

**EVALUATION COMMITTEE MEETING
COMBINATION INITIAL and FINAL EVALUATION**

**THIRD PARTY ADMINISTRATION OF CONTINUATION OF COVERAGE
FOR COBRA, RETIREE, AND DOMESTIC PARTNER
RFP No. R1223431P1**

Minutes of June 2, 2014 Meeting – 1:30PM

Governmental Center Building, 115 S. Andrews Avenue, Room 430, Fort Lauderdale, FL 33301

Members Present:

Kevin Kelleher, Director, Human Resources Division
Roger Moore, Assistant Director, Risk Management Division
Ismael Martinez, Assistant Director, Family Success Administration

Also Present:

Lisa Morrison, Michael Naftaniel - Human Resources Division
Mitch Cohen – Purchasing Division
Tricia Brissett – County Attorney's Office
Lori Fortenberry – Finance and Administrative Services Department
Jackie Binns – Risk Management

A combination Initial and Final Evaluation Meeting for RFP No. R1223431P1, Third Party Administration of Continuation of Coverage for Cobra, Retiree, and Domestic Partners, was held on Monday, June 2, 2014 in Room 430 of the Governmental Center, 115 S. Andrews Avenue, Fort Lauderdale, FL. Mr. Kelleher, the Evaluation Committee (EC) chair, called the meeting to order at 1:32 p.m.

Mr. Cohen, of the purchasing division, made introductory remarks, which included introducing County staff and stated that the RFP was approved by the Board of County Commissioners on March 18, 2014, Agenda Item 26. At the time of the RFP advertising deadline, 5:00 p.m. on April 28, 2014, there were three submittals.

Mr. Kelleher stated that a quorum was present consisting of Roger Moore, Ismael Martinez, and himself. He then stated the purpose of the meeting was to determine responsiveness, responsibility, and score the firms found to be both responsive and responsible to the requirements of the RFP.

Mr. Kelleher stated the Cone-of-Silence had been in effect since April 4, 2014 and remains in effect. He also outlined Broward County Procurement Code Section 21.84.D, conflict of interest statement. Mr. Kelleher then turned the meeting over to the Purchasing Division to report on their findings about Responsiveness and Responsibility.

Mr. Cohen stated that the advertised Request for Proposals RFP No. R1223431P1 for Third Party Administration of Continuation of Coverage for Cobra, Retiree, and Domestic Partners had four responsiveness requirements involving compliance, including: Domestic Partnership, receipt of a Lobbyist Registration Certification Form, a Certificate of Authority to perform Third Party Administration services from the State of Florida Office of Insurance Regulation, and the submittal of Price Sheets. All of the firms are being recommended to be evaluated as responsive to the Domestic Partnership, the Lobbyist Registration Certification requirements of the RFP. Two of the firms, Payflex Systems USA, Inc. and WageWorks, Inc., are being recommended to be evaluated as responsive to the submittal of Price Sheets as required by the RFP. One firm, Total Administrative Services Corporation (TASC) is being recommended to be evaluated as non-responsive to the submittal of Price Sheets as required by the RFP.

Evaluation Committee Meeting – RFP No. R1223431P1

Meeting of June 2, 2014

Page 2 of 2

All three firms are being recommended to be evaluated as non-responsive to providing a State of Florida Office of Insurance Regulation Certificate of Authority to perform Third Party Administration services for Continuation of Coverage for Cobra, Retiree, and Domestic Partners, as required by the RFP

In the area of responsibility, the RFP did not contain a County Business Enterprise (CBE) participation goal. There were three other areas of responsibility in the RFP concerning financial documentation, litigation history, and evidence with its response that the firm is authorized to transact business in Florida and is in good standing with the Florida Department of State.

All three firms provided the required financial information, the required documentation showing that they are authorized to transact business in Florida, and that they are in good standing with the Florida Department of State as stated in the RFP.

The requirement for litigation history is the disclosure of three years of litigation history. Firms were required to disclose all "material" cases filed or resolved during the last three years. One firm, WageWorks, Inc., met the requirement of disclosure of three years of litigation history as stated in the RFP. Two firms, Payflex Systems USA, Inc. and TASC, were found to have undisclosed cases by the County Attorney's Office but had not provided any information concerning the cases.

The RFP Solicitation document requires proposers to state whether they accept Broward County's Standard Terms and Conditions, or if they do not accept them, to define which contract provisions they cannot accept. One firm, WageWorks, Inc., took exception to some of the County's Standard Terms and Conditions.

Mr. Kelleher moved to the next order of business, determining the responsiveness of the submittals and stated the Procurement Code definition of a "Responsive" proposer. Mr. Kelleher opened the floor to the EC regarding responsiveness. Brief discussion took place clarifying that the three proposers are being recommended as non-responsive by the Director of Purchasing, as none of the proposers has the State of Florida Office of Insurance Regulation Certificate of Authority to perform Third Party Administration services as required by the RFP.

A motion was made by Mr. Moore to find all firms non-responsive, seconded by Mr. Martinez and passed unanimously.

Mr. Kelleher stated that the next item on the Agenda is usually a determination of responsibility; however, since all three of the proposers were found to be non-responsive, the finding of responsibility is not necessary. In view of the determination by the committee, that all three proposers are non-responsive to the requirements of the RFP, Mr. Kelleher asked for a motion recommending to the Director of Purchasing that all proposals be rejected and the project be re-solicited. The motion was made by Mr. Martinez, seconded by Mr. Moore and passed unanimously.

Mr. Cohen explained the process; the Purchasing Division would prepare and present an agenda item for the June 24, 2014 Board meeting date with the Evaluation Committee's recommendation. Mr. Cohen pointed out that while there had been only three respondents to this solicitation, staff has identified a list of firms currently holding the Certificate of Authorization from the State of Florida Department of Insurance regulation and that the effort would be made to ensure they were notified once the solicitation is re-advertised. The Purchasing Division has also begun using Bid Sync, a national web-based system for advertising solicitations, which could also reach a larger pool of qualified firms.

Mr. Kelleher adjourned the meeting at 1:42 p.m.

Minutes submitted by: Mitch Cohen, Purchasing Agent III, Purchasing Division