Department of Developmental Services

Commonwealth of Massachusetts

Executive Office of Health & Human Services



Overview for New Providers Contracting with DDS

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Welcome!

Thank you for your interest in working with the Department of Developmental Services (DDS). This guide is to provide information to new providers looking to contract with DDS for direct care services.

The initial process of contracting with DDS may seem confusing at times and this guide is broken into topics so that it can be referenced throughout that process.

This guide also includes information related to ongoing requirements for billing, service delivery, licensing, etc., that will become relevant once a new provider has successfully completed the initial process.

If you still have questions after reviewing this document, please contact us at DDSPOSProcurement@mass.gov.

Terms and Acronyms

To begin, there are terms that new providers may not be familiar with, and many are often referenced by an acronym. Below are some terms that will be used throughout the guide and other documents posted publicly:

- **Administrative and Fiscal Qualification Process:** also known as the "pre-qualification" process, is used to evaluate a provider's administrative and financial capabilities to comply with the numerous federal and state administrative requirements surrounding the expenditure of public funds.
- **COMMBUYS:** Commonwealth's web-based procurement system of record managed by the Operational Services Division. More information can be found at: COMMBUYS - /view/login/login.xhtml
- **Enterprise Invoice Management (EIM):** internal system that manages all invoicing and service delivery reporting for DDS.
- **Executive Office of Health and Human Services (EOHHS):** secretariat umbrella that is comprised of 11 agencies and the MassHealth program, one of which is DDS. More information can be found at: Executive Office of Health and Human Services | Mass.gov
- **Operational Services Division (OSD):** state agency responsible for management and oversight of procurement of goods and services along with other regulatory responsibilities. OSD also has oversight responsibility for the Massachusetts Purchase of Services system. More information can be found at: Operational Services Division | Mass.gov
- **Procurement Management Team (PMT**): individuals who review and evaluate proposals submitted by providers in response to an RFR
- **Purchase of Services (POS):** the purchase of human and social services, or direct care services, from providers to assist, maintain, or improve the personal, mental, or physical well-being of clients. More information related to oversight by OSD can be found at: Guidance and Policies Specific to Human and Social Services Providers | Mass.gov
- **Request for Response (RFR)**: official, publicly posted bid specification for goods and services posted to COMMBUYS by state agencies and other public entities.
- **Supplier Diversity Office (SDO):** state agency that works to promote diversity, equity and inclusion in state contracting for small and diverse businesses. More information can be found at: https://www.mass.gov/orgs/supplier-diversity-office-sdo
- **Supplier Diversity Program (SDP):** plan submitted by a provider as part of the RFR review process that commits to a certain of percentage spent with certified small and diverse businesses. More information can be found at: Supplier Diversity Office Programs FAQs (mass.gov)
- **Uniform Financial Statements and Independent Auditor's Report (UFR):** is the set of financial statements and schedules required of human and social service organizations who deliver services to the Commonwealth's vulnerable consumers via contracts with state departments.

Steps of the Initial Contracting Process

Complete the Registration Process for COMMBUYS

New providers seeking to contract with DDS for direct care services must respond to a posted and open RFR on COMMBUYS. To do so, new providers must register in COMMBUYS. It is important that providers keep their COMMBUYS profile up to date and that there is an active email address on file. Notifications about existing RFRs and new opportunities will come from COMMBUYS to that email address. If you are unsure of how to begin the registration process for COMMBUYS, OSD provides support through their Help Desk (OSDHelpDesk@mass.gov or 1-888-627-8283/617-720-3197), job aids, and webcast trainings.

Begin the Administrative and Fiscal Qualification Process

New providers must be financially and administratively qualified by the Commonwealth by completing the prequalification process. It is best to complete this process either before or as you are submitting a proposal to COMMBUYS as the process can delay a proposal review.

This process begins with completing the Contracting Qualification Form and Supplement forms can be found on DDS's contract webpage (DDS Contracts Information | Mass.gov), scroll down to Forms. New providers are encouraged to review these forms and the corresponding instructions to become familiar with the qualification requirements prior to developing an RFR response. The instructions are summarized in Appendix A. Completed forms can be submitted to DDSPOSProcurement@mass.gov.

It is important to note that this process only indicates whether a provider is financially and administratively qualified to do business with the DDS. This status does not entitle a provider to any level of business with DDS. Actual contract awards will be made through the submission of a successful proposal to an RFR posted on COMMBUYS and the specific service authorization processes described in the applicable RFR.

Review open DDS RFRs in COMMBUYS

To find RFRs specific to DDS in COMMBUYS, please see Appendix B for search instructions. DDS releases two types of RFRs: Competitive and Qualified.

Competitive RFRs

DDS seeks to identify one or a limited number of providers to contract with for specific services or programs. A competitive RFR has a specific date which proposals must be submitted, and any proposal submitted after that date will not be evaluated. Proposals submitted by providers are evaluated by the PMT and the provider(s) with the highest score(s) at the end of the evaluation process is awarded the contract(s). All evaluation and scoring criteria are outlined in the RFR so that each respondent has the information needed to prepare a response. Many competitive RFRs require that 25% of the scoring criteria be scored based on a provider's SDP plan submission. New providers should ensure they understand the requirements of the SDP and how it will be scored as part of the review process.

Qualified RFRs

The purpose of Qualified RFRs is to identify multiple providers by establishing a set of criteria that must be met to be approved, such as technical expertise, experience, staffing, location, etc. Qualified RFRs can be either closed or a rolling enrollment.

- Closed: no additional proposals will be considered unless the RFR is reopened.

- Rolling enrollment: providers can submit proposals until the final date noted in COMMBUYS. Proposals submitted to a rolling enrollment RFR after the initial bid opening date are reviewed on quarterly. Appendix C includes details about current rolling enrollment RFRs.

Submit a quote in COMMBUYS

The next step in the process is to respond to an RFR on COMMBUYS. Each RFR specification outlines the requirements of the services, specific questions related to the service, and additional documentation that might need to be submitted as part of the review process. It is important that providers carefully read the requirements of each RFR before submitting a proposal. Some RFRs have minimum requirements that must be met for a proposal to be reviewed. Appendix C also includes some of these minimum requirements for qualified rolling RFRs.

When writing a proposal (also known as a quote or response), providers must make sure to answer each question fully and within the page limit noted in the RFR specification. Many RFRs have a response document posted in the "Forms" folder that must be used when responding. Often, questions in an RFR have multiple parts and each must be clearly and completely addressed. It may be helpful to answer each subsection of a question individually. Providers can use headings like Q1A, Q1B, etc., to clearly define the answer to each subsection of the main question.

Each RFR has different additional documentation requirements. Some RFRs will ask for an organizational chart, key personnel resumes, budget information, etc. Most RFRs require an SDP form submission. More information specific to this topic can be found in Appendix D. It is important to submit all documentation as requested. These additional documents do not need to be included in the same Word response document provided in the RFR, unless specified, but uploaded as attachments. For example, if a provider's organizational chart is in PDF file format and a cut and paste into Word cannot be read, it can be uploaded into COMMBUYS as a separate document, labeled as an organizational chart. If DDS provides a document template that is in Excel, it should be returned to DDS in an Excel file format.

Once the PMT reviews a proposal and a provider is deemed qualified or will be awarded, the provider will sign a Standard Contract Form with DDS. Only providers that have executed a Standard Contract Form with DDS are eligible to accept referrals or to begin services.

For Qualified RFRs, it is important to note that a signed Master Agreement contract does not guarantee a provider a specific level of funding or authorize specific services.

Programmatic and Ongoing Requirements once Contracted with DDS

Authorization of Services and Funding

DDS is organized into four regions (Northeast, Southeast, Metro, and Central West) and within each region, there are several Area Offices responsible for referring and authorizing services for individuals who are eligible for DDS services. Once services are authorized by an Area Office, the Regional Contract Office will provide written authorization to a provider to deliver services. Providers must receive this written notice before delivering services. The most common way this is achieved is through a Service Summary Form (SSF) or Roster. These funding mechanisms acknowledge the regulated payment rate and the number of units of service the region/area anticipates purchasing from the provider in a given fiscal year.

Licensing and Certification

Some programs and services that are provided by contracted and qualified providers may need to be licensed and/or certified by DDS. This process happens **after** the RFR process has been completed. A provider's inability to receive licensing and/or certification approval from the Office of Qualify Enhancement (OQE) will result in the termination of the signed contract with DDS for that service. For more information: DDS Licensure and Certification | Mass.gov

Criminal Offender Record Information and National Background Checks

Employees of contracted providers are subject to Criminal Offender Record Information (CORI) checks as well as fingerprint checks of the state and national criminal history databases in accordance with M.G.L. c. 123B, c.19B, §19 and 115 CMR 12.00: National Criminal Background Checks (NBC). Prior to accepting referrals from the DDS, a provider must ensure that all staff have completed and passed CORI and NBC. Any associated costs are the responsibility of the provider. Additional information is available by contacting the DDS National Criminal Background Check Unit at DDS.NationalBackgroundUnit@mass.gov.

Enterprise Invoice Management System

EIM manages all invoicing and service delivery reporting for DDS. When providing direct care services to individuals served by DDS, a provider must agree to use such web-based services and execute all required Use or Service Agreements required by the Virtual Gateway. A provider must also comply with all applicable Virtual Gateway, DDS, and EOHHS policies and procedures related to such services. This includes policies pertaining to data security and the protection of confidential information. A provider must agree to submit all information as directed by EOHHS or DDS including, but not limited to, invoices, contracts, and other information required by DDS.

Annual Reporting and Qualification Process

Providers with current POS contracts must file a Uniform Financial Statements and Independent Auditor's Report (UFR) with OSD. Documentation must be submitted using OSD's UFR eFiling application annually. DDS cannot continue to financially support contracted providers who do not submit the annual UFR. Other provider qualification/risk management reporting requirements and non-filing consequences published by secretariats or departments may also apply. More information can be found at: Information and Resources on the Uniform Financial Reports | Mass.gov

Appendix A – Instructions for the Administrative and Fiscal Qualification Process for New Providers

While the RFR process evaluates the programmatic capabilities of bidders proposing to provide contracted human services to DDS there are also numerous federal and state administrative requirements surrounding the expenditure of public funds with which the Department and their contracted and subcontracted service provider organizations must comply. This "Qualification" review is used to evaluate the bidder's administrative and financial capabilities to assume these responsibilities and to ensure that various contracting administrative preconditions are fulfilled.

While completion of the provider administrative and financial qualification process for new providers is required before an RFR response uploaded to COMMBUYS can be evaluated; it is a distinct and separate process.

Potential new providers are encouraged to review Guidance and Policies Specific to Human and Social Services including 808 CMR 1.00 Compliance, Reporting and Auditing for Human and Social Services. To familiarize themselves with the State financial reporting requirements, new potential providers should also visit the OSD's website File My Uniform Financial Report (UFR).

FINANCIAL QUALIFICATION FORM INSTRUCTIONS

The following instructions have been structured to be read on a step-by-step basis while completing the PDF Administrative/Financial Pre-Qualification Form. If necessary, please contact DDS for assistance at DDSPOSPROCUREMENT@MASS.GOV

SCOPE OF SUBMISSION

If the potential new provider is in any way associated with an existing organization holding human or social service contracts with any Commonwealth Department, please complete the Supplement to the Administrative/Financial Pre-Qualification Form for each affiliated organization and include the first two pages.

RESPONDING TO (RFR/BID) #

Type in the RFR/BID ID and the name that appears on cover page of BID/RFR. Until an Administrative/Financial Qualification status is assigned, an evaluation team composed of DDS staff, will not review a provider's proposal/quote uploaded to COMMBUYS.

New providers are strongly encouraged to read each RFR/BID carefully as the RFR/BID may have additional standards that respondents must meet in addition to being administratively/financially pre-qualified.

Adult Long Term Residential new providers must be:

1) Unconditionally financially prequalified, and
2) Meet one of the following:
    i) Contracted and licensed by DDS to provide residential services,
    ii) Contracted and licensed by DDS to provide Shared Living, In Home Supports or Community Based Day Supports,
    iii) Special Education Residential School, or
    iv) Residential, group home or shelter provider for another state agency.

Shared Living respondents must be unconditionally financially pre-qualified which requires a financial audit/review by an outside auditor.

I. INFORMATION FOR PRIMARY ORGANIZATION

Primary Organization Name: Enter the name of the primary organization using the legal name. Do not enter the DBA name.

FEIN/TIN: Federal Employer Identification Number – a.k.a. "Tax Identification Number".

Organization Type: Select the applicable category from Non-profit or For-profit

Organization Type - Secondary: Select the applicable category Corporation, LLC, Partnership, Sole Proprietorship, or Other. If you choose Other, provide a description of your organization type.

Organization's Information: Complete all fields:

- Chief Executive or Financial Officer (First and Last Name)
- Chief Executive Officer (First and Last Name)
- Street Address (Number/Street, City, State, Zip)
- Contact Person (First and Last Name) **Type "SAME" if the contact person is the Chief Financial Officer
- Contact Title **Type "SAME" if the contact person is the Chief Financial Officer
- Contact Telephone #
- Contact Email Address

SUBMISSION MATERIALS

A. Required Documentation

This section of documents is required for submission. The information provides proof of your established business and has been in operation for at least three months providing services or has access to financial resources to provide services to DDS individuals.

If any documents are missing, DDS will not be able to review the application.

<u>Documents Required at Submission</u>

a) Federal Employer Identification Number (FEIN) Documentation / W-9

Please enclose documentation of the organization's FEIN (e.g., IRS notification letter) and the W-9 Form.

b) Articles of Organization

The services and activities of the provider must be within the scope allowed by governance documents.

c) Board/Principals Information

- Submit a copy of the most recent Secretary of State, Corporations Division, Annual Report.
- Submit the resumes for principals (e.g., Chief Executive Officer and Chief Fiscal/Administrative Officer) of the organization (and, if applicable, any commonly controlled/affiliated entities). Note that this submission requirement is distinct from any requirements for staff resumes that may appear in the RFR posted on COMMBUYS.

d) Organizational Chart

Potential new providers must submit an organizational chart displaying the overall structure of the organization. New providers should note positions that are vacant on the organizational chart

The information must cover any commonly controlled/affiliate organization, related party, significant subcontract, management service and assignment relationships for all involved entities, not just those

entities directly providing contracted services to the Commonwealth. This requirement is distinct from any RFR requirements that may call for the submission of programmatic organizational structure information as part of the RFR response.

B. Financial Documentation

Has your organization been in business for 12 months or more?

- Include how long the organization has been providing services
  - Submit Tier 1 documentation: A copy of the most recently completed financial statements and the fiscal year-end date. Providers seeking an Unconditional Financial Qualification status must submit electronically financial statements completed by an outside auditor/accountant.
  - Submit Tier 2 documentation: Line of Credit, or Financial and Assets for the last 3 months in the Name of the Organization, e.g., bank statements, P&L statements, assets reports, etc. Statements must demonstrate that the new provider has a history of processing transactions for services (income received and covering cost of providing service) and has sufficient financial resources to cover the cost of services for at least three months. Please note: DDS will not accept personal bank statements, etc., as evidence of the financial strength of a new organization.

II. RELATED PARTY DISCLOSURE CERTIFICATION

OSD regulations (808 CMR 1.04(4)) and state law require prior notification to OSD and purchasing agencies of related party arrangements. OSD Related Party regulations follow FASB 57 standards, which very broadly define "control" to include indirect control and situations where inter-organizational transactions may be absent. The regulatory definition of "related parties" is substantially broader than the approach commonly used by organizations for IRS tax purposes and failure to comply with prior disclosure requirements may result in payment penalties or other action. Guidance materials appear in the OSD/UFR package, which may be obtained, along with the regulations, from the OSD website at File My Uniform Financial Report (UFR).

III. FEDERAL DISCLOSURE, TAX AND OTHER COMPLIANCE CERTIFICATION

The representative formally authorized to execute contracts with the Commonwealth must complete this certification by signing in the Authorized Signature field. If you have any questions regarding the certification requirement, please contact the Department. Note that purchasing agencies are barred by statute from contracting with entities that are out of compliance with tax filing and payment requirements. If your organization falls out of compliance with tax filing and payment requirements while it is contracting with the Commonwealth, purchasing agencies may have no legal alternative to immediate contract termination.

SUPPLEMENTAL FORM TO FINANCIAL QUALIFICATION FORM

This Form is used to record information for any child/affiliate POS contracting organizations (e.g., subsidiaries) included in the qualification review. See Section I. Information for Primary Organization for completion guidance.

The completed forms and required backup documentation should be emailed to: DDSPOSPROCURMENT@mass.gov.

OTHER INFORMATION

Review and Assignment of Financial Qualification Status for New POS Providers

The Department's qualification staff will review the submission for financial/administrative conditions and other risk factor issues and assign one of the following statuses:

- **Limited Qualification**: The organization, including affiliates, has provided limited information. The limited status will impact a new provider's ability to be considered to provide specific services. Statuses include:
    - Limited up to $100,000, or
    - Limited up to $250,000
- **Unconditional Qualification**: The organization is in satisfactory financial condition and no audit or other restrictions apply
- **Not Financially Qualified**: The organization has not met qualification requirements, or the materials were fundamentally incomplete.

DDS will complete the review and assignment of status in three weeks once a complete package is received. A DDS representative will email written notice of the assigned status to the provider and the DDS Procurement staff. If a provider emails an incomplete package, the Department will not be able to review the submission, and the Not Financially Qualified status will be assigned. The provider can resubmit at a later date.

Review and Assignment of Status for New Providers

Proposals uploaded by potential new providers will not be evaluated until the provider is administratively/financially prequalified. If the BID/RFR is a competitive procurement, this may disqualify a new provider.

What happens if information changes after the provider has been qualified?

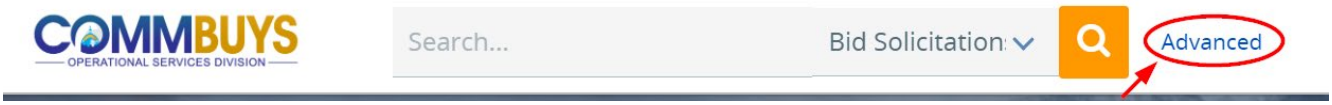
A qualification status remains valid for twelve months from the date of notification.

Click Here to return the section about the pre-qualification process.

Appendix B – Searching COMMBUYS for DDS RFRs

Head to COMMBUYS.

Using the search bar found at the top of the page, click on “Advanced.”

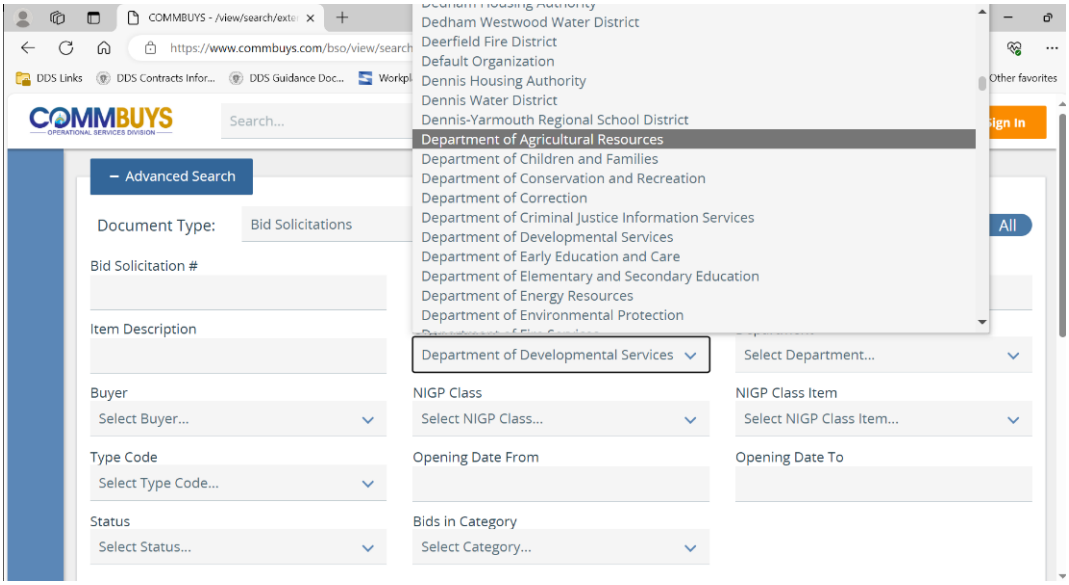


Next, select “Bid Solicitations” from the Document Type menu.

The Advanced Search page will open and provide several fields to narrow a search by.

In the “Organization” field, select “Department of Developmental Services.” This will limit the search to only DDS posted RFRs.

If you know a keyword or the name of the RFR, you can add keywords/name of the RFR in the “Description” field to further narrow results.



[Click Here to return to the section about reviewing open RFRs.]

[Click Here to return to the section about submitting a quote in COMMBUYS.]

Appendix C – Qualified Rolling Enrollment RFR Information

DDS has several qualified rolling enrollments RFR for services. Below is a list that includes the RFR name, COMMBUYS link, and other information that may be helpful.

ALTR-24: Adult Long Term Residential Services
COMMBUYS Link: COMMBUYS - Bid Solicitation
A note about this RFR:
To submit a response to ALTR-24, "the bidder must meet at least one of the following:

1) Contracted and licensed by DDS to provide residential services
2) Contracted and licensed by DDS to provide Shared Living, In Home Supports, or Community Based Day Supports
3) Special Education Residential School
4) Residential, group home, or shelter provider for another state agency."

This language is taken from the ALTR-24 Specification, Section 1.0, Procurement Scope and Description, page 5.

If a new provider does not meet one of the four (4) minimum qualifications noted above because they do not have the experience required, the submitted proposal will not be reviewed. It may be helpful for new providers to explore other DDS opportunities.

AT-25: Assistive Technology
COMMBUYS Link: COMMBUYS - Bid Solicitation

EMPDAY-20: Employment and Day Services
COMMBUYS Link: COMMBUYS - Bid Solicitation

ILS-27: Independent Living Supports
COMMBUYS Link: COMMBUYS - Bid Solicitation

RSM-25: Remote Supports and Monitoring
COMMBUYS Link: COMMBUYS - Bid Solicitation
A note about this RFR:
New providers to these services must be qualified and hold current contracts with DDS for one of the following:

ALTR (3153)
Shared Living (3150)
In-Home Supports (3798)
Individualized Home Supports (3703)
Employment Supports (3168)

This language is taken from the RSM-25 specification, Section 1.0 Procurement Scope and Description, page 5.

If a new provider does not meet one of the five (5) minimum qualifications noted above because they do not have the experience required, the submitted proposal will not be reviewed. It may be helpful for new providers to explore other DDS opportunities.

SL-25: Shared Living (Placement Services)

COMMBUYS Link: COMMBUYS - Bid Solicitation

A note about this RFR:

For a proposal submitted to SL-25 to be considered, the agency must be "assigned an Unconditional Status" as part of their Administrative and Fiscal Qualification Process. This language is taken from the SL-25 Specification, Section 1.8, Anticipated Expenditure, Funding or Compensation for Expected Duration, page 8.

It is important to start the pre-qualification process early if your agency wants to submit a proposal to SL-25. Some newer agencies might not receive an Unconditional Status but instead, a Limited Status. In these cases, it may be helpful for new providers to explore other DDS opportunities.

SSQUAL-23: Support Services Qualification

COMMBUYS Link: COMMBUYS - Bid Solicitation

SuppDay-26: Supplemental Day Support Services

COMMBUYS Link: COMMBUYS - Bid Solicitation

A note about this RFR:

Section 1.0, Procurement Scope and Description, page 2, notes that, "*New providers seeking to be qualified to provide any of the support services include in this RFR/BID, will be required to show documentation that organization is approved by MassHealth to provide the specific service/s.*"

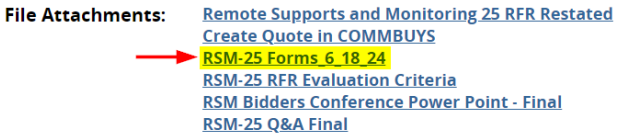
Click Here to return to the section about reviewing open RFRs.

Appendix D – SDO and SDP submission requirements

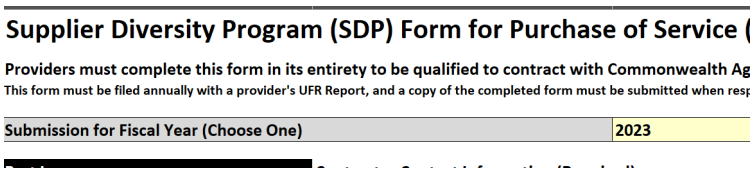
Providers bidding on DDS POS RFRs are required to make a meaningful financial commitment ("SDP Commitment") by partnering with one or more certified or recognized diverse business enterprises or non-profit organizations by the Supplier Diversity Office.

Depending on the type of RFR, competitive vs qualified, the SDP submission is scored differently. For many of DDS's qualified RFRs, the SDP submission is scored as either a 0 or 1. A score of 1 is mandatory to be deemed qualified under the RFR. To obtain a score of 1, a provider must complete all necessary parts of the form. For competitive RFRs, SDP submissions count as 25% of a provider's potential score. For example, if the total evaluation score is 100 points, 25 of those points is based on the SDP submission. It is very important to pay attention to how the SDP submission will be scored.

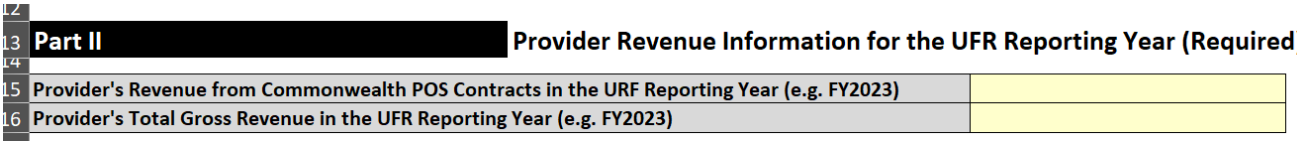
Each RFR that requires an SDP submission will include the SDP form in the "Forms" folder in COMMBUYS. Providers must use this form rather than an older version and the form must be submitted as an Excel file.



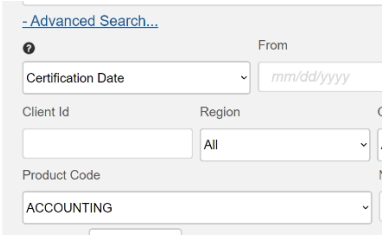
For new providers, some parts of the SDP form might be confusing. For example, at the top of the form, it asks for the "Submission for Fiscal Year." For current providers, this form is submitted as part of the UFR process. New providers should put in the year they are submitting the bid proposal.



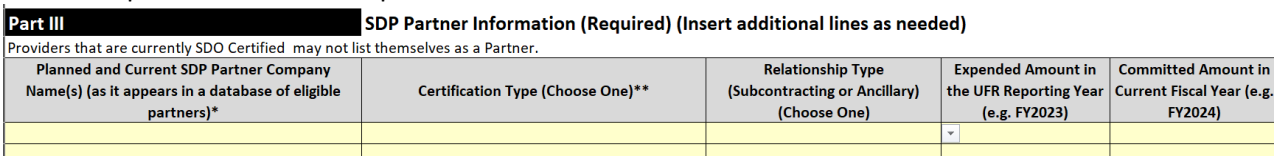
Part II of the form requires input of two revenue figures, which new providers may not have. New providers should estimate their revenue for the contract and input that dollar amount into both fields.



Part III requires a provider to list partners they will be working with to meet their financial commitment. SDO has a Directory of Certified Businesses to find certified partners. When searching, click on the Advanced Search option for additional search criteria. In particular, "Product Code" is useful to narrow down certified businesses to services you might need.



On the SDP form, new providers that do not have current spend should fill out all columns except the "Expended Amount" (past spend). The "Committed Amount" column should be completed with an estimation of future spend with a certified partner.



Click Here to return to the section about submitting a quote to an RFR.