



State of West Virginia  
 Department of Administration  
 Purchasing Division  
 2019 Washington Street East  
 Post Office Box 50130  
 Charleston, WV 25305-0130

**Solicitation**

NUMBER
FLC13037

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ROBERTA WAGNER 304-558-0067

RFQ COPY  
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

HEALTH AND HUMAN RESOURCES  
 OIG - OHFLAC  
 408 LEON SULLIVAN WAY  
 CHARLESTON, WV  
 25301-1713 304-558-2026

DATE PRINTED
07/18/2012

BID OPENING DATE: 08/02/2012 BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				ADDENDUM NO. 1		
				THIS ADDENDUM IS ISSUED PER THE ATTACHED.		
0001	1	YR	948-55	CONTRACTOR TO PERFORM NURSES AIDE TRAINING		
				***** THIS IS THE END OF RFQ FLC13037 ***** TOTAL:		

SIGNATURE		TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE	

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**SOLICITATION NUMBER:** FLC13037  
**Addendum Number:** 1

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The purpose of this addendum is to modify the solicitation identified as (“Solicitation”) to reflect the change(s) identified and described below.

**Applicable Addendum Category:**

- Modify bid opening date and time
- Modify specifications of product or service being sought
- Attachment of vendor questions and responses
- Attachment of pre-bid sign-in sheet
- Correction of error
- Other

**Description of Modification to Solicitation:**

To provide answers to all technical questions submitted in accordance with the provisions of the original Request for Quotation (FLC13037) and to extend the bid opening date to 08/02/2012. Bid opening time remains, 1:30 PM EST.

**Additional Documentation:** Documentation related to this Addendum (if any) has been included herewith as Attachment A and is specifically incorporated herein by reference.

**Terms and Conditions:**

1. All provisions of the Solicitation and other addenda not modified herein shall remain in full force and effect.
2. Vendor should acknowledge receipt of all addenda issued for this Solicitation by completing an Addendum Acknowledgment, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.

ATTACHMENT A

**SUBJECT:** FLC13037 - Response to Vendors Solicitation - **ADDENDUM**

	Page 2 2.2
<b>Question 1:</b>	PHD receives payment from the Department of Rehab Services, a division of DHHR for services for CNA testing. (Lakin Hospital, Hopemont Hospital, Jackie Withrow Hospital, various DHHR offices sponsor testing candidates, Dept. of Rehab Services) Is this a conflict?
<b>OHFLAC's comments 1:</b>	It is not unusual for the employer to sponsor their employees, or their potential employees. In accordance with the federal regulation, the LTC facilities are required to pay for this training and testing services. Therefore, this is not considered a conflict.
	2.8
<b>Question 2:</b>	PHD questions the liability of allowing the CNA written exam on the computer. In the event a candidate cheats and allows someone other than his/herself to take the computer based exam and later is placed on the abuse registry, how is PHD held responsible? The ability to verify the candidate's identity has been taken from PHD and yet we are to certify that the actual candidate tested. How can PHD legally verify the identity of the person taking the test and not be liable for a proctor, not employed by PHD?
<b>OHFLAC's comments 2:</b>	Per 42 CFR 483:154(b), the State is permitted to choose this option of delivery. Security measures, such as, proper identification and proctoring of the site by the vendor are required. The vendor must be present any time the nurse aide exam is administered.
	2.10
<b>Question 3:</b>	Define "key employees"
<b>OHFLAC's comments 3:</b>	Key employees are those individuals responsible for the implementation and ongoing maintenance of the services requested.
	2.10.1
<b>Question 4:</b>	Are the evaluators resumes needed once contract is awarded
<b>OHFLAC's comments 4:</b>	Mandatory Requirements 2.10.1 - The vendor shall provide to the Agency for approval the evaluators and instructors resumes, licenses, certifications and all of the other documents prior to providing the services.
	Page 3 2.11
<b>Question 5:</b>	Vendor shall offer unimpeded services to all applicants on an as needed basis, and not cancel the course or services because of low participation. 1) How can the agency dictate this action since no fees or funding comes from this agency? The cost of each exam will have to be maintained on a sliding scale basis causing a hardship on the one or two candidates who choose to attend a site with less than the required number of candidates testing.
<b>OHFLAC's comments 5:</b>	1) This office is federally charged to administer this program/service. (42 CFR 483 <i>et seq.</i> and §§1819(b)(f)(2), 1919(b)(5), and 1919 (f)(2) of Social Security Act) 2) All pricing related to this bid shall be administered on a fixed pay scale and not a sliding scale, with the exception of Project B -Educator the Educator Workshop. Applicants, who attend the 3 <sup>rd</sup> day of this workshop, will be charged a lower fee than those who attend the entire 3 day session.  All services related to the long-term care nurse aide program are under the authority and responsibility of this office (DHHR), including outsourced services (Contracted vendors).

<b>Question 6:</b>	<p>On Page 4: Candidates pre-registered 2 weeks in advance and notified one week prior--this time frame only just works at this point due to difficulties with PHD being able to verify candidates in the State's system.</p> <p>#3 Evaluators are to meet the qualifications of the Criteria--are the current evaluators able to continue? The required training/qualifications (Criteria) would be for only the new evaluators?</p>
<b>OHFLAC's comments 6:</b>	<p>All of the vendor's employees shall meet the qualifications outlined in federal regulations and state standards issued by CMS and this office. Prior to initiating services, all of the vendor's employees, testing sites and workshop sites shall be approved by OHFLAC.</p>
<b>Question 7:</b>	<p>On Page 7: #19 says paper exams the vendor will score the written evaluation answers entered in the evaluation booklets? Contradicts the separate answer sheets</p>
<b>OHFLAC's comments 7:</b>	<p>For the paper test, a separate answer sheet is required.</p>
<b>Question 8:</b>	<p>On Page 8: #20 Monthly reports: a. The number of reports requested is overwhelming. For the first month of contract, 18 different reports are requested per Training Facility. If there are 10 different Training Facilities testing in the first month, 180 different reports would need to be generated. By month 12, if all 130 Training Facilities had tested in the year, 23,400 different reports would need to be generated. PHD requests clarification if this interpretation is incorrect</p>
<b>OHFLAC's comments 8:</b>	<p>The monthly statistical analysis report needs to be compiled and accessible to the agency either by web portal or a method mutually agreeable between the two parties. See below *****</p>
<b>Question 9:</b>	<p>On Page 9: b. Number of reports requested is overwhelming. For first month if all 8 sites tested and with 2 skill raters per site, 48 reports would need to be generated. As per PART 1 General Information 1.1 page 2: Agency is seeking "testing services for Nursing Assistant Program". These reports far exceed what the Agency is requesting for the solicitation, and greatly increase price per exam, again placing an undo hardship on facilities/candidates who must fund the testing process. Please clarify these reports as well if this requirement of the solicitation is misinterpreted.</p>
<b>OHFLAC's comments 9:</b>	<p>See previous comment **** The agency is not requesting 18 or 48 different reports or letters. This information does not necessarily need to be in a separate report/letter. It can be added or incorporated into an existing letter/report used to communicate the testing results to the instructor, like the students' failed test results. Each time an individual test, the program analysis information can be extracted from your database and auto populated into the instructor's program test result letter. This information will only need to be communicated to the programs when the test results are unfavorable that way the program will always know their status prior to the office issuing the "close program notice" due to poor performance.</p>
<b>Question 10:</b>	<p>Edu/Edu For unimpeded services, again, the cost must be configured on a sliding scale, again putting a hardship on the candidates/facilities that/who are required by federal regulation to attend. Seek approval of location of workshop: the workshop has been held at the same location for several years-is it possible that the location will be changed by the Agency?</p>
<b>OHFLAC's</b>	<p>See OHFLAC's comment #6 for additional information. The Educate the Educator</p>

<b>comments 10:</b>	workshops can be conducted anywhere in the State. It is possible that this agency may request that another site be selected, if there is a conflict or the facility is not in good regulatory standings. Refer to OHFLAC's comments #5 regarding fixed pricing. AMAP
<b>Question 11:</b>	Does PHD, LLC, physically have to maintain the proof of: valid CPR, valid First Aid, and criminal background check for all AMAP candidates - OR - is the RN signature that she has it on the request for application enough?
<b>OHFLAC's comments 11:</b>	No, the vendor does not have to physically maintain the documents mentioned above. The RN's signature and verification is sufficient. See OHFLAC's comments # 19 for additional details.
<b>Question 12:</b>	#2, 1) What does the statement "what to expect on the first day of the test" refer to? 2) Where is the orientation training program and do I need to attend it? 3) Is an email to the Agency adequate verification for each facility and RN before sending the tests or allowing the candidate to test via computer?
<b>OHFLAC's comments 12:</b>	1) In the communication literature created by the vendor to the applicant, the vendor explains what the applicant should expect from the vendor, testing requirements, fees, timeframes and personal conduct while at the testing center, etc. 2) The vendor is not required to attend the RN-AMAP orientation. 3) No. The actual RN's signature and the signature date are required.
<b>Question 13:</b>	If the vendor is able to offer this service via computer, the implementation and security process must be explained in their bid. #9 What is a proposed passing score? it has always been 70%
<b>OHFLAC's comments 13:</b>	The minimum passing score remains the same and is set by this agency Page 21 Fee Schedule
<b>Question 14:</b>	Questions the need for this form since no fees or funding comes from this agency?
<b>OHFLAC's comments 14:</b>	The fee schedule form is required and is part of the bidding process.
<b>Question 15:</b>	1) Mandatory Requirements 2.8 RFP page 2, to provide the nursing assistant exam via computer, paper/pencil and oral and the approved medication assistant personnel exam via computer and paper/pencil?  2) Regarding the AMAP exam, since its standard format is computer-based delivery, the addition of a paper/pencil delivery option for all candidates will increase its cost. Making the computer delivery requirements mandatory for nursing assistant exam will add significant cost to the program and, potentially to the nurse aide candidate's travel expenses, especially in cases where there is no computer equipment available at facilities that want to provide same-day testing of the written and skills components of the exams. Also, if equipment is not available at the facility where the nursing assistant wants to test, then the candidate will be forced to travel to the nearest vendor computer-based test site in order to take the exam, most likely on a different day from when they complete their skills exam. Paper/pencil administration of both the written and skills components of the nursing assistant exam at all test sites will support same-day testing and scoring of all nursing assistant exams in all locations throughout the State and provides the State a more consistent and reliable delivery model for each nursing assistant candidate.
<b>OHFLAC's comments 15:</b>	Project C – AMAP, second paragraph – “The vendor shall provide the candidate the option to take the written exam via computer <u>or</u> paper and pencil”. Test deliverables are required two ways, written or orally. The written exam can be administered by computer <u>or</u> by paper and the mechanism used by the vendor is strictly optional.



It is the agency's intent to solicit vendors that can offer the service (computer-base or paper/pencil) cost-efficiently to the candidate. If the vendor can only offer the paper/pencil format efficiently, then respond to the bid proposal mentioning only that deliverable.

**Question 16:**

Mandatory 3.0, Pg.3, to launch the new program within 6 weeks of contract award? This short timeframe does not give the vendor enough time to work with the State to identify and approve test sites, recruit evaluators and approve them, etc. It is common for program launches of this type to require 120 days from the date of the contract execution. Would it be possible to extend the timeframe for launching the examination program(s) accordingly?

**OHFLAC's comments 16:**

Not at this time.

**Question 17::**

1) Project A, Requirement 7: Final Written Evaluation Instruments, pg. 5, can the State explain the need to change the items on the exams on a monthly basis?

2) Would providing randomized forms of the exams to candidates meet this requirement?

**OHFLAC's comments 17:**

1) By rotating the questions monthly, the applicant will not get the same questions if they are required to re-test, as this mentioned in the federal regulation [42 CFR 483.154(b) (iii) and (iv)].

2) Yes.

**Question 18::**

1) Project A, Requirement 15, Registration of Eligible Candidates, pg. 7, can the State elaborate on the vendor's responsibilities regarding what is needed to verify "test eligible" candidates with the Nursing Assistant Program?

2) Can you provide more information about the system that the vendor will need to access the conduct "on-line nursing assistant verification lookup" and how that access will be obtained?

3) Also describe the vendor's responsibilities after the vendor has checked whether the candidate is in the on-line verification look-up system and whether the candidate is listed on the national Sex Offenders Public Registry?

The on-line verification is located on the OHFLAC webpage. The candidate's name and expiration date will be viewable on this site. "Test eligible" candidates will also be listed in this database. However, they will not have a viewable evaluation code/registration number in the box labeled "Eval-code" because they have not successfully passed the competency exam yet.

For the refresher, the candidate's listing will either be expired or due to expire. Exception: If the candidate receives an alternative sanction, they will present your company with a written letter, stating what type of service you will need to provide for them.

**OHFLAC's comments 18:**

If the candidate's listing on the registry has expired it will say so, and the registry will communicate the end date or how long the candidate has to take the refresher course.

Example 1

If the applicant has not tested the screen will read:

**If this applicant took a full NATCEP program:**

*This individual is test eligible until 0/0/2014 and may be employed in a nursing assistant capacity in a certified nursing facility for up to four (4) months prior to successfully completing CEP.*

**If this applicant took a refresher (RF) course or RN/LPN challenge:**

*This individual is test eligible until 0/0/2012; however, he/she is unable to work in a certified nursing facility as a nurse aide until he/she has successfully passed the CEP.*

#### Example 2

If the applicant has successfully passed the test, assigned an eval-code and not on the abuse registry, the screen will read:

*This nursing assistant's registration has expired. This individual is currently not employable as a nursing assistant in a certified nursing facility in the state of West Virginia. This nursing assistant is eligible to apply for re-registration until 0/0/2012.*

*If this nursing assistant does not meet the requirements for re-registration, this nursing assistant is eligible for the Refresher Course Program and CEP until 0/0/2015.*

<p><b>Question 19:</b></p>	<p>1) Project C, Requirement 1, Registration of Eligible Candidates, pg.12, can the State elaborate on the vendor's responsibilities for checking the candidate's background are different than they are for the NAs and why it is acceptable for the vendor to accept a criminal background check?</p> <p>2) Can the State identify the RN who will provide this candidate eligibility information to the vendor?</p>
<p><b>OHFLAC's comments 19:</b></p>	<p>AMAP</p> <p>1) It is the AMAP-RN's responsible to obtain and maintain proof and share this information with the vendor. See OHFLAC's comments #11 for additional details.</p> <p>2) The nurse aide (federal regulation) and the AMAP (state regulation) are governed by two different regulations and are not administered the same.</p> <p>3) Yes, the names of the approved AMAP RNs are maintained by this office.</p>
<p><b>Question 20:</b></p>	<p>OHFLAC will communicate this information to the vendor via email or fax. If the RN is disenrolled, this information will also be communicated to the vendor.</p> <p>Project C, Requirement 8, Final Written Evaluation Instrument, pg., 13, there appears to be a discrepancy in the description of how many items are to be included on the AMAP exam?</p> <p>Each written competency evaluation will consist of 80 questions/items and shall be changed a minimum of monthly to maintain the validity of the test.</p> <p>The agency is asking that the vendor change at least 50 questions, monthly and have a pool of reserve questions to randomly select from.</p>
<p><b>OHFLAC's comments 20:</b></p>	<p>This office is in agreement if the vendor elects to randomize the test forms of the exams, providing the student does not get the same test during retesting on their 2<sup>nd</sup> or 3<sup>rd</sup> attempt and the vendor meets the federal requirements outline in 42 CFR 154 (b)(iii) and (iv).</p> <p>The evaluation shall be designed to be 50 minutes in length with 2 hours of time allotted for completion. The written evaluation will contain four multiple choice answers.</p>
<p><b>Question 21:</b></p>	<p>Project D, Regarding Requirement 1, Registration of Eligible Candidates, pg. 15, – Can the State elaborate on the vendor's responsibilities regarding what is needed to verify that candidates are eligible to take the refresher course? Can you provide information about the system that the vendor will need to access to conduct "on-line nurse assistant verification lookup and how that access will be obtained? Also please describe the vendor's responsibilities after the vendor has checked whether the candidate is in the online verification look-up system and whether the candidate is listed on the national Sex Offenders Public Registry?</p>



See OHFLAC's comments #18 regarding on-line look up.

There are 3 designated checks:

- 1) The Instructor;
- 2) The Vendor; and
- 3) The Agency.

**OHFLAC's  
comments 21:**

If, during any of the check-off points listed above, the applicant's status changes on either of the registries, h/she will be ineligible for their name to be listed as active on the nurse aide registry. Any unresolvable discrepancies discovered by the vendor shall be reported to this office and the applicant will be unable to test until the issue has been resolved.

Discrepancies such as numbers, name changes or misspelled names, etc., the vendor shall obtain a copy of the legal document and forward it to the office, or instruct the applicant or the instructor to provide the office with the required documents needed to make the necessary corrections.

The vendor shall keep the applicant or the instructor informed of their application status at all times.

**Question 22:**

General Terms and Conditions, paragraph 3, Contract Terms, Renewal; Extension, page 29, can the State provide the anticipated date when the contract will be awarded?

**OHFLAC's  
comments 22:**

Due to the complexity of this process, I cannot estimate an award date.

**Question 23:**

In addition, PHD, LLC, is also requesting that the bid closing date be advanced to two weeks

**OHFLAC's  
comments 23:**

Yes. Extension of 14 calendar days, starting from July 19, 2012 with end date of August 2, 2012.

**Question 24:**

PHD, LLC, is also requesting a pre-bid meeting with the member(s) of the Office of Health Facilities Licensure and Certification.

**OHFLAC's  
Comments 24:**

There will be no pre-bid conference

Page 20 -12. Insurance - Are these amounts correct?

**Question 25:  
(New)**

1. For Bodily injury Minimum \$500,000,000 per person and \$1,000,000 per occurrence
2. For property damage Minimum of \$1,000,000 per occurrence
3. Professional liability per our insurance agent, this coverage is not available for a business.

This is for professionals holding a job such as RN, Insurance agents, Doctors

**OHFLAC's  
Comments 25:**

Professional liability insurance is not required for this contract and the dollar amounts mentioned above for bodily injury and property damage is correct.

**ADDENDUM ACKNOWLEDGEMENT FORM**  
**SOLICITATION NO.: FLC13037**

**Instructions:** Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

**Acknowledgment:** I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

**Addendum Numbers Received:**

(Check the box next to each addendum received)

- |   |  |
|---|--|
| <input type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6  |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7  |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8  |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9  |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

NOTE: This addendum acknowledgement should be submitted with the bid to expedite document processing.  
Revised 6/8/2012