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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: April 8, 2008

Agenda Item No. 8(O)(1)(B)

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

Resolution No: R-341-08

From: George M. Burgess
County Manager

Subject: Rejection of all Bids Received for Bid No. 8161-0/12: Non-Emergency Transportation Services for Medicaid Beneficiaries

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RECOMMENDATION

It is recommended that the County Manager approve the rejection of all bids received for the referenced solicitation to provide Paratransit Services to Medicaid recipients.

CONTRACT NO:	8161-0/12
CONTRACT TITLE:	Non-Emergency Transportation for Medicaid Beneficiaries
DESCRIPTION:	This contract was solicited to provide Paratransit Services to Medicaid recipients for Miami-Dade Transit
PROJECT MANAGER:	Rita Kane, Miami-Dade Transit
APPROVAL TO ADVERTISE:	November 2, 2006
TERM:	Five years
CONTRACT AMOUNT:	$38,447,052 for five years
FUNDING SOURCE:	Federal funding through the State Commission for the Transportation Disadvantaged (CTD) – Florida Medicaid Non-Emergency Transportation.
METHOD OF AWARD:	An open, competitive Invitation to Bid solicitation was issued. Award was to be made to the responsive, responsible bidder who offered the lowest price for all items in the aggregate.
VENDORS RECOMMENDED FOR AWARD:	None – Recommendation is to reject all bids
VENDORS NOT RECOMMENDED FOR AWARD:	LogistiCare Solutions LLC Transportation Management Group of Florida, Inc. (non-local vendor) Advanced Transportation Solutions, LLC First Transit
USING/MANAGING AGENCY:	Miami-Dade Transit
CONTRACT MEASURES:	No measures due to funding source

LIVING WAGE:	The services being provided are covered under the Living Wage Ordinance.
USER ACCESS PROGRAM:	The 2% User Access Program provision is not included. This contract is federally funded.
LOCAL PREFERENCE:	Local preference does not apply to federally funded contracts.
ESTIMATED CONTRACT COMMENCEMENT DATE:	Not Applicable

BACKGROUND

This replacement contract was being established to furnish non-emergency transportation services, to and from locations within Miami-Dade County's transit service area, for eligible Medicaid beneficiaries residing in Miami-Dade County. In some limited instances, non-emergency transportation services were provided to and from locations outside Miami-Dade County's transit service area.

The funding agreement with the Commission for the Transportation Disadvantaged (CTD) expired on December 31, 2007. This coincided with the current expiration date for the month-to-month extension approved by the Board of County Commissioners (Board) with Logisticare, the existing provider. The State requested that notification of the County's intent to reject the future funding allocation for the period January 1 through June 30, 2008 be provided no later than November 26, 2007. The Board was notified of the expiration of the agreement with the CTD (see attached November 20, 2007 memorandum). Miami-Dade Transit (MDT) complied with the State's request to notify the State of the County's intent to reject the future funding allocation (see attached November 26, 2007 letter). The provider was notified of the County's non-renewal of the agreement with the CTD, and expiration of the County's contract on December 31, 2007 (see attached November 28, 2007 letter).

In August 2007, I reported that responses were under review from a November 2006 Invitation to Bid (ITB) for a new Medicaid Non-Emergency Transportation provider in light of the pending expiration of the Logisticare contract. This ITB went out prior to the most recent funding reductions from the State. In light of the expiration of the funding agreement with the CTD, it is recommended that all bids received in response to the solicitation be rejected without prejudice to the vendor.

On January 1, 2008, LogistiCare began operating the Medicaid transportation service under direct contract with the CTD. MDT worked diligently with LogistiCare to ensure that the County's residents were transitioned in a seamless manner. By contrast, Medicaid beneficiaries in several other Florida counties had their service denied, as those vendors opted to reduce their transportation offerings based on their decreased allocations.

The Agency for Health Care Administration (AHCA) has now decided to abandon any plans to implement Reform in additional counties. However, the five (5) counties where the Reform pilot program was implemented (Baker, Nassau, Clay, Broward and Duval) will remain under that model.

The decision is unclear regarding Miami-Dade County. Though AHCA has pledged to "strengthen the coordinated system" by working with the CTD, they will allow the HMO's in Miami-Dade County who had been providing service in preparation for Reform to continue doing so. Though legislation has been introduced to mandate purchase of transportation through the coordinated system (the CTD), future funding levels for Miami-Dade County remain uncertain.

Though MDT's contractual obligation to the CTD for the provision of Medicaid Transportation ended on December 31, 2007, staff assisted the CTD's new provider in the training and implementation of gatekeeping procedures and accuracy of ridership data to ensure Miami-Dade residents would continue to receive uninterrupted service. As of February 27, 2008, no customer service complaints have been received by MDT or with the CTD.

We will continue to monitor any pending legislation on this issue and work with the CTD in strengthening the coordinated system.

Attachments

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: April 8, 2008

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

SUBJECT: Agenda Item No. 8(O)(1)(B)

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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(1)(B)
04-08-08

RESOLUTION NO. R-341-08

RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO BID NO. 8161-0/12: NON-EMERGENCY TRANSPORTATION SERVICES FOR 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, services requested under this request for proposal are no longer being provided by Miami-Dade County; and

WHEREAS, non-emergency transportation services for Medicaid recipients are now provided by a private company under direct contract to the State; and

WHEREAS, Miami-Dade County no longer requires the services that would have been provided through this bid,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the rejection of all bids received in response to Bid No. 8161-0/12 for the Non-Emergency Transportation Services for Medicaid Beneficiaries.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** 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	**absent**
Dorrin D. Rolle	**aye**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of April, 2008. 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.

Bruce Libhaber

Memorandum

MIAMI-DADE COUNTY

Date: November 20, 2007

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

From: George M. Burgess
County Manager

Subject: Expiration of Agreement with the Commission for the Transportation Disadvantaged to Provide Paratransit Service to Medicaid Recipients

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On August 16, 2007, I communicated to you changes in the funding allocations provided by the State that were affecting this County's ability to continue to act as the managing agency for the provision of Paratransit service to Medicaid recipients. At that time, I advised you of my intent to exercise a month-to-month time extension through December 2007 on the contract with Logisticare, the current transportation provider, while awaiting further news from the State on future funding allocations for this program. Miami-Dade Transit (MDT) staff reached out to each of your offices at that time to discuss the impacts of these changes, and the Board ratified the time extension with Logisticare on October 2, 2007 via Resolution No. R-1148-07.

On November 9, 2007, MDT staff was notified by the State Commission for the Transportation Disadvantaged of the proposed Medicaid Non-Emergency Transportation allocations for the January 1, 2008 – June 30, 2008 time period. As expected, the allocation to Miami-Dade County of $3,365,616 ($560,936 monthly) represents a continued erosion of the funding support required by MDT to adequately provide Paratransit services, with a 28% decrease in funding from the current 6-month period. As such, this memorandum is to inform you of the County's intent to reject the renewal of the contract with the Commission for the Transportation Disadvantaged for this lowered allocation by the State mandated notification deadline of Monday, November 26, 2007.

As you are aware, the County is the designated Subcontracted Transportation Provider under the existing agreement with the Commission for the Transportation Disadvantaged. The Commission for the Transportation Disadvantaged serves as the statewide managing entity for the Agency for Health Care Administration (AHCA), which is the State Agency legally charged with the provision of Medicaid and Medicaid-related services. 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 in transportation costs by implementing multi-load efficiencies and effective management. MDT charged AHCA for the actual cost of providing the service, plus an administrative fee.

In 2004, AHCA contracted with the Commission for the Transportation Disadvantaged to manage the Non-Emergency Transportation program through a fixed monthly allocation. The Commission for the Transportation Disadvantaged, in turn, began to provide a fixed monthly amount to each county. In so doing, AHCA shifted the risks associated with the federal mandate to the Commission for the Transportation Disadvantaged and the counties. Under the fixed allocations, MDT assumed the risk of providing as much service as was required within the allocated amount. Funding for the provision of Paratransit services to Medicaid recipients has been in decline for some time, and MDT has been exemplary in its efforts to find efficiencies to ensure that the provision of this service to our Medicaid residents fell within the declining dollar allocations assigned by the State over the last several years.

However, the County cannot be expected to continue to absorb and subsidize this State function in light of mandatory roll backs and the continually decreasing funding allocation.

As was reported this summer, for the period of July and August, 2007, the Commission for the Transportation Disadvantaged allocated $808,518 per month to Miami-Dade County; for the period of September through December 2007, the monthly allocation was reduced to $764,564, for a total allocation for the current 6-month contract of $4,675,292. With the reduction proposed through the January 1-June 30, 2008 allocation, the State's total Fiscal Year 07-08 Miami-Dade allocation would stand at $8,040,908. This is a marked contrast to the allocation of $10,546,458 received by this County for the State Fiscal Year 02-03. This amount has been eroded over the years and absorbed within MDT (for State FY 04-05 and 05-06, the County's allocation was $9,854,372; for FY 06-07, the allocation was $9,702,216). However, continued reductions in the allocation cannot be absorbed by further efficiencies within MDT for this program.

It should be noted that during the current 6-month period, the number of trips provided has not decreased as promised. In fact, an average of 50 new applications are received weekly by the MDT Paratransit Operations Unit. Prior to September's funding reduction, the County provided an average of 8,702 weekly door-to-door trips for Medicaid recipients. Since September, the County has provided an average of 8,592 weekly door-to-door trips. There is no indication that the demand for trips will be significantly reduced by January 2008 to parallel the 28% funding reduction programmed for this County by January 1, 2008.

Starting January 1, 2008, the cost of meeting current demand is approximately $4,211,518.98 (or approximately $701,919.83 monthly) for a 6-month period; the County would be receiving for that same period $3,365,616 from the Commission for the Transportation Disadvantaged. The County would have to make up the shortfall of approximately $845,902.98 to continue providing the service to our County's Medicaid recipients. This number does not include the additional $14,000 spent monthly on Medicaid bus passes. This is a considerable amount for the County to subsidize for a service that the State, by law, must provide.

As reported in August, due to funding uncertainties since 2004, several counties have already refused the AHCA/CTD allocations. Specifically Brevard, Broward, Duval, Manatee, Hillsborough, and most recently, Palm Beach, have seen their subsidies to the Medicaid Non-Emergency Transportation Program increase each year. Therefore, they too have opted not to provide Non-Emergency Transportation services and the State has already assumed this responsibility in these regions. MDT staff contacted these counties in an effort to ascertain impacts to customers as a result of the transition. These counties have all reported smooth transitions. Miami-Dade Transit will, of course, work closely with the provider selected by the Commission for the Transportation Disadvantaged to ensure a smooth transition for all recipients. Our current provider, LogistiCare, is already the largest provider in the State for non-emergency medical transportation. Should the CTD select LogistiCare as its provider in Miami-Dade County, the migration of recipients and service delivery will be seamless.

AHCA maintains that they intend to publish a statewide bid for all Non-Emergency Transportation services with a start date of July 1, 2008. Hence, regardless of this County's decision on the immediate allocation, the State will eventually force a transition of service. This is part of AHCA's plan to implement a Statewide Medicaid reform by 2010. Certain counties have already been designated to implement this reform (Broward, Duval, Clay, Baker and Nassau) and have already been transitioned to Health Maintenance Organizations (HMO's) for transportation services in an effort to consolidate the provision of health care services. At this time, HMO's who contract with AHCA in

counties not yet subject to reform are already opting to provide transportation so that when reform does become mandatory, those HMO's will already be in compliance.

The current funding agreement with the Commission for the Transportation Disadvantaged expires on December 31, 2007. This coincides with the current expiration date for the month to month extension approved by the Board with Logisticare. As noted above, the State has requested notification of intent to reject the future funding allocation for the period January 1 through June 30, 2008, be received no later than November 26, 2007. In August I reported that responses were under review from a November 2006 Invitation to Bid (ITB) for a new Medicaid Non-Emergency Transportation provider in light of the pending expiration of the Logisticare contract. This ITB went out prior to the most recent funding reductions from the State, and all responses to this ITB will be rejected in light of the current situation after MDT provides the required notice to the CTD on November 26.

The elimination of this function within MDT will also bring some position reductions. An estimated 13-18 filled positions are projected to be impacted. MDT has been working diligently to identify positions for the alternate placement of affected employees. At this time, MDT is assessing the possibility of retaining these employees in a different capacity within the department. For example, some positions will be needed to assist with the expected increase in the sale of bus passes to the State selected provider. In addition, MDT is considering augmenting the function currently being provided in the administration of the Special Transportation Services (STS) program. Additional positions in this area would assist in the provision of a more stringent oversight of STS contract compliance, thereby generating the revenues necessary to fund their positions from liquidated damages and disallowances –functions which, to date, have not been provided due to lack of staff. For all other affected individuals, every effort will be made to accommodate them in other divisions of MDT. The County's Human Resources Department will also assist with the placement of affected employees.

I have directed MDT staff to reach out to each of your offices again over the coming weeks to answer any additional concerns you may have regarding the future of this program. Please do not hesitate to contact me or Harpal Kapoor, MDT Director, if you have any questions.

c: Denis Morales, Chief of Staff, Office of Mayor Carlos Alvarez
Susanne Torriente, Chief Assistant County Manager
Ysela Llort, Assistant County Manager
Harpal Kapoor, Director, Miami-Dade Transit
Miriam Singer, Director, Department of Procurement Management

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Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
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Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraisal
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

November 26, 2007

Dr. J. R. Harding, Chair
Florida Commission for the Transportation Disadvantaged
605 Suwannee Street, MS 49
Tallahassee, FL 32399-0450

RE: Termination of Agreement to serve as Subcontracted Transportation Provider

Dear Dr. Harding:

We are in receipt of the proposed Medicaid allocation for Miami-Dade County beginning January 1, 2008. Miami-Dade's allocation for January 1 through June 30, 2008 represents a 29% reduction from the already steeply cut allotment received from July 1st to December 31, 2007.

Miami-Dade County is home to over 314,000 Medicaid beneficiaries. The County has provided exemplary service for over 20 years. It is with deep sadness that Miami-Dade must now tender a 30-day notice of non-renewal of the subcontracted transportation provider agreement with the Florida Commission for the Transportation Disadvantaged (CTD).

Having made this difficult decision, please be assured Miami-Dade's staff will work diligently with your new subcontracted transportation provider to ensure an efficient transfer of information and data necessary for a smooth and seamless transition.

Miami-Dade County remains deeply committed to Florida's award winning coordinated system and will continue to support the Commission in every way possible.

Sincerely,

Harpal Kapoor
Director

c: Ysela Llort, Assistant County Manager

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Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraisal
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

November 28, 2007

Albert Cortina, COO
LogistiCare
1800 Phoenix Blvd., Suite 120
College Park, GA 30349

RE: Non-Renewal of Medicaid Transportation Agreement

Dear Mr. Cortina:

This letter serves to advise you that Miami-Dade County will not renew the agreement with the Commission for the Transportation Disadvantaged (CTD) to serve as the Subcontracted Transportation Provider for the CTD's Medicaid Non-Emergency Transportation (NET). The agreement with the CTD expires December 31, 2007.

Consequently, Miami-Dade Transit (MDT) will not renew with LogistiCare/Red Top to provide this service, currently under a month-to-month extension, which also expires December 31, 2007.

I want to thank you and your company for the many years of excellent service you have helped us provide to Miami-Dade's Medicaid beneficiaries. I am certain that should the CTD select Logisticare as the new Subcontracted Transportation Provider our residents will continue to benefit from the outstanding quality service you have provided for many years.

Wishing you every success in your future endeavors.

Sincerely,

Harpal Kapoor
Director

c: John Shermyen, CEO
Ysela Llort, Assistant County Manager

Memorandum

MIAMI-DADE COUNTY

Date: August 16, 2007

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

From: George M. Burgess
County Manager

Subject: Agreement with the Commission for the Transportation Disadvantaged to Provide Paratransit Service to Medicaid Recipients

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This memorandum is to inform you of recent changes made by the State that will have an impact on Miami-Dade County's ability to continue in its role as the managing agency for the provision of paratransit service to Medicaid recipients.

Miami-Dade County does not have a mandate to provide Medicaid Non-Emergency Transportation (NET) services. That onus, by federal law, is on the Agency for Health Care Administration (AHCA). The County has been exemplary in its efforts to utilize effective gate-keeping and other efficiencies to ensure the provision of service to our Medicaid residents within the dollar allocations assigned by the State, which have been significantly reduced over the years. The various bus pass programs offered by Miami-Dade Transit (MDT) have also greatly supplemented AHCA's allocation. However, Miami-Dade County cannot be expected to continue absorbing and subsidizing the State's risk and obligation in light of mandatory roll backs and the continuously decreasing AHCA allocation.

Due to the funding uncertainty, MDT is proposing to grant a month-to-month time extension through December 2007 to LogistiCare (the current provider) under substantially the same terms of the current contract which expires August 17, 2007. The only change would be a cost adjustment to account for a living wage provision not included in the original contract awarded in 2002. Granting such an extension will ensure the uninterrupted provision of NET services to Miami-Dade County Medicaid recipients. It is our intent to bring to the Board a ratification of this month-to-month time extension with LogistiCare this fall.

Background

The County is the designated Subcontracted Transportation Provider under an agreement with the 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 managing. 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. The CTD, in turn, provides a fixed monthly amount to each county. In so doing, AHCA shifted the risks associated with the federal mandate to the CTD and the counties.

Prior to the AHCA/CTD arrangement, the County was paid by trip, without risk. Under the 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. 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 $764,564, or $3,058,256, for September through December 2007. These continued reductions will have a marked impact since MDT has already implemented significant efficiencies to meet historical cuts.

Due to funding uncertainties since 2004, several counties have already refused 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. Therefore, they have opted not to provide NET services and the State has assumed this responsibility. We have been in contact with these counties and they report no degradation of service for recipients with the transition. We can expect no less should Miami-Dade County decide to no longer provide NET services. Over 80% of the State's Medicaid beneficiaries live in the four (4) major urbanized areas of the State: Miami-Dade, Hillsborough, Duval, and Orange/Seminole/Osceola. In addition, it should be noted that AHCA is implementing a Statewide Medicaid reform, and MDT staff was informally advised yesterday that AHCA is considering publishing a statewide bid for all NET services with a start date of July 1, 2008. Further, the allocation for January 2008 through June 2008 for the entire State is expected to be reduced by at least $9 million.

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. 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 Commission for the Transportation Disadvantaged to compensate the HMO's for the transportation service. MDT was notified on July 10, 2007 that 15,140 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.

Our 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; for the months commencing January 2008, information is not available concerning the levels of funding. Therefore, there are no County commitments beyond December 2007 to the CTD. As previously indicated, our current contract with LogistiCare for Medicaid Non-Emergency Transportation (NET) will expire 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.

It is anticipated that allocations beginning in January 2008 will again be substantially reduced. Miami-Dade County staff will continue to closely monitor the changes proposed and implemented by AHCA and the CTD and will advise the Board of recommended actions in order to adjust with those changes. In the interim, the County's Medicaid recipients will continue to receive quality NET services from MDT.

Again, it is our intent to bring forth to the Board a ratification of the month-to-month time extension on the contract with LogistiCare by September 2007.

c: Denis Morales, Chief of Staff, Office of Mayor Carlos Alvarez
Susanne Torriente, Assistant County Manager
Ysela Llort, Assistant County Manager
Harpal Kapoor, Director, Miami-Dade Transit
Miriam Singer, Director, Department of Procurement Management

CLERK OF THE BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

IN RE: Non-Emergency Transportation Services for Medicaid Beneficiaries Project (Contract)

FINDINGS AND RECOMMENDATIONS OF HEARING EXAMINER

BACKGROUND

The County Manager recommended the award of the Contract to Transportation Management Group of Florida, Inc. (TMG). LOGISICARE SOLUTIONS LLC, (Petitioner) objected to the award to the corporation, TMG, formed at a later time.

GENERAL PRINCIPLES OF LAW

Under Florida law, a public body has wide discretion soliciting and accepting bids. Its decision, when based on an honest exercise of this discretion, will not be overturned, even if reasonable people may disagree, as long as the public agency acts in good faith.

FINDING

The County could not award the Contract to a non-existing corporation that submitted a bid. This problem could not be, and was not cured, by the corporation being formed at a later time. Because of this finding, it is not necessary to resolve the other issues raised by Petitioner.

RECOMMENDATION

It is the Hearing Examiner's recommendation that the Contract be awarded to Petitioner.

CLERK OF THE BOARD
2007 MAY 30 AM 11:19
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

Michael H. Salmon
Hearing Examiner

MEMORANDUM

TO: Hugo Benitez
Assistant County Attorney

DATE: April 25, 2007

FROM: Kay Sullivan, Director
Clerk of the Board Division

SUBJECT: Bid Protest
Bid No. 8161-0/12
Non-Emergency Transportation Services
For Medicaid Beneficiaries

Pursuant to Section 2-8.4 of the Code and Administrative Order 3-21, Bid Protest Procedures, a bid protest was filed in the Clerk of the Board's office on April 25, 2007. The protest was filed by Geoffrey D. Smith, attorney, representing LogistiCare Solutions, LLC.

A filing fee in the amount of $5,000.00 was submitted with the protest.

A copy of the bid protest, the Department of Procurement's award recommendation and the County Manager's recommendation letters are attached for your review. Upon your direction, I will begin the bid protest procedure.

Thank you for your attention to this matter. If you have any questions pertaining to this protest, please contact Fara C. Diaz at Ext. 1293.

KS:fcd
Attachments

cc: Miriam Singer, Director
Department of Procurement Management

Phil Ford
Procurement Contracting Officer (DPM)

RECEIVED
DEPARTMENT OF
PROCUREMENT MANAGEMENT
07 APR 26 AM 9:02
MIAMI-DADE COUNTY
FLORIDA

15

SMITH & ASSOCIATES
ATTORNEYS AND COUNSELORS AT LAW

April 24, 2007

CLERK OF THE BOARD
Stephen P. Clark Center
17th Floor, Suite 202
111 Northwest First Street
Miami, Florida 33128-1983

By Federal Express Priority Overnight

RE: Bid No. 8161-0/12 - Non Emergency Transportation

Dear Sir/Madam:

We represent LogistiCare Solutions, LLC (LogistiCare) with respect to the referenced ITB. On behalf of LogistiCare and with respect to Bid No. 8161-0/12, enclosed please find the following:

1. LogistiCare's Formal Written Bid Protest;
2. Exhibits 1-15 as referenced in the Formal Written Bid Protest;
3. Filing fee check in the amount of $5,000.00; and
4. Case notebook containing copies of all the cases cited in the Formal Written Bid Protest arranged in the same sequence as they appear in the Formal Written Bid Protest.

We have also served a copy of the Formal Written Bid Protest, Appendix of Exhibits, and the Table of Contents to the case notebook to each of the other bidders.

Sincerely,

Geoffrey D. Smith

Enclosures
c: County Attorney
Advanced Transportation Solutions, LLC
First Transit, Inc.
Transportation Management Group of Florida, Inc.
John Shermyen
Henry Hardy
Chinta Gaston
Albert Cortina
Alex Batista
E.A. Seth Mills

CLERK OF THE BOARD
2007 APR 25 AM 11:18
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

16

2873 Remington Green Circle, Tallahassee, Florida 32308
850-297-2006 Telephone • 850-297-2009 Facsimile
www.smithlawtlh.com

Memorandum

MIAMI-DADE COUNTY

Date:

CLERK OF THE BOARD

2007 APR 23 PM 3:47

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

CLERK OF COUNTY COMMISSIONERS
DADE COUNTY, FLA.
#1

From: George M. Burgess
County Manager

Subject: Approval to Award Contract 8161-0/12: Non-Emergency Transportation Services for Medicaid Beneficiaries

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the award of this contract to provide non-emergency transportation services for Medicaid beneficiaries.

CONTRACT NO: 8161-0/12

CONTRACT TITLE: Non-Emergency Transportation Services for Medicaid Beneficiaries

DESCRIPTION: This replacement contract is being established to furnish non-emergency transportation services, to and from locations within Miami-Dade County's transit service area, for eligible Medicaid beneficiaries residing in Miami-Dade County.

APPROVAL TO ADVERTISE: November 2, 2006

TERM: Five years with no options-to-renew

CONTRACT AMOUNT: $38,447,052.40

USING/MANAGING AGENCIES AND FUNDING SOURCES:

Department	Allocation	Funding Source
Miami-Dade Transit	$38,447,052.40	Florida Medicaid Non-Emergency Transportation (CTD)

PREVIOUS CONTRACT ALLOCATION: $ 65,500,000 for a five year period. Expenditure to date for current contract is $31,827,998. Current contract expires August 16, 2007.

METHOD OF AWARD: To the responsive, responsible bidder who offered the lowest price for all items in the aggregate.

VENDOR(S) RECOMMENDED FOR AWARD: Transportation Management Group of Florida, Inc. (non-local vendor)

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VENDOR(S) NOT RECOMMENDED FOR AWARD:	The following bidders were higher than low: Advanced Transportation Solutions, LLC First Transit LogistiCare Solutions LLC
CONTRACT MEASURES:	35% DBE
LIVING WAGE:	The services being provided are covered under the Living Wage Ordinance.
USER ACCESS PROGRAM:	This contract does not include the 2% User Access Program Provision. This contract is Federally funded.
LOCAL PREFERENCE:	Local Preference was not applied to the solicitation.
PROJECT MANAGERS:	Rita Kane, Miami-Dade Transit Phillip Ford, Department of Procurement Management
ESTIMATED CONTRACT COMMENCEMENT DATE:	After approval by the Board, expiration of the Mayoral veto period and completion of the period stipulated for reconsideration of the approval by the Board.

BACKGROUND

The bid was advertised on the County's website and in five local newspapers: Diario Las Americas, Miami Times, Daily Business Review, Haiti En Marche, and Miami Herald. Two hundred forty six announcements were issued, including electronic messages. Seventy solicitations were downloaded from the Internet, and no bid packages were sold.

This replacement contract is being established to furnish non-emergency transportation services, to and from locations within Miami-Dade County's transit service area, for eligible Medicaid beneficiaries residing in Miami-Dade County. On rare occasions, non-emergency transportation services are provided to and from locations outside Miami-Dade County's transit service area. Contract award is being recommended to the responsive, responsible bidder who offered the lowest price for all items in the aggregate.

Assistant County Manager

Procurement Management
111 NW 1st Street • Suite 1300
Miami, Florida 33128-1974
T 305-375-5289 F 305-375-4407 305-372-6128
miamidade.gov

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2007 APR 23 PM 3:47
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DADE COUNTY, FLA.
#1

ADA Coordination
Agenda Coordination
Animal Services
Art in Public Places
Audit and Management Services
Aviation
Building
Building Code Compliance
Business Development
Capital Improvements
Citizens' Independent Transportation Trust
Commission on Ethics and Public Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Cultural Affairs
Elections
Emergency Management
Employee Relations
Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Services
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraisal
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

Date: April 23, 2007

All Responding Vendors (See Distribution List)

SUBJECT: Invitation to Bid No. 8161-0/12
Non-Emergency Transportation Services for
Medicaid Beneficiaries

Dear Vendors:

Evaluation of bids tendered in response to the above cited solicitation has been completed. The County Manager or designee has recommended award as shown in the attached document.

This notice is provided in accordance with Section 1.12 of the solicitation and Section 2-8.4 of the Code of Miami-Dade County. Our provision of this notice also serves to confirm the lifting of the Cone of Silence from this procurement action as dictated by Section 2-11.1(t) of the County Code.

We appreciate the participation of all vendors who responded to the subject action. If you have any questions please contact me at 305-375-5765 or email: pford@miamidade.gov.

Sincerely,

Procurement Contracting Officer
Department of Procurement Management
Miami-Dade County, Florida

Distribution List: Advanced Transportation Solutions, LLC
First Transit Inc.
LogistiCare Solutions, LLC
Transportation Management Group of Florida, Inc.

Attachment: County Manager Award Recommendation

cc: Clerk of the Board
Bid File

167340

Memorandum

MIAMI-DADE COUNTY

Date: April 4, 2007

To: Susanne M. Torriente
Assistant County Manager

From: Miriam Singer
Director
Department of Procurement Management

Subject: Request to Award Contract No. 8161-0/12: Non-Emergency Transportation Services for Medicaid Beneficiaries

It is recommended that the County Manager approve award of the referenced contract to provide non-emergency transportation services for Medicaid beneficiaries. The contract value over a five-year term is estimated to be $38,447,052.40. This action requires the County Manager's approval to initiate the protest period per Administrative Order 3-38.

This replacement contract is being established to furnish non-emergency transportation services, to and from locations within Miami-Dade County's transit service area, for eligible Medicaid beneficiaries residing in Miami-Dade County. On rare occasions, non-emergency transportation services are provided to and from locations outside Miami-Dade County's transit service area. The existing contract expires August 16, 2007.

The award is being recommended to the responsive, responsible vendor, who offered the lowest price for all items in the aggregate. The Small Business Enterprise (SBE) and Local Preference measures were not applied to the solicitation because the contract is federally funded.

Please review the attached for the County Manager's approval. If you have any questions, please do not hesitate to contact me.

Attachments
Memorandum: Approval to Award Contract No. 8161-0/12
Trend Data

CLERK OF THE BOARD
2007 APR 23 PM 3:47
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

CLERK OF THE BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

IN RE: Non-Emergency Transportation Services for Medicaid Beneficiaries Project (Contract)

FINDINGS AND RECOMMENDATIONS OF HEARING EXAMINER

BACKGROUND

The County Manager recommended the award of the Contract to Transportation Management Group of Florida, Inc. (TMG). LOGISICARE SOLUTIONS LLC, (Petitioner) objected to the award to the corporation, TMG, formed at a later time.

GENERAL PRINCIPLES OF LAW

Under Florida law, a public body has wide discretion soliciting and accepting bids. Its decision, when based on an honest exercise of this discretion, will not be overturned, even if reasonable people may disagree, as long as the public agency acts in good faith.

FINDING

The County could not award the Contract to a non-existing corporation that submitted a bid. This problem could not be, and was not cured, by the corporation being formed at a later time. Because of this finding, it is not necessary to resolve the other issues raised by Petitioner.

RECOMMENDATION

It is the Hearing Examiner's recommendation that the Contract be awarded to Petitioner.

CLERK OF THE BOARD
2007 MAY 30 AM 11:19
CLERK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

Michael H. Salmon
Hearing Examiner