**REQUEST FOR PROPOSALS FOR**

**MEDICAL EXAMINATIONS**

**ISSUING OFFICE**

**PENNSYLVANIA OFFICE OF ATTORNEY GENERAL**

**RFP NUMBER**

**RFP PE102021**

**DATE OF ISSUANCE**

**OCTOBER 28, 2021**

**REQUEST FOR PROPOSALS FOR**

**RFP PE102021**

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**CALENDAR OF EVENTS**

The Commonwealth will make every effort to adhere to the following schedule:

|  |  |  |
| --- | --- | --- |
| **Activity** | **Responsibility** | **Date** |
| Deadline to submit Questions via email to:Alecia Peddigree: apeddigree@attorneygeneral.gov | Potential Offerors | November 1, 20213:00 p.m. |
| Answers to Potential Offeror questions posted to the PAOAG website at [www.attorneygeneral.gov/Procurement/](http://www.attorneygeneral.gov/Procurement/) no later than this date. | Issuing Office | November 2, 20213:00 p.m. |
| Please monitor website for all communications regarding the RFP. [www.attorneygeneral.gov/Procurement/](http://www.attorneygeneral.gov/Procurement/)  | Potential Offerors | ONGOING |
| Electronic proposal must be received by the Issuing Office at:**Mrs. Alecia D. Peddigree****apeddigree@attorneygeneral.gov** | Offerors | November 4, 20215:00 p.m. EST |

**PART I**

**GENERAL INFORMATION**

1. **Purpose.** This request for proposals (RFP) provides to those interested in submitting proposals for the subject procurement (“Offerors”) sufficient information to enable them to prepare and submit proposals for the Pennsylvania Office of Attorney General’s (“PAOAG”) consideration on behalf of the Commonwealth of Pennsylvania (“Commonwealth”) to satisfy a need for Medical Examinations (“Project”). This RFP contains instructions governing the requested proposals, including the requirements for the information and material to be included; a description of the service to be provided; requirements which Offerors must meet to be eligible for consideration; general evaluation criteria; and other requirements specific to this RFP.
2. **Issuing Office.** ThePAOAG (“Issuing Office”) has issued this RFP on behalf of the Commonwealth. The sole point of contact in the Commonwealth for this RFP shall be:

**Alecia D. Peddigree, Issuing Officer**

**Office of Attorney General**

**14th Floor Strawberry Square**

**Harrisburg, PA 17120**

**apeddigree@attorneygeneral.gov**

Please refer all inquiries to the Issuing Officer.

1. **Overview of Project.** This RFP provides interested Offerors with sufficient information to enable them to prepare and submit proposals for consideration by the PAOAG for the medical examination and testing services of employees and applicants**.**

1. **Type of Contract.** It is proposed that if the Issuing Office enters into a contract as a result of this RFP, it will be a Firm, Fixed Pricecontractcontaining the Contract Terms and Conditions as shown in **Part VI**. The Issuing Office, in its sole discretion, may undertake negotiations with Offerors whose proposals, in the judgment of the Issuing Office, show them to be qualified, responsible and capable of performing the Project.
2. **Rejection of Proposals.** The Issuing Office reserves the right, in its sole and complete discretion, to reject any proposal received as a result of this RFP.
3. **Incurring Costs.** The Issuing Office is not liable for any costs the Offeror incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of the contract.
4. **Questions & Answers.** If an Offeror has any questions regarding this RFP, the Offeror must submit the questions by email **(with the subject line “RFP PE102021 Question”)** to the Issuing Officer named in **Part I,** **Section I-2** of the RFP. If the Offeror has questions, they must be submitted via email **no later than** the date indicated on the Calendar of Events. The Offeror shall not attempt to contact the Issuing Officer by any other means. The Issuing Officer shall post the answers to the questions on the PAOAG website by the date stated on the Calendar of Events**.** An Offeror who submits a question *after* the deadline date for receipt of questions indicated on the Calendar of Events assumes the risk that its proposal will not be responsive or competitive because the Commonwealth is not able to respond before the proposal receipt date or in sufficient time for the Offeror to prepare a responsive or competitive proposal. When submitted after the deadline date for receipt of questions indicated on the Calendar of Events, the Issuing Officer *may* respond to questions of an administrative nature by directing the questioning Offeror to specific provisions in the RFP.  To the extent that the Issuing Office decides to respond to a non-administrative question *after* the deadline date for receipt of questions indicated on the Calendar of Events, the answer must be provided to all Offerors through an addendum.

All questions and responses as posted on the PAOAG website are considered as an addendum to, and part of, this RFP in accordance with RFP **Part I, Section I-10.** Each Offeror shall be responsible to monitor the PAOAG website for new or revised RFP information. The Issuing Office shall not be bound by any verbal information nor shall it be bound by any written information that is not either contained within the RFP or formally issued as an addendum by the Issuing Office. The Issuing Office does not consider questions to be a protest of the specifications or of the solicitation. The required protest process for Commonwealth procurements is described on the PAOAG website.

1. **Addenda to the RFP.** If the Issuing Office deems it necessary to revise any part of this RFP before the proposal response date, the Issuing Office will post an addendum to the PAOAG website. It is the Offeror’s responsibility to periodically check the website for any new information or addenda to the RFP. Answers to the questions asked during the Questions & Answers period also will be posted to the website as an addendum to the RFP.
2. **Response Date.** To be considered for selection, electronic copies of proposals must arrive at the Issuing Office on or before the time and date specified in the RFP Calendar of Events. The Issuing Office will reject late proposals.
3. **Proposal Requirements.**

**A. Proposal Submission:** To be considered, Offerors should submit a complete response to this RFP to the Issuing Office, using the format provided in **Section I-11B**, providing a single electronic proposalwith separate files **for the Technical Submittal.** The electronic submission must be provided via email to apeddigree@attorneygeneral.gov in PDF format. Each email shall be no larger than 20MB. If the submission is larger than 20MB, the Offeror may submit up to four (4) emails and must number them 1 of X, etc, so that the Commonwealth can ensure it receives the entire submission. The Commonwealth will send an email response acknowledging receipt of the submission.

The email should clearly identify the Offeror and include the name and version number of the virus scanning software that was used to scan the PDF file(s) before it/they were sent. The Offeror shall make no other distribution of its proposal to any other Offeror or Commonwealth official or Commonwealth consultant.  Each proposal page should be numbered for ease of reference.  An official authorized to bind the Offeror to its provisions must sign the proposal. If the official electronically signs the **Proposal Cover Sheet** (**Appendix** **A** to this RFP) or signs and scans it, the requirement will be met.  For this RFP, the proposal must remain valid for **120** days or until a contract is fully executed.  If the Issuing Office selects the Offeror’s proposal for award, the contents of the selected Offeror’s proposal will become, except to the extent the contents are changed through Best and Final Offers or negotiations, contractual obligations.

Each Offeror submitting a proposal specifically waives any right to withdraw or modify it, except that the Offeror may withdraw its proposal by email notice to apeddigree@attorneygeneral.gov prior to the exact hour and date specified for proposal receipt.  An Offeror may modify its submitted proposal prior to the exact hour and date set for proposal receipt only by submitting a clearly identified revised electronic submission marked as “Revised Proposal” which complies with the RFP requirements.

1. **Proposal Format:** Offerors must submit their proposals in the format, including heading descriptions, outlined below. To be considered, the proposal must respond to all proposal requirements. Offerors should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the Proposal.
2. Technical Submittal, in response to **Part III**:
3. Complete, sign and include **Appendix D – Domestic Workforce Utilization Certification**; and
4. Complete, sign and include **Appendix E, Iran Free Procurement Certification Form.**

The Issuing Office reserves the right to request additional information which, in the Issuing Office’s opinion, is necessary to assure that the Offeror’s competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFP.

The Issuing Office may make investigations as deemed necessary to determine the ability of the Offeror to perform the Project, and the Offeror shall furnish to the Issuing Office all requested information and data. The Issuing Office reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Offeror fails to satisfy the Issuing Office that such Offeror is properly qualified to carry out the obligations of the RFP and to complete the Project as specified.

1. **Economy of Preparation.** Offerors should prepare proposals simply and economically, providing a straightforward, concise description of the Offeror’s ability to meet the requirements of the RFP.
2. **Alternate Proposals.** The Issuing Office has identified the basic approach to meeting its requirements, allowing Offerors to be creative and propose their best solution to meeting these requirements. The Issuing Office will not accept alternate proposals.
3. **Discussions for Clarification.** Offerors may be required to make an oral or written clarification of their proposals to the Issuing Office to ensure thorough mutual understanding and responsiveness to the solicitation requirements. The Issuing Office will initiate requests for clarification. Clarifications may occur at any stage of the evaluation and selection process prior to contract execution.
4. **Prime Contractor Responsibilities.** The selected Offeror must perform at least 50% of the total contract value. Nevertheless, the contract will require the selected Offeror to assume responsibility for all services offered in its proposal whether it produces them itself or by subcontract.  Further, the Issuing Office will consider the selected Offeror to be the sole point of contact with regard to all contractual matters.
5. **Proposal Contents.**
6. Confidential Information.  The Commonwealth is not requesting, and does not require, confidential proprietary information or trade secrets to be included as part of Offerors’ submissions in order to evaluate proposals submitted in response to this RFP.  Accordingly, except as provided herein, Offerors should not label proposal submissions as confidential or proprietary or trade secret protected.  Any Offeror who determines that it must divulge such information as part of its proposal must submit the signed written statement described in subsection c. below and must additionally provide a redacted version of its proposal, which removes only the confidential proprietary information and trade secrets, for required public disclosure purposes.
7. Commonwealth Use.  All material submitted with the proposal shall be considered the property of the Commonwealth of Pennsylvania.  The Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any proposal regardless of whether the proposal becomes part of a contract.  Notwithstanding any Offeror copyright designations contained in proposals, the Commonwealth shall have the right to make copies and distribute proposals internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.

1. Public Disclosure.  After the award of a contract pursuant to this RFP, all proposal submissions are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P.S. § 67.101, et seq.  If a proposal submission contains confidential proprietary information or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(11) from public records requests. Refer to **Appendix F** of the RFP for a **Trade Secret Confidential Proprietary Information Notice Form** that may be utilized as the signed written statement, if applicable. If financial capability information is submitted in response to Part III of this RFP, such financial capability information is exempt from public records disclosure under 65 P.S. § 67.708(b)(26).
2. **Best and Final Offers (BAFO).**
3. While not required, the Issuing Office reserves the right to conduct discussions with Offerors for the purpose of obtaining “best and final offers.” To obtain best and final offers from Offerors, the Issuing Office may do one or more of the following, in any combination and order:
	* 1. Schedule oral presentations;
		2. Request revised proposals;
		3. Conduct an online auction; and
		4. Enter into pre-selection negotiations.
4. The following Offerors will **not** be invited by the Issuing Office to submit a Best and Final Offer:
	* 1. Those Offerors which the Issuing Office has determined to be not responsible or whose proposals the Issuing Office has determined to be not responsive.
		2. Those Offerors which the Issuing Office has determined in accordance with **Part II, Section II-5** from the submitted and gathered financial and other information, do not possess the financial capability, experience or qualifications to assure good faith performance of the contract.
		3. Those Offerors whose score for their technical submittal of the proposal is less than 75% of the total amount of technical points allotted to the technical criterion.

The Issuing Office may further limit participation in the best and final offers process to those remaining responsible offerors which the Issuing Office has, within its discretion, determined to be within the top competitive range of responsive proposals.

1. The Evaluation Criteria found in **Part II,** **Section II-4**, shall also be used to evaluate the Best and Final offers.
2. Price reductions offered through any online auction shall have no effect upon the Offeror’s Technical Submittal.
3. **News Releases.** Offerors shall not issue news releases, Internet postings, advertisements or any other public communications pertaining to this Project without prior written approval of the Issuing Office, and then only in coordination with the Issuing Office.
4. **Restriction of Contact.** From the issue date of this RFP until the Issuing Office selects a proposal for award, the Issuing Officer is the sole point of contact concerning this RFP. Any violation of this condition may be cause for the Issuing Office to reject the offending Offeror’s proposal. If the Issuing Office later discovers that the Offeror has engaged in any violations of this condition, the Issuing Office may reject the offending Offeror’s proposal or rescind its contract award. Offerors must agree not to distribute any part of their proposals beyond the Issuing Office. An Offeror who shares information contained in its proposal with other Commonwealth personnel and/or competing Offeror personnel may be disqualified.
5. **Issuing Office Participation.** Offerors shall provide all services, supplies, facilities, and other support necessary to complete the identified work, except as otherwise provided in this **Part I, Section I-21**.
6. **Term of Contract.** The term of the contract will commence on the Effective Date and will end three (3) years after the Effective Date, with options for the Issuing Office to extend the contract for two (2) additional one (1) year terms. The Issuing Office will fix the Effective Date after the contract has been fully executed by the selected Offeror and by the Commonwealth and all approvals required by Commonwealth contracting procedures have been obtained. The selected Offeror shall not start the performance of any work prior to the Effective Date of the contract and the Commonwealth shall not be liable to pay the selected Offeror for any service or work performed or expenses incurred before the Effective Date of the contract.
7. **Offeror’s Representations and Authorizations.** By submitting its proposal, each Offeror understands, represents, and acknowledges that:
	1. All of the Offeror’s information and representations in the proposal are material and important, and the Issuing Office may rely upon the contents of the proposal in awarding the contract(s). The Commonwealth shall treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the Proposal submission, punishable pursuant to 18 Pa. C.S. § 4904.
	2. The Offeror has arrived at the price(s) and amounts in its proposal independently and without consultation, communication, or agreement with any other Offeror or potential offeror.
	3. The Offeror has not disclosed the price(s), the amount of the proposal, nor the approximate price(s) or amount(s) of its proposal to any other firm or person who is an Offeror or potential offeror for this RFP, and the Offeror shall not disclose any of these items on or before the proposal submission deadline specified in the Calendar of Events of this RFP.
	4. The Offeror has not attempted, nor will it attempt, to induce any firm or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
	5. The Offeror makes its proposal in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.
	6. To the best knowledge of the person signing the proposal for the Offeror, the Offeror, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last **four** years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as the Offeror has disclosed in its proposal.
	7. To the best of the knowledge of the person signing the proposal for the Offeror and except as the Offeror has otherwise disclosed in its proposal, the Offeror has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Offeror that is owed to the Commonwealth.
	8. The Offeror is not currently under suspension or debarment by the Commonwealth, any other state or the federal government, and if the Offeror cannot so certify, then it shall submit along with its proposal a written explanation of why it cannot make such certification.
	9. The Offeror has not made, under separate contract with the Issuing Office, any recommendations to the Issuing Office concerning the need for the services described in its proposal or the specifications for the services described in the proposal.
	10. Each Offeror, by submitting its proposal, authorizes Commonwealth agencies to release to the Commonwealth information concerning the Offeror's Pennsylvania taxes, unemployment compensation and workers’ compensation liabilities.
	11. Until the selected Offeror receives a fully executed and approved written contract from the Issuing Office, there is no legal and valid contract, in law or in equity, and the Offeror shall not begin to perform.
	12. The Offeror is not currently engaged, and will not during the duration of the contract engage, in a boycott of a person or an entity based in or doing business with a jurisdiction which the Commonwealth is not prohibited by Congressional statute from engaging in trade or commerce.
8. **Notification of Selection.**
	1. **Contract Negotiations.**  The Issuing Office will notify all Offerors in writing of the Offeror selected for contract negotiations after the Issuing Office has determined, taking into consideration all of the evaluation factors, the proposal that is the most advantageous to the Issuing Office.
	2. **Award.** Offerors whose proposals are not selected will be notified when contract negotiations have been successfully completed and the Issuing Office has received the final negotiated contract signed by the selected Offeror.
9. **RFP Protest Procedure.** The RFP Protest Procedure is on the PAOAG website at https://www.attorneygeneral.gov/procurement/. A protest by a party not submitting a proposal must be filed within **seven** days after the protesting party knew or should have known of the facts giving rise to the protest, but no later than the proposal submission deadline specified in the Calendar of Events of the RFP. Offerors may file a protest within **seven** days after the protesting Offeror knew or should have known of the facts giving rise to the protest, but in no event may an Offeror file a protest later than **seven** days after the date the notice of non-seection. The date of filing is the date of receipt of the protest. A protest must be filed in writing with the Issuing Office. To be timely, the protest must be received by 4:00 p.m. on the seventh day.
10. **Use of Electronic Versions of this RFP.** This RFP is being made available by electronic means. If an Offeror electronically accepts the RFP, the Offeror acknowledges and accepts full responsibility to insure that no changes are made to the RFP. In the event of a conflict between a version of the RFP in the Offeror’s possession and the Issuing Office’s version of the RFP, the Issuing Office’s version shall govern.

**PART II**

**CRITERIA FOR SELECTION**

1. **Mandatory Responsiveness Requirements.** To be eligible for selection, a proposal must:
2. Be timely received from an Offeror (see **Part I, Section I-10**); and
3. Be properly signed by the Offeror (see **Part I, Section I-11A);** and
4. **Technical Nonconforming Proposals.** The two (2) Mandatory Responsiveness Requirements set forth in **Section II-1** above (A & B) are the only RFP requirements that the Commonwealth will consider to be *non-waivable.* The Issuing Office reserves the right, in its sole discretion, to (1) waive any other technical or immaterial nonconformities in an Offeror’s proposal, (2) allow the Offeror to cure the nonconformity, or (3) consider the nonconformity in the scoring of the Offeror’s proposal.
5. **Evaluation.** The Issuing Office has selected a committee of qualified personnel to review and evaluate timely submitted proposals. The Issuing Office will notify in writing of its selection for negotiation the responsible Offeror whose proposal is determined to be the most advantageous to the Commonwealth as determined by the Issuing Office after taking into consideration all of the evaluation factors.
6. **Evaluation Criteria.** The following criteria will be used in evaluating each proposal:
7. **Technical:** The Issuing Office has established the weight for the Technical criterion for this RFP as 97 % of the total points.Evaluation will be based upon the following: **certifications of Physicians, number of board certified Physicians available, turnaround time for both scheduling of appointments and report of examination documents submitted to the PAOAG.** The final Technical scores are determined by giving the maximum number of technical points available to the proposal(s) with the highest raw technical score. The remaining proposals are rated by applying the Technical Scoring Formula set forth at the following webpage: [http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/default.aspx](https://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/default.aspx).
8. **Domestic Workforce Utilization:** Any points received for the Domestic Workforce Utilization criterion are bonus points in addition to the total points for this RFP. The maximum amount of bonus points available for this criterion is 3% of the total points for this RFP.

To the extent permitted by the laws and treaties of the United States, each proposal will be scored for its commitment to use domestic workforce in the fulfillment of the contract. Maximum consideration will be given to those Offerors who will perform the contracted direct labor exclusively within the geographical boundaries of the United States or within the geographical boundaries of a country that is a party to the World Trade Organization Government Procurement Agreement. Those who propose to perform a portion of the direct labor outside of the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement will receive a correspondingly smaller score for this criterion. See the following webpage for the Domestic Workforce Utilization Formula:

[http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/RFP\_SCORING\_FORMULA.aspx](https://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/RFP_SCORING_FORMULA.aspx)

1. **Iran Free Procurement Certific**a**tion and Disclosure.** Prior to entering a contract worth at least $1,000,000 or more with a Commonwealth entity, an offeror must: a) certify it is not on the current list of persons engaged in investment activities in Iran created by the Pennsylvania Department of General Services (“DGS”) pursuant to Section 3503 of the Procurement Code and is eligible to contract with the Commonwealth under Sections 3501-3506 of the Procurement Code; or b) demonstrate it has received an exception from the certification requirement for that solicitation or contract pursuant to Section 3503(e).  All offerors must complete and return the Iran Free Procurement Certification form, **(Appendix F, Iran Free Procurement Certification Form),** which is attached hereto and made part of this RFP.  The completed and signed Iran Free Procurement Certification form must be submitted as part of the Technical Submittal.

See the following web page for current Iran Free Procurement list:

[http://www.dgs.pa.gov/businesses/materials%20and%20services%20procurement/procurement-resources/pages/default.aspx#.WDNfJJgo6Ht](https://www.dgs.pa.gov/businesses/materials%20and%20services%20procurement/procurement-resources/pages/default.aspx#.WDNfJJgo6Ht)

1. **Offeror Responsibility.** To be responsible, an Offeror must submit a responsive proposal and possess the capability to fully perform the contract requirements in all respects and the integrity and reliability to assure good faith performance of the contract.

In order for an Offeror to be considered responsible for this RFP and therefore eligible for selection for best and final offers or selection for contract negotiations:

* 1. The total score for the technical submittal of the Offeror’s proposal must be greater than or equal to 75% of the **available technical points**; and

Further, the Issuing Office will award a contract only to an Offeror determined to be responsible in accordance with the most current version of Commonwealth Management Directive 215.9, Contractor Responsibility Program.

1. **Final Ranking and Award.**
2. After any best and final offer process conducted, the Issuing Office will combine the evaluation committee’s final technical scores, the final cost scores, and (when applicable) the domestic workforce utilization scores, in accordance with the relative weights assigned to these areas as set forth in this Part.
3. The Issuing Office will rank responsible offerors according to the total overall score assigned to each, in descending order.
4. The Issuing Office must select for contract negotiations the offeror with the highest overall score.
5. The Issuing Office has the discretion to reject all proposals or cancel the request for proposals at any time prior to the time a contract is fully executed when it is in the best interests of the Commonwealth. The reasons for the rejection or cancellation shall be made part of the contract file.

**PART III**

**TECHNICAL SUBMITTAL**

**III-1. Requirements**

1. The Offeror shall perform medical examinations and medical tests for the PAOAG applicants and employees. **See Appendix B – Medical Test Listing.** **Appendix B shall be attached and submitted to Offeror’s response to this RFP.**
2. The examinations and tests must be performed at the Offeror’s offices or facilities. This RFP will be awarded for work to be done in the Harrisburg Region.
3. Physical examinations should be scheduled within ten (10) business days of requests.
4. The Offeror’s reports shall consist of the following:
	1. The Physician must give the PAOAG a signed summarized statement/report that the individual is capable, or not capable, of carrying out his/her assigned/required duties. The Physician’s report should include the employee’s medical history and any conclusions made by the Physician.
	2. Any OAG Forms, See Attachment C – Office of Attorney General Medical Forms.
	3. The original results of any tests performed.
5. All X-rays will be done on equipment that meets the requirements developed by the National Institute for Occupational Safety and Health for performing chest X-rays of coal miners for coal miners pneumoconiosis. The X-ray development quality standards will also be met.
6. All laboratory tests shall be performed by a facility that is accredited by Federal/State or other appropriate laboratory groups, especially occupational health laboratory accreditation and have a full-time quality control program.
7. If the Offeror is required to perform any test for which a specific price has not been established, the Offeror shall submit the price to the OAG contact person prior to performing the test:

Office of Attorney General

Criminal Law Division

ATTN: Ali Jury

16th Floor, Strawberry Square

Harrisburg, PA 17120

ajury@attorneygeneral.gov

717-787-2082

1. The Office of Attorney General’s Respirator Medical Evaluation Questionnaire required under 29 CFR 1910.134 (See Appendix F) will be provided by the PAOAG to the employee prior to their physical. The employee will bring the completed questionnaire to the physical for review by the attending Physician.
2. If the Offeror also requires the completion of its own medical questionnaire/medical history forms, these forms will be provided by the Offeror to the PAOAG prior to the physical examination or the Offeror will provide it to the employee on the day of the physical examination.
3. If an Offeror utilizes a subcontractor for any required test, said subcontractor must be within a thirty (30) mile radius of the Offerer’s office or facility.

**III-2. Qualifications & Personnel.**

* 1. **General.** In addition to meeting all the requirements and specifications set forth in RFP PE102021, Offerors that perform physical examinations of the PAOAG applicants and/or employees must demonstrate their qualifications by suitable documentation for special requirements as listed below:
	2. **Physicians.** Physicians performing the examinations will be board certified by their respective **organizations** (Doctors of Medicine or Doctors of Osteopathy) and their status shall be current at all times; or board certified in Internal Medicine with documentation of Continuing Medical Educations (CME) in Occupational Medicine. **Physicians Board Certification documentation shall be attached and submitted to Offeror’s response to RFP**.
	3. **Radiologist.** Radiologic interpretation will be done by a “b” reader qualified Physician as **established** by the National Institute of Occupational Safety and Health.
	4. **Training.**
		1. Physicians performing the evaluations must have knowledge, understanding and training that qualify them in properly evaluating the individual’s ability to withstand the work and heat stresses they will be subjected to as result of their work. This includes the psychological stress of emergency response situations which could endanger not only health or life, but also the general population, as well as the understanding of the effects of the increased heat load of various levels of work performed while wearing standard coveralls, protective suits that are lightweight plastic or full body rubberized suits and determine whether an individual is physically capable of handling the additional stress placed on the body by wearing a respirator and/or using an air cylinder.
		2. The Physician must be knowledgeable in interpreting the results of biological tests as they relate to all parameters of the individual’s work.

**III-3 REPORTING**

1. **Potential Offeror Responsibility:** The Potential Offeror, in a timely and accurate manner, will provide the OAG staff written reports it requests regarding physical services provided.

1. Generalized notification of outcome of medical examination. Notifications are required electronically within 3 (three) business days of any physical examinations performed for the OAG.

a. Exception: All drug screening results shall be made within twenty-four (24) hours.

2. Full written reports and all supporting documents are required within 10 (ten) business days of any physical examination performed for the OAG.

a. Exception: All drug screening results shall be made within twenty-four (24) hours.

3. Any complication, loss, or extenuating circumstances that would interfere with this schedule must be reported electronically within twenty-four (24) hours.

1. **Physician Responsibility**: The Offeror shall ensure the Physician promptly submits, to the OAG written reports of all examinations, treatments, and procedures provided pursuant to this Agreement. Potential Offeror and Physician shall use the medical records and report forms provided by the OAG in addition to any other Offeror forms.

1. All reports, electronic and written, shall be made to:

PA Office of Attorney General

Office of Professional Responsibility

ATTN: Erin McAvaney

16th Floor, Strawberry Square

Harrisburg, PA 17120

emcavaney@attorneygeneral.gov

717-787-1073

**III-4. Objections and Additions to Standard Contract Terms and Conditions.**

The Offeror will identify which, if any, of the terms and conditions (contained in **Part VI**) it would like to negotiate and what additional terms and conditions the Offeror would like to add to the standard contract terms and conditions. The Offeror’s failure to make a submission under this paragraph will result in its waiving its right to do so later, but the Issuing Office may consider late objections and requests for additions if to do so, in the Issuing Office’s sole discretion, would be in the best interest of the Commonwealth. The Issuing Office may, in its sole discretion, accept or reject any requested changes to the standard contract terms and conditions. The Offeror shall not request changes to the other provisions of the RFP, nor shall the Offeror request to completely substitute its own terms and conditions for **Part VI**. All terms and conditions must appear in one integrated contract. The Issuing Office will not accept references to the Offeror’s, or any other, online guides or online terms and conditions contained in any proposal.

Regardless of any objections set out in its proposal, the Offeror must submit its proposal, including the cost proposal, on the basis of the terms and conditions set out in **Part VI**. The Issuing Office will reject any proposal that is conditioned on the negotiation of the terms and conditions set out in **Part VI or to other provisions of the RFP as specifically identified above**.

 **PART IV**

**CONTRACT TERMS AND CONDITIONS**

Please see Attached