

From: Sheets, Mike - Purchasing

Sent: Wednesday, August 28, 2019 1:55 PM

To: Rosen, Bryan D <Bryan.D.Rosen@wv.gov>; Meadows, James D <James.D.Meadows@wv.gov>

Cc: Price, Robert L <Robert.L.Price@wv.gov>; Wagner, Roberta A <Roberta.A.Wagner@wv.gov>;

Whittaker, Frank M <Frank.M.Whittaker@wv.gov>; Totten, Mark L <Mark.L.Totten@wv.gov>

Subject: RE: NEMT Revised emergency purchase request

Bryan,

Your emergency is approved. Please follow emergency purchasing procedures as found in the Handbook and follow up with award documentation within thirty days.

Regards,

Mike

From: Rosen, Bryan D <Bryan.D.Rosen@wv.gov>

Sent: Wednesday, August 28, 2019 7:22 AM

To: Sheets, Mike - Purchasing <William.M.Sheets@wv.gov>; Meadows, James D

<James.D.Meadows@wv.gov>

Cc: Price, Robert L <Robert.L.Price@wv.gov>; Wagner, Roberta A <Roberta.A.Wagner@wv.gov>

Subject: NEMT Revised emergency purchase request

Mike, per our phone conversations please see the revised emergency purchase request related to NEMT. The request has been modified to reflect a 5 month term with a potential 5 month renewal. I have also included the acknowledgement letter from LogistiCare.

Please let me know if you need anything else to make your determination.

Thanks,

Bryan



**STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR MEDICAL SERVICES**

Office of Procurement Services

350 Capitol Street, Room 251
Charleston, West Virginia 25301-3712
Telephone: (304) 558-1700 Fax: (304) 558-4398

Bill J. Crouch
Cabinet Secretary

Cynthia E. Beane
Commissioner

DATE: August 27, 2019

TO: Bryan Rosen
DHHR, Director of Purchasing

FROM: Kelly J. Dowden
Director, BMS Procurement Services

RE: Request for Emergency RFQ for NEMT Services

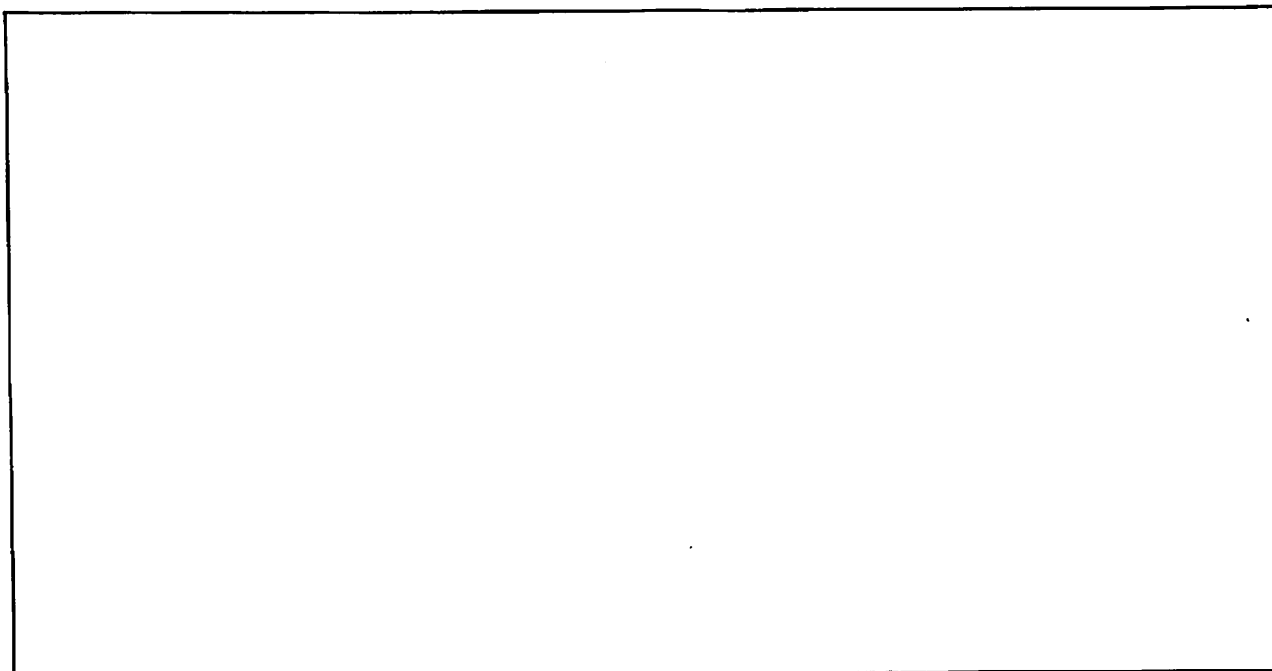
The WV Bureau for Medical Services (BMS) respectfully requests permission to issue an emergency purchase Request for Quotation (RFQ) for procurement of Non-Emergency Medical Transportation services. The current contract in place is CMA BMS18*02 with Logisticare Solutions LLC. The current contract renewal in place expires 05/31/2020. This request is being submitted due to an anticipatory breach of the contract based upon statements by the Logisticare Solutions LLC Chief Executive Officer (CEO) of their intent to stop providing services on current contract in 90 days. The services provided under this contract are critical in nature, and there can be no gap in services between the time that the vendor stops providing services under the terms and conditions of the current contract and the time it will take to conduct a full re-procurement. BMS anticipates the term of the emergency procurement to be five (5) months, which includes a one-month implementation period, with one (1) optional five (5) month renewal. The estimated cost of the emergency procurement is \$30 million dollars. Examples of members utilizing the services in this contract include members receiving dialysis, chemotherapy, and substance use treatment therapy. Thank you for the consideration. Should you need additional information or detail, please contact me at (304) 356-4861.



1276 Peachtree St. NE, 6th Floor, Atlanta, Georgia 30309
 404-888-5800 Toll Free: 800/486-7647 Fax: 404-888-5999

Fax

To:	<u>Michael J. Folio</u>	From:	<u>Carter Pate</u>
Company:	<u>West Virginia HHR</u>	Pages:	<u>2</u> <small>No. of pages including cover page</small>
Fax No:	<u></u>		
Subject:	<u>West Virginia NEMT Program - Termination Notice</u>		
CC:	<u></u>	Date:	<u>08/27/19</u>

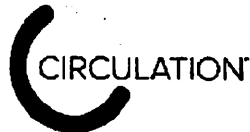


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LogistiCare



Corporate Office

1275 Peachtree Street, Suite 600, Atlanta, Georgia 30309

Office: (404) 888.6800 Facsimile: (404) 888.6999

www.logisticare.com

August 27, 2019

West Virginia Department of Health and Human Resources
Office of the General Counsel
ATTN: Michael J. Folio, Assistant General Counsel
One Davis Square, Suite 100, East
Charleston, WV 25301

RE: West Virginia NEMT Program – Termination Notice

Dear Mr. Folio:

We are in receipt of your August 23, 2019 letter indicating that the West Virginia Purchasing Division has authorized its Department of Health and Human Resources to proceed with an emergency procurement to ensure the provision of Non-Emergency Medical Transportation services go uninterrupted. We further understand that in order for purchasing to proceed with the Emergency Procurement, you will require LogistiCare to document its intent to cease services in West Virginia no sooner than ninety (90) days.

Please allow this correspondence to serve as such, that our West Virginia NEMT operations will cease 90 days from delivery of your letter, on or about November 21, 2019.

As always, we appreciate the efforts offered by you and Cabinet Secretary Crouch to address the material changes imposed on the program since the procurement and guidance was offered. However, as we discussed at length, LogistiCare can no longer finance the ever-growing cost of this increased utilization.

Please do not hesitate to contact me if you need any further information to initiate the emergency procurement process.

Sincerely,

A handwritten signature in black ink that reads "Carter Pate". The signature is written in a cursive, slightly slanted style.

Carter Pate,

Chief Executive Officer