

ABOUT CONTRACT MCD07INTERIM

In the first quarter of State Fiscal Year 2023 MCDHH discovered it would not be able to complete all necessary activities for a rigorous successor bid solicitation (request for response or RFR) to our CART Services Contract MCD03. We petitioned Operational Services Division (OSD) for an extension of Contract MCD03 beyond its end date of December 31, 2022. We needed the extension because:

- An upward adjustment in provider (contractor) compensation rates has been proposed and must undergo regulatory review, a process that can require three to four months
- The rates, once approved, must be incorporated into a regulation go through its own approval process including but not limited to public hearings
- Provider compensation rates, as essential terms and conditions of a bid solicitation (request for response or RFR) give CART writers important information that impacts their decision whether or not to apply to the solicitation; it would be premature to release an RFR without final compensation rates
- Once providers are on board with signed contracts key stakeholders such as Commonwealth agencies and MCDHH's Referral Service need lead time to process this information before jobs performed; the purpose of the lead time is, respectively, budget planning and assignment scheduling

OSD, recognizing the validity of our concerns, granted us a request for an additional six months before the successor contract had to begin. In accordance with 801 CMR 21.00, the regulation governing OSD's operations, this period needed to be in the form of an **interim contract** that maintains the exact same terms and conditions as the contract it replaces:

(5) Interim Contracts. An Interim Contract may be used to prevent a lapse of Contract performance in the following circumstances:

(b) Delayed Competitive Procurement. An Interim Contract may be executed with a current Contractor(s) when a new competitive Procurement has been commenced, but due to an unanticipated delay, has not been completed prior to the end of the duration available under the current Contract, as specified in that Contract's original RFR.

An Interim Contract may be used to extend the current Contract(s), under the same terms and conditions, only for the period necessary to complete the competitive Procurement, including the execution of new Contracts.

As a result, MCDHH has created **Contract MCD07INTERIM** and this **RFR / Contract / Procedures** document to guide its use.