals were submitted electronically to the secure repository of documents created for this purpose.

The procurement process under the RFP was designed to promote fair competition and protect the identity of the Offerors from the Executive Committee. For this reason, the Executive Committee evaluated the results of the mandatory requirements evaluations, technical evaluation and cost proposal without knowing the identity of the Offerors. This was accomplished by the Document Subcommittee selecting letters from an envelope and randomly assigning them to each Offeror as the only identifier for the evaluations. Accordingly, the Offerors were identified with the letters A & B, as set below. Their respective representatives, the letter assigned to each Offeror, and their addresses are the following:

A. **Truenorth Corporation**

Mr. Carlos G. Fernández Ferrer  
President  
PBM 353 Rd 19  
Ave. Luis Vigoreaux  
Guaynabo, PR 00966  
[carlos@truenorthcorporation.com](mailto:carlos@truenorthcorporation.com)

B. **Alight Solutions Caribe, Inc.**

Mrs. Eunice Aponte  
President  
PO Box 194926  
San Juan, PR 00919-4926  
[Eunice.aponte@alight.com](mailto:Eunice.aponte@alight.com)

III. **Procedural Background:**

On March 18, 2019 ASES published in the newspaper a Public Notice for the Enrollment Counselor Services' RFP. On that same day, ASES issued invitations to twelve (12) companies to submit proposals for the provision of Enrollment Counselor services. On March 26, 2019 RFP documents were provided to the nine (9) companies that acquired the same. Proposals were received on April 10, 2019 from Truenorth and Alight.

The evaluation process initiated on April 10, 2019 after closing access to the electronic repository at 6:00 PM (AST). The Document Subcommittee validated that the Offerors: (i) submitted the Proposals on time, (ii) complied with the prerequisites to become an Offeror, (iii) provided evidence of the Proposal Bond, (iv) submitted the financial and legal

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documents required in Section 6 of the RFP, as well as a Technical Proposal pursuant to Section 7 of the RFP and a Cost Proposal, and (v) complied with the format required by Section 4 of the RFP. Therefore, the findings of the Document Subcommittee were shared with the Mandatory Requirements Subcommittee.

Based on an initial evaluation of those findings, on April 11, 2019 the Mandatory Requirements Committee requested both Offerors to provide missing information, additional information and to clarify some of their responses.

After receiving and evaluating the Offerors responses to the request for information made, the Mandatory Requirements Subcommittee concluded that Truenorth passed the Mandatory Requirements' evaluation of this RFP and recommended further evaluation before the remaining committees of this procurement process. However, it concluded that Alight was not a responsive offeror and accordingly recommended it be disqualified for having failed to comply with certain requirements of the RFP since such failures were not minor irregularities or minor instances of noncompliance. Said recommendation was accepted by the Executive Committee on April 17, 2019.

The Technical Proposal Evaluation of Truenorth's proposal commenced on April 18, 2019. On April 23, 2019 the Cost Proposal Subcommittee submitted its evaluation of Truenorth's Cost Proposal. On April 24, 2019 four designated evaluators performed an On-Site Visit of Truenorth's facilities as well as those of DRSI Call Center, LLC ("DRSI"), Truenorth's proposed subcontractor for the call center services. Finally, on April 25, 2019, the Executive Committee received the Technical Proposal and Cost Proposal Evaluations as well as the findings of the On-Site Visit.

After a holistic evaluation, the Executive Committee reached the conclusions and formulated the recommendations presented to the Board of Directors of ASES on May 14, 2019. The Board requested additional information about DRSI and certain guarantees from both the Contractor and subcontractor. The Executive Committee obtained and evaluated all the information requested. On May 31, 2019 the Committee recommended to the Board the disqualification of Alight, that a best and final offer be obtained from Truenorth, to authorize the Executive Director of ASES to award a three-year contract for Enrollment Counselor services to Truenorth and issue the corresponding notice of adjudication. The Board accepted all the recommendations of the Executive Committee. Accordingly, the Committee required Truenorth its best and final offer, which was received on June 5, 2019 and furthered clarified on June 6 & 7, 2019.

**IV. Scoring:**

Truenorth's Technical Proposal obtained a total of 700 points out of a maximum of 1000 points or 70% overall. Considering the technical areas with the highest weight (Implementation, Information Technology/Information System, Provider Search Portal/Web Based App and Call Center Support) it obtained a score of 76%. The final total results are herein below.

**Section 7 – Technical Scores**

Subject Matter	RFP Section	Points Obtained	Max Points	Percentage
Implementation	7.1	160	200	80%
Staffing	7.2	30	50	60%
Call Center Support	7.3	147	200	74%
Language Communication	7.4	30	50	60%
Training	7.5	22.5	50	45%
IT/IS	7.6	140	200	70%
PSP/Web Based App	7.7	160	200	80%
Member Experience	7.8	10	50	20%
Total		699.5	1000	70%

**V. Summary of the Cost Proposal**

Truenorth's original Cost Proposal obtained a pass grade for it complied with the requirements of the RFP, namely, it bid for all required items, the total costs for each year were within the established budget and it provided a purchase price for the acquisition of the Web Based Application and Provider Search Portal. In addition, the costs for all required items were reasonable.

Truenorth's best and final total offer fees, as stated in its offer of June 5, 2019, are as follows:

	Year 1	Year 2	Year 3
<b>Total Proposal Costs/Fees</b>	<b>\$3,874,415.00</b>	<b>\$3,559,501.00</b>	<b>\$3,524,921.00</b>
Total Start Up/One Time Implementation Costs	\$288,914.00 <sup>2</sup>	NA	NA

<sup>2</sup> These fees are distributed as follows:

<b>One-time IT implementation costs:</b>	<b>\$240,385.00</b>
a. Web-Based Application	\$120,800.00
b. Provider Search Portal	\$36,000.00
c. Other System Implementation Costs	\$15,000.00
d. Call Center Functions	\$18,725.00
e. Infrastructure	\$35,800.00
f. Equipment – Web-based Application/Provider Search Portal	\$2,000.00
g. IT site assessment	\$12,060.00

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Total Cost for Call Center/Choice Counselor Services per Contract Period/Year	\$2,841,422.00	\$2,841,422.00	\$2,841,422.00
Call Center/Choice Counselor Total Cost	\$0.191	\$0.191	\$0.191
Annual Web-based Application Cost <sup>3</sup>	\$744,079.00	\$718,079.00	\$683,499.00
ASES option of Web-Based Application	\$1,473,420.00		

**VI. Principal factors and criteria taken into consideration for the adjudication, including the reasons to disqualify an Offeror:**

**1. Reasons for the Disqualification of Alight Solutions Caribe, Inc.**

- a. Placed conditions on its Proposal to negotiate the terms and conditions of the Contract, contrary to Section 3.3.8<sup>4</sup> of the RFP.

*A.H.H.*

<b>One-time Administrative implementation costs:</b>	<b>\$48,529.00</b>
a. Administrative Expenses (Work area preparation)	\$12,000.00
b. Recruitment	\$6,000.00
c. Training	\$30,529.00

<sup>3</sup> These fees are distributed as follows:

Annual Web-based Application Cost	Year 1	Year 2	Year 3
Licensing Fee	\$520,000.00	\$494,000.00	\$459,420.00
Website Hosting Fees	\$142,479.00	\$142,479.00	\$142,479.00
Website Maintenance Fees (1,200 development hours per year for requested changes)	\$81,600.00	\$81,600.00	\$81,600.00

<sup>4</sup> Section 3.3.8 establishes that: “The Offeror shall not have a right to open negotiations of the Contract with ASES. Any Offeror who places conditions on its Proposal to negotiate the terms and conditions of the Contract, excluding pricing, may be disqualified. [...]” (Emphasis supplied).

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i. It included with its signed Letter of Transmittal<sup>5</sup>, Appendix B of the RFP, a statement expressing that if awarded the RFP work, it reserved the right to negotiate the operational terms and requirements set forth in the Model Contract, including the SLA's<sup>6</sup>, in clear contravention to the purpose of Item #6 of said Appendix, Section 3.3.8 of the RFP and previous instructions and warning imparted by the Procurement Contact<sup>7</sup>.

b. During the evaluation process, Alight contacted ASES personnel other than the Procurement Contact for issues regarding the Mandatory Requirements Committee's request to provide information not submitted with the Proposal, contrary to Section 1.8 of the RFP<sup>8</sup>.

*L.H.H.*

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<sup>5</sup> Section 6.1 of the RFP is the Mandatory Requirement that requires the submission of the Letter of Transmittal or Appendix B. Item #6 of Appendix B includes a statement where the Offeror states that it understands that the Model Contract provided remains subject only to revisions required by ASES, CMS, FOMB, and the Government of Puerto Rico, and that the Offeror is prepared to and capable of complying with all the terms in the Model Contract.

<sup>6</sup> SLA stands for Service Level Agreement.

<sup>7</sup> Before the submission of the Proposals, Alight proposed to substitute the language of Item #6 of Appendix B with language to the effect that it intended to use the current contract with ASES for the RFP services in the event it was the selected vendor. The Procurement Contact informed Alight that the contract to be used would be the Model Contract (Appendix N of the RFP) and specifically instructed it to submit Appendix B "AS IS". She also warned Alight that failure to comply with the above could be interpreted as not having been responsive in the submission of said Mandatory Requirement of the RFP and be sufficient cause for the Offeror's disqualification.

<sup>8</sup> Section 1.8 states that:

"ASES has designated a Procurement Contact person who is responsible for the conduct and administration of this procurement. Any inquiries or requests regarding this procurement shall be submitted only to the Procurement Contact, in writing, and by email. [...]. Offerors **may only contact the Procurement Contact regarding this procurement**. Other Government of Puerto Rico employees, consultants, and agents do not have the authority to respond on behalf of ASES. ASES shall not assume responsibility for any answers or clarifications provided by other ASES staff, or by any other Government of Puerto Rico employee or agent. **An Offeror that contacts another Government of Puerto Rico employee or agent in violation of this requirement will be excluded and disqualified from further participation in this procurement**. The Procurement Contact's decision on any matter regarding this procurement shall be final. [...]" (Emphasis supplied)

- c. Failed to provide the information requested under Sections 6.2.5 and 6.7.2 of the RFP based on the allegation that the same was confidential, even though it had the alternative to request confidential treatment for said information pursuant to Section 3.4.9 of the RFP.

**B. Reasons for the Selection of Truenorth:**

As previously stated, Truenorth is the only responsive Offeror in this RFP. Truenorth is financially stable and solvent, substantially complied with the requirements of this RFP, presented a satisfactory technical proposal and its Cost Proposal was complete, reasonable, within the established budget for each contract year and allowed for the purchase of the Web-Based Application and Provider Search Portal. In sum, the award in favor of Truenorth is in the best interest of ASES, the Government of Puerto Rico and the GHP Enrollees.

*A.A.A.*

**Notice of Final Determination:**

Pursuant to Section 5.8 of the RFP, the successful Offeror of the RFP #EC-2019 is Truenorth. Accordingly, and as per Section 3.3.6 of the RFP, you are hereby notified of said selection and ASES' intent to award said Offeror a three-year contract under this RFP for all enrollment counselor services, namely, the Web-Based Application, Provider Search Portal, Call Center Services and On-Site Choice Counselor services, in the terms stated in Truenorth's final offer of June 5, 2019, and in general terms, as follows:

	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>
<b>Total Proposal Costs/Fees</b>	<b>\$3,874,415.00</b>	<b>\$3,559,501.00</b>	<b>\$3,524,921.00</b>
Total Start Up/One Time Implementation Costs	\$288,914.00	NA	NA
Total Cost for Call Center/Choice Counselor Services per Contract Period/Year	\$2,841,422.00	\$2,841,422.00	\$2,841,422.00
Call Center/Choice Counselor Total Cost	\$0.191	\$0.191	\$0.191
Annual Web-based Application Cost	\$744,079.00	\$718,079.00	\$683,499.00

In the event that ASES exercises its option to acquire the Web-Based Application and Provider Search Portal at a later date during the term of the contract, the purchase price will be an amount not greater than \$1,473,420.00, less the licensing fees paid under the contract and the one-time expenses paid under the contract for the development of the Web-Based Application and Provider Search Portal, as itemized by Truenorth on June 7, 2019 (See, Additional Cost Proposal Clarifications).

**WARNINGS REGARDING RECONSIDERATION AND JUDICIAL REVIEW:**

Any Offeror who understands that it has been affected by the final determination of ASES in the adjudication of this RFP may submit to ASES a Petition for Reconsideration within twenty (20) calendar days from the date of the mailing of this notice. This is a jurisdictional term. The petition must comply with the requirements stated in Section 3.3.7.5 of the RFP and be filed at the following addresses:

**Attention of: ASES Executive Director  
Urb. Caribe Sector El Cinco  
1549 Calle Alda  
San Juan, PR 00926-2712**

**Or**

[ecinfo@asespr.org](mailto:ecinfo@asespr.org)

The Offeror seeking the reconsideration of this decision must notify all other Offerors who participated in the RFP with a copy of the Petition of Reconsideration within the same twenty (20) day term to file the petition. This is a requirement of strict compliance. ASES shall consider the Petition for Reconsideration within thirty (30) calendar days of the filing of the petition. ASES may extend said term only once, for an additional term of fifteen (15) calendar days. Failure to consider the Petition for Reconsideration shall be deemed as an outright rejection of the petition and thereafter, shall run the twenty (20) calendar day's term to request a judicial review before the Court of Appeals. If a determination is made in its consideration, the term for requesting judicial review will begin from the date on which a copy of the notification of the decision of ASES was deposited in the mail, resolving the petition.

Likewise, the party adversely affected by a decision on reconsideration filed before ASES, may request judicial review before the Court of Appeals within a jurisdictional period of twenty (20) calendar days from the date of the mailing of notice of the final order or resolution on reconsideration.

Cordially,



Angela M. Ávila Marrero  
Executive Director