Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 18(A)(4)

10-02-07

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY

RESOLUTION NO. R-1148-07

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTION OF EXTENDING THE TIME ON THE EXISTING CONTRACT WITH RED TOP D/B/A LOGISTICARE BEYOND AUGUST 17, 2007 THROUGH DECEMBER 31, 2007 ON A MONTH-TO-MONTH BASIS FOR THE CONTINUED PROVISION OF NON-EMERGENCY TRANSPORTATION SERVICES TO MEDICAID BENEFICIARIES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, at the County Commission meeting of July 26, 2007, this Board authorized the County Mayor to administer County business during the period of July 24, 2007 through August 24, 2007 [Agenda Item No. 12A3]; such action(s) taken to be in accordance with the policies and procedures established by the Board of County Commissioners and be submitted to the Board for approval at the County Commission meeting of October 2, 2007,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA, that this Board ratifies the County Mayor's action of extending the time on the existing contract with Red Top D/B/A LogistiCare beyond August 17, 2007 through December 31, 2007 on a month-to-month basis for the continued provision of Non-Emergency Transportation services to Medicaid beneficiaries who are unable to access conventional transit modes.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz, who moved its adoption. The motion was seconded by Commissioner Dennis C. Moss and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman aye
Barbara J. Jordan, Vice-Chairwoman aye

Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of October, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Gerald K. Sanchez

Memorandum

MIAMI-DADE COUNTY

Date: October 2, 2007

Agenda Item No. 18(A)(4)

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ratification of the Extension of the Existing Non-Emergency Transportation Contract with Red Top D/B/A LogistiCare for the Continued Provision of Transportation Services to Medicaid Beneficiaries

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) ratify the County Mayor's action of extending the existing Non-Emergency Transportation (NET) Contract with Red Top D/B/A LogistiCare beyond August 17, 2007 through December 31, 2007, on a month-to-month basis for the continued provision of transportation services to Medicaid beneficiaries who are unable to access conventional transit modes. This is a time extension only and does not require increased expenditure authority.

SCOPE

This time extension for continued NET services has a Countywide impact.

FISCAL IMPACT/FUNDING SOURCE

The cost to continue providing Medicaid NET services beyond August 17, 2007 through December 31, 2007 with LogistiCare is estimated at $2,699,407. Miami-Dade Transit (MDT) will be reimbursed for this cost from the Agency for Health Care Administration (AHCA), the State Medicaid Agency, in monthly allocations. MDT does not charge qualified Medicaid beneficiaries for the trips.

TRACK RECORD/MONITOR

The contractor has been providing safe and reliable Medicaid NET service on behalf of Miami Dade Transit for the past 20 years. During the current Fiscal Year, the contractor has provided 202,606 completed trips with a complaint ratio of 0.83%. The contract monitor for this agreement is Rita Kane, Section Chief, MDT Paratransit Operations.

BACKGROUND

The County is the designated Subcontracted Transportation Provider for Medicaid Non-Emergency Transportation services under an agreement with the State Commission for the Transportation Disadvantaged (CTD). The CTD serves as the statewide managing entity for AHCA, the State Agency legally charged with the provision of Medicaid and Medicaid-related services. The County in turn contracts with LogistiCare to provide the actual transportation services for the County's Medicaid beneficiaries who are unable to access conventional transit modes.

Under federal law, Medicaid recipients are entitled to transportation to and from covered medical services. Until the mid 1980's, the State's Medicaid Office provided individual taxi transportation for Non-Emergency Transportation. In the mid to late 1980's, Miami-Dade County and AHCA entered into an arrangement wherein Medicaid recipients would be transported under a County paratransit contract. MDT managed the program for AHCA; saving AHCA millions of dollars in transportation costs by implementing multi-load efficiencies and effective gatekeeping. MDT charged AHCA for the actual cost of providing the service, plus an administrative fee.

In 2004, AHCA contracted with the CTD to manage the NET program through a fixed monthly allocation. Prior to this AHCA/CTD arrangement, the County was paid by trip, without risk. Under this new AHCA/CTD capitation arrangement, MDT assumed the risk of providing as much service as was required within the allocated amount. In recent years, MDT's allocation has been decreased annually as AHCA reduced funding to the CTD for the program. In State fiscal year 2002-03, Miami-Dade County received $10,546,458. For State fiscal years 2004-05 and 2005-06 the County's allocation was $9,854,372. For the period ending June 30, 2007, the County's allocation was $9,702,218. As of this month, the CTD will be allocating to Miami-Dade County $808,518 per month for the months of July and August 2007; and estimates a monthly allocation of $767,150, for September through December. This results in $3,422,953 for August 17 through December 31, 2007. Any allocation received beyond the amount paid to the contractor is used for administrative costs and to subsidize those users who can ride conventional transit and are given monthly MDT passes. These continued reductions will have a marked impact since MDT has already implemented significant efficiencies to meet historical cuts.

Current funding uncertainties were described to the Board in a memorandum dated August 16, 2007, and explained that these uncertainties since 2004 have lead to several counties' decision to refuse the AHCA/CTD allocation. Specifically Brevard, Broward, Duval, Manatee, Hillsborough, and most recently, Palm Beach County, have seen their subsidies to the Medicaid NET Program increase each year and have, therefore, opted not to provide NET services. In those counties, the State has already assumed this responsibility and they have reported no degradation of service for Medicaid recipients as a result of the transition. In addition, it should be noted that AHCA is implementing a mandated Statewide Medicaid reform which will result in a full transition in the provision of NET services to the State. Medicaid recipients in counties initially designated to implement reform (Broward, Duval, Clay, Baker, Nassau) have already been transitioned to Health Maintenance Organizations (HMO's) for transportation in an effort to consolidate the provision of health care services. AHCA plans to complete Statewide Medicaid reform by 2010. This means that the majority of beneficiaries will have been transitioned to an HMO by 2010 with only those not accepted by an HMO remaining for MDT to provide transportation. HMO's who contract with AHCA in the majority of non-reform counties are also opting to provide transportation so that when reform becomes mandatory; those HMO's will already be in compliance. AHCA is, therefore, reducing the allocation to the CTD to compensate the HMO's for the transportation service. Further, on August 15, 2007, MDT staff was informally advised that AHCA is considering publishing a statewide bid for all non-emergency transportation with a start date of July 1, 2008. In addition, the allocation for January '08 through June '08 for the entire state is expected to be reduced by at least $9 million.

MDT was notified on July 10, 2007 that 15,000 Medicaid recipients in Miami-Dade will be transitioned to HMO's on September 1 with more to follow in January. However, transitioned recipients are generally healthier and require less transportation services than those who will continue transportation service with the County. This drives upward the cost to the County of the remaining Medicaid NET clients while the block allocation is being reduced. For example, a dialysis

patient will require multiple weekly visits to the doctor. These patients will not transition into an HMO provider, but will remain with the County.

The current contract between AHCA and the CTD, which began July 1, 2007, was signed June 29, 2007 and only covers a six-month period. The allocation amount detailed above was not made available to the Counties until July 10, 2007; for the months commencing January 2008, information is not available concerning the levels of State funding. Therefore, there are no County commitments beyond December 2007 to the CTD.

This situation has somewhat hamstrung the County with respect to the existing arrangement with the NET provider, LogistiCare. As previously indicated, the current contract with LogistiCare for Medicaid NET was to expire on August 17, 2007. In anticipation of this, in November 2006, MDT released an Invitation-to-Bid (ITB) for these services. Four responses were received which are currently under review and subject to the State's final determination regarding funding availability for the program. Due to the State program funding uncertainty, a month-to-month extension through December 2007 with LogistiCare was necessary. The terms for this extension are under substantially the same terms of the current contract, with the only change being a cost adjustment to account for a living wage provision not included in the original contract awarded in 2002. The time extension was approved pursuant to Resolution No. 920-07 allowing the Mayor to conduct County business during the Board recess in order to maintain essential activities.

The current contract, TA99-TSP, was awarded in February 2002 for a five year term with a monthly option to renew through August 17, 2007 and included a ceiling of $65.5 million. The contract called for a fee to be paid per trip for the different types of trips that are required. This program fulfills the requirements of the Americans with Disabilities Act (ADA) and allows the county to meet its obligations as the Community Transportation Coordinator/Subcontracted Transportation Provider by providing transportation services to AHCA Medicaid eligible clients.

Award of the subject time extension ensured the uninterrupted provision of NET services to Miami-Dade County Medicaid recipients. It is anticipated that State allocations beginning in January 2008 will again be substantially reduced or may not be funded. Consequently we are not recommending the award of a new contract at this time. Miami-Dade County Transit staff will continue to closely monitor the changes proposed and implemented by AHCA and the CTD and will advise the Board through reports as needed to the Transit Committee of recommended actions in order to adjust to State changes and determinations. In the interim, the County's Medicaid recipients will continue to receive quality NET services from MDT.

It is recommended that the Board ratify this month-to-month contract time extension with LogistiCare from August 17, 2007 through December 31, 2007.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: October 2, 2007

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 18(A)(4)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Memorandum

MIAMI-DADE COUNTY

Date: August 16, 2007

To: George M. Burgess
County Manager

From: Harpal Kapoor
Director, Miami-Dade Transit

Subject: Modification of Contract No. TA99-TSP: Ambulatory and Non-ambulatory Paratransit Services for Miami-Dade County Transit Department

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RECOMMENDATION.

It is recommended that the County Manager approve a modification of the referenced contract for ambulatory and non-Ambulatory paratransit services for Miami-Dade County Transit department. This time only modification is for a period of four and one half (4.5) month from August 17, 2007 through December 31, 2007, on a month-to-month basis for the continued provision of transportation services to Medicaid beneficiaries who are unable to access conventional transit modes.

CONTRACT NUMBER: TA99-TSP

CONTRACT TITLE: Ambulatory and Non-Ambulatory Paratransit Services

DESCRIPTION: The current contract, TA99-TSP, provides public transportation to eligible ambulatory and non-ambulatory Medicaid and/or STS individuals or other individuals as determined by the County, primarily within Miami-Dade County transit service area. The contract was awarded in February 2002 for a five year term with a monthly option to renew through August 17, 2007 and included a ceiling of $65.5 million. The contract called for a fee to be paid per trip for the different types of trips that are required. This program fulfills the requirements of the Americans with Disabilities Act (ADA) and allows the county to meet its obligations as the Community Transportation Coordinator/Subcontracted Transportation Provider by providing transportation services to AHCA Medicaid eligible clients.

George M. Burgees
County Manager
Modification of Contract No. TA99-TPS: Ambulatory and Non-Ambulatory Paratransit Services

CONTRACT AMOUNT	$65,500,000.
MODIFICATION AMOUNT:	$0
NET CONTRACT VALUE:	65,500,000
MODIFICATION NUMBER	Two
USING / MANAGING AGENCY:	Miami-Dade Transit
FUNDING SOURCE:	Miami-Dade Transit (MDT) will be reimbursed for this cost from the Agency for Health Care Administration (AHCA), the State Medicaid Agency, in monthly allocations
CONTRACT TERM:	Sixty Six (66) Months (February 17, 2002 through August 16, 2007).
CONTRACT MEASURES	33% DBE
LIVING WAGE:	Applies in accordance with Ordinance 99-44. This extension reflects an increase in rates per trip in order to comply with the Living Wage Ordinance based on the applicable Consumer Price Index (CPI).
USER ACCESS PROGRAM:	This contract does not include the 2% User Access Program Provisions. This contract is Federally funded
AWARDED VENDOR(S):	Red Top D/B/A LogistiCare
LOCAL PREFERENCE:	Applied in accordance with applicable Ordinance
PROJECT MANAGER:	Rita Kane, Chief Paratransit Operations, Transit

George M. Burgees
County Manager
Modification of Contract No. TA99-TPS: Ambulatory and Non-Ambulatory Paratransit Services

Department.

BACKGROUND:

This time only extension is for a period of four and one half (4.5) month from August 17, 2007 through December 31, 2007, on a month-to-month basis for the continued provision of transportation services to Medicaid beneficiaries who are unable to access conventional transit modes.

On October 23, 2001, via Resolution No. R-1145-01, the Board of County Commissioners (BCC) approved contract TA99-TSP, ambulatory and non-ambulatory paratransit services. This contract provides public transportation to eligible ambulatory and non-ambulatory Medicaid and or STS lindividuals, or other individuals, as determined by the County, primarily within Miami-Dade transit service area. On rare occasions, services are provided to and from other locations outside the Miami-Dade County's transit service area and within the State of Florida. The total contract value approved by the Board is $65,500,000. The original contract is for five (5) years with an original expiration date of February 17, 2007. However, on February 5, 2007, approval by the Manager was granted to extend the contract for six (6) months, time only extension from February 17, 2007 through August 16, 2007.

At this time, Miami-Dade Transit (MDT) is requesting an additional extension in accordance with the Manager's delegated authority for approval to extend the contract beyond August 17, 2007. The new contract period will be from August 17, 2007 through December 31, 2007 and the extension will be on a month-to-month basis. MDT will be reimbursed for this cost from the Agency for Health Care Administration (AHCA), the State Medicaid Agency, in monthly allocations for the additional contract period. This is a time only extension. The contractor is in agreement with the extension.

Approved:

Albert Cortina, Chief Operating Officer
Red Top D/B/A LogistiCare

8/22/07
Date

Approved:

Geroge M. Burgess
County Manager

Date

LogistiCare

1800 Phoenix Blvd, Ste 120
College Park, Georgia 30349

July 11, 2007

Ms. Ruby Hemingway-Adams

Miami-Dade County Transit
Stephen P. Clark Center
111 NW First Street Suite 910
Miami, Florida 33128

Ref: MDTA Non-emergency Medical Transportation Contract

Dear Ms. Adams;

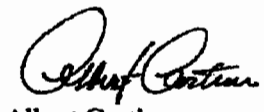
It was a pleasure speaking with you and your staff today. We are providing the following proposal based on your request for an extension of our existing MDTA contract. As you know, LogistiCare has been co-managing this non-emergency Medicaid program with MDTA for over 10 years and in that time we have maximized the use of public transits while applying more dedicated network resources to the most fragile of members served. Although our contract, which began in 2002 has a CPI (consumer price index) clause for annual reviews of operating expenses, we have foregone any discussions in the true partnership spirit, understanding that MDTA is also faced with its own financial challenges, with this as well as the STS program. As you can imagine the operating expenses, particularly fuel prices, have more than tripled since 2002 when the original pricing was put in place, but now that this contract is being extended, we need to make some minor changes in rates to accommodate both LogistiCare as well as our network providers.

Since there are still some unresolved issues surrounding the Living Wage Ordinance, I have provided two rate proposals, one with adherence of the Living Wage Ordinance and one without.

	Proposed Rate w/o Living Wage	Proposed Rate w/ Living Wage
Ambulatory CMH	**$ 11.94**	**$ 13.00**
Ambulatory PPEC	**$ 29.80**	**$ 24.85**
Ambulatory Other	**$ 15.93**	**$ 16.50**
Non-Ambulatory CMH	**$ 22.97**	**$ 28.61**
Non-Ambulatory PPEC	**$ 48.93**	**$ 42.11**
Non-Ambulatory Other	**$ 25.89**	**$ 30.50**
Stretcher	**$ 111,725.00**	**$ 111,725.00**

I hope this meets your request. If you have any additional issues, concerns or questions, please do not hesitate to contact me at 770-907-7596, ext. 457.

Sincerely,



Albert Cortina
Chief Administrative Officer

Cc: Miguel Diaz de la Portilla
Nelson Diaz
Crystal Connor Lane
John L. Shermyen, CEO
Alex Batista, Director of Operations, Miami
Chinta Gaston, Legal Counsel