



RICK SCOTT
GOVERNOR

JUSTIN M. SENIOR
SECRETARY

November 9, 2018

Prospective Vendor(s):

Subject: Solicitation Number: AHCA ITN 003-18/19

Title: Statewide Medicaid Managed Care Program: Managed Medical Assistance Provider Service Network

The Agency received one response titled "Binding Letter of Intent Certification" for the above referenced Invitation to Negotiate (ITN) from **Independent Living Systems, LLC**. The response is rejected as non-responsive.

The requirements for submission of the Binding Letter of Intent Certification were included as part of the ITN in **Attachment A**, Instructions and Special Conditions, **Section B.**, Response Preparation and Content, **Sub-Section 2.**, Mandatory Response Content.

The reasons for the non-responsive determination include:

- **Exhibit A-2-a**, Binding Letter of Intent Certification did not meet the mandatory requirements of the ITN;
- **Exhibit A-2-b**, Provider Service Network Certification of Ownership and Controlling Interest was not submitted; and
- Original Proposal Guarantee in the amount of **\$1,000,000.00** was not submitted.

This Invitation to Negotiate is closed because the Agency has not received a responsive bid from a provider service network to fulfill the requirements of Section 409.974(1), Florida Statutes.

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

NOTICE OF BID/PROPOSALS PROTEST BONDING REQUIREMENT – Pursuant to Section 287.042(2)(c), Florida Statutes, any person who files an action protesting a decision or intended decision pertaining to contracts administered by the department, a water management district, or an agency pursuant to Section 120.57(3)(b), Florida Statutes shall post with the department, the water management district, or the agency at the time of filing the formal written protest a bond payable to the department, the water management district, or agency in an amount equal to 1 percent of the estimated contract amount. For protests of decisions or intended decisions pertaining to exceptional purchases, the bond shall be in an amount equal to 1 percent of the estimated contract amount for the exceptional purchase. The estimated contract amount shall be based upon the contract price submitted by the protestor or, if no contract price was submitted, the department, water management district, or agency shall estimate the contract amount based on factors including, but not limited to, the price of previous or existing contracts for similar commodities or contractual services, the amount appropriated by the Legislature for the contract,



or the fair market value of similar commodities or contractual services. The agency shall provide the estimated contract amount to the vendor within 72 hours, excluding Saturdays, Sundays, and state holidays, after the filing of the notice of protest by the vendor. The estimated contract amount is not subject to protest pursuant to Section 120.57(3), Florida Statutes. The bond shall be conditioned upon the payment of all costs and charges that are adjudged against the protestor in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. In lieu of a bond, the department, the water management district, or agency may, in either case, accept a cashier's check, official bank check, or money order in the amount of the bond. If, after completion of the administrative hearing process and any appellate court proceedings, the department, water management district, or agency prevails, it shall recover all costs and charges which shall be included in the final order or judgment, excluding attorney's fees. This section shall not apply to protests filed by the Office of Supplier Diversity. Upon payment of such costs and charges by the protestor, the bond, cashier's check, official bank check, or money order shall be returned to the protestor. If, after the completion of the administrative hearing process and any appellate court proceedings, the protestor prevails, the protestor shall recover from the department, water management district, or agency all costs and charges which shall be included in the final order or judgment, excluding attorney's fees.

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