



THE UNIFIED GOVERNMENT OF
ATHENS-CLARKE COUNTY(ACCGov)

DATE: April 25, 2023
TO: Pharmaceutical Providers
SUBJECT: RFP #01121 Pharmacy Benefit Manager

You are invited to submit a proposal to provide a proposal for Pharmacy Benefit Management, for the Benefits and Wellness Division of ACCGov Human Resources.

Inquiries regarding proposals should be made to Jessica Beri, Purchasing Administrator, or Angie Pertee, Senior Buyer, (706) 208-7552 or accbids@accgov.com. Technical questions may be directed to Stephen McKenzie, EPIC Brokers & Consultants at 678-591-1222, or email: stephen.mckenzie@epicbrokers.com with a cc to email: carrie.arnold@epicbrokers.com, irv.morris@epicbrokers.com and Bonni Hall at 706-613-3114 or email: Bonni.Hall@accgov.com.

The estimated range of this project is \$300,000.00.

Attached hereto is the Request for Proposal (RFP) instruction document. The written requirements contained in this (RFP) shall not be changed or superseded except by written addendum from the Unified Government of Athens-Clarke County Purchasing Division of the Finance Department. Failure to comply with the written requirements for this proposal may result in rejection of the proposal by the Unified Government of Athens-Clarke County.

One (1) USB Flash drive with a copy of the Proposal WITHOUT pricing, and One (1) Separately Sealed USB Flash Drive with a paper copy of section V-D Price Proposal Schedule must be submitted. Proposals are to be sealed, marked with the offeror's name and address and labeled, "**RFP # 01121 Pharmacy Benefit Manager**" and delivered to:

The Unified Government of Athens-Clarke County
Finance Department, Purchasing Division
375 Satula Avenue
Athens, Georgia 30601

Not later than **3:00 P.M. ET, Friday, May 26, 2023**

A qualified interpreter for the hearing impaired is available upon request at least 10 (ten) days in advance of the proposal opening date. Please call (706) 613-3088 for more information. This service is in compliance with the Americans with Disabilities Act (ADA).

Hand delivered copies may be delivered to the above address ONLY between the hours of 8:00 a.m. and 4:00 p.m. E.T., Monday through Friday, excluding holidays observed by the Unified Government of Athens-Clarke County.

The Unified Government of Athens-Clarke County reserves the right to reject any and all proposals, to waive any technicalities or irregularities, and to award the contract based on the highest and best interest of the Unified Government of Athens-Clarke County.

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SECTION I - REQUEST FOR PROPOSAL SUBMISSION INSTRUCTIONS

A complete signed proposal must include the documents listed below:

PROPOSAL FORMAT: Offerors are expected to examine the specifications, price schedule, and all instructions. Failure to do so will be at the offeror's risk. Each offeror shall furnish the information required by the solicitation. *The proposal and price schedule must be signed by an officer of the company, who is legally authorized to enter into a contractual relationship in the name of the offeror.*

All proposals received will become a part of the official contract file and may be subject to disclosure.

PROPOSAL FORMAT: All proposals should include the information outlined below and **in the following order:**

1. **Cover Letter:** A brief cover letter of introduction and interest.
2. **Table of Contents:** Including all sections and subsections.
3. **Business Information:** State the full name and address of your organization and the branch office or subordinate element that will perform the services described in this proposal. Include a telephone number, the point of contact and official signature of an authorized company representative. Indicate whether you operate as a single proprietorship, partnership, or corporation. Include the state(s) in which you are incorporated and/or licensed to operate.
4. **Qualifications and Experience:** Include an organization chart and summary resumes of key personnel proposed for the project, including designations of the team leader, the consultant responsible for design, the project architect, the person responsible for all proposed communications with the owner and all proposed sub-consultants and a description of their roles.
 - a. **Current Project Assignments:** Identify the current project assignment(s) and the currently identified completion date(s) for projects currently being managed by the key individuals proposed for our project.
 - b. **Understanding of the Project:** Statement of the firm's understanding of the project and proposed approach for providing requested services.
 - c. **Additional Services Required:** Based on the firm's understanding of the project, identify any additional services that might be required for a successful program.
5. **References:** Include a minimum of three references for contracts of a similar nature, preferably public sector references. Include the name, address, telephone number, point of contact and description of the contract for each reference.
6. **Financial Information and Documentation:** Provide relevant information regarding organizational stability and strength. Documentation may include: A statement of organizational structure (e.g., sole proprietorship, partnership, corporation, joint venture, etc.), information regarding the make-up of that structure (e.g., owner, partners, board of directors joint venture partners, etc.), a listing of financial references.

7. **Other Relevant Information:** Include any other relevant information concerning the project in this section.

SUBMITTAL FORMAT: ALL proposal copies must be submitted in a sealed envelope or container with the **OUTERMOST** container stating the company name, address, telephone number, the RFP number and **TITLE (RFP # 01121 Pharmacy Benefit Manager)**.

If you have an ACCGov Vendor Number please include it on the sealed envelope or container. If you do not know your vendor number, please **email: purchasing@accgov.com**. If you do not have a vendor number, you may fill out a bid list application found at <https://www.accgov.com/DocumentCenter/View/65977/Vendor-Registration-Form-r10621?bidId=> .

Please Note: The ACCGov Vendor Number is not required to submit a Bid, but we encourage companies to include an application with their bid in the event that they are awarded the bid. Please note that new vendor registrations will not be processed for bidding purposes only.

- One (1) USB Flash drive with a paper copy of the Proposal **WITHOUT Pricing**
- One (1) Separately Sealed USB Flash Drive with a paper copy of section V-D Price Proposal Schedule
(Must be submitted separately in a sealed envelope)

Offerors are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service. No responsibility shall attach to the Unified Government of Athens-Clarke County for the premature opening of a proposal not properly addressed and identified, and/or delivered to the proper or Improper address. **Proposals via facsimile will NOT be considered.**

ALL DOCUMENTS SUBMITTED ON USB FLASH DRIVE MUST BE IN A SINGLE PDF FILE

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
REQUEST FOR PROPOSAL (RFP)
RFP # 01121 - Pharmacy Benefit Manager
HUMAN RESOURCES DEPARTMENT
ATHENS, GEORGIA**

SECTION II - REQUEST FOR PROPOSAL OVERVIEW AND PROCEDURES

A. INTRODUCTION

PURPOSE

The Unified Government of Athens-Clarke County desires to solicit competitive proposals from responsible vendors to provide a Pharmacy Benefit Management services for the Benefits and Wellness Division of Human Resources Department, Athens, Georgia. The Unified Government of Athens-Clarke County plans to enter into an agreement with the selected vendor effective January 1, 2024, for an initial period of 12 months. The vendor must guarantee first contract period rates/fees through December 31, 2024, and the contract will automatically renew for additional one-year terms as noted under contract renewal terms.

The contractor will provide services per the scope of services as indicated in Section III of this request for proposal (RFP).

B. RFP TIMETABLE

The anticipated schedule for the RFP and contract approval is as follows:

- Proposal Documents Available.....**Wednesday, April 26, 2023**
- Deadline for submission of questions**2:00 P.M. ET, Thursday, May 11, 2023**
- Deadline for receipt of proposal**3:00 P.M. ET, Friday, May 26, 2023**
- Evaluation/Selection Process:.....**June 30, 2023**
- Proposals Valid Until.....**Friday, September 23, 2023**

C. CONTACT PERSON

The contact person for this RFP is Jessica Beri, Purchasing Administrator or Angie Perteet, Senior Buyer. Explanation(s) desired by the offeror(s) regarding the meaning or interpretation of this RFP must be requested from the contact person, in writing via email at accbids@accgov.com. Technical questions may be directed to Stephen McKenzie, EPIC Brokers & Consultants at 678-591-1222, or email: stephen.mckenzie@epicbrokers.com with a cc to email: carrie.arnold@epicbrokers.com, irv.morris@epicbrokers.com and Bonni Hall at 706-613-3114 or email: Bonni.Hall@accgov.com.

Offerors are encouraged to contact only the contact persons stated above to clarify any part of this RFP. Any such unauthorized contact shall not be used as a basis for responding to this RFP and also may result in the rejection of the offeror's submittal.

D. MINIMUM PROPOSAL ACCEPTANCE PERIOD

Proposals shall be valid and may not be withdrawn for a period of 120 days from the date specified for receipt of proposals.

E. ADDITIONAL INFORMATION/ADDENDA

The Unified Government of Athens-Clarke County will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the proposal due date. Offerors should not rely on any representations, statements or explanations other than those made in this

RFP or in any addendum to this RFP. Where there appears to be a conflict between the RFP and any addenda issued, the last addendum issued will prevail.

Request for additional information or clarifications must be made in writing no later than the date specified in the RFP Timetable. The request must contain the offeror's name, address, phone number, and email address.

Offerors must acknowledge any issued addenda. Proposals which fail to acknowledge the offeror's receipt of any addendum will result in the rejection of the proposal if the addendum contained information which substantively changed the Owner's requirements

Offerors who obtain this Request for Proposal from [Georgia Procurement Registry](#) or [Athens Clarke County/Purchasing](#) (<https://www.athensclarkecounty.com/Bids.aspx>) or from other than the Purchasing Division are **advised to re-visit the above websites to obtain any addenda which may be issued prior to the proposal closing date.** The Unified Government of Athens-Clarke County assumes no responsibility for Offerors' failure to acknowledge any addenda issued.

F. **LATE PROPOSALS, WITHDRAWALS, MODIFICATIONS AND REJECTIONS**

Proposals shall not be modified, withdrawn, or canceled by the offeror for a period of **sixty (60) days** following the time and date designated for the receipt of proposals, and each offeror so agrees in submitting his proposal. Negligence on the part of the Offeror in the preparation of his proposal shall not be grounds for the modification or withdrawal of a proposal after the time set for proposal closing. Proposals received after the proposal due date and time are late and will not be considered. Modifications received after the proposal due date are also late and will not be considered

G. **PROPOSAL CLOSING**

Proposal schedule prices will not be opened or read aloud publicly. A list of names of firms providing proposals may be obtained from [Georgia Procurement Registry](#) or [Athens Clarke County Bids](#) or via email request to E-Mail: accbids@accgov.com after the proposal due date and time stated herein. A tabulation of prices may be obtained upon award.

H. **NON-COLLUSION AFFIDAVIT**

By submitting a proposal, the offeror represents and warrants that such proposal is genuine and not sham or collusive or made in the interest or on behalf of any person not therein named and that the offeror has not directly or indirectly induced or solicited any other offeror to put in a sham proposal, or any other person, firm or corporation to refrain from proposing and that the offeror has not in any manner sought by collusion to secure to that offeror any advantage over any other offeror.

By submitting a proposal, the offeror represents and warrants that no official or employee of the Unified Government of Athens-Clarke County has, in any manner, an interest, directly or indirectly in the proposal or in the contract which may be made under it, or in any expected profits to arise therefrom.

I. **GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT**

By submitting a proposal and executing the attached Affidavits, the offeror verifies its compliance with O.C.G.A. §13-10-91. The offeror further agrees to maintain records of such compliance and shall provide a copy of each such verification to Unified Government of Athens-Clarke County, at the time the subcontractor(s) is retained to perform such services.

J. COST INCURRED BY OFFERORS

All expenses involved with the preparation and submission of proposals to the Unified Government of Athens-Clarke County, or any work performed in connection therewith shall be borne by the offeror(s). No payment will be made for any responses received or for any other effort required of or made by the offeror(s) prior to the commencement of work as defined by a contract approved by the governing body of the Unified Government of Athens-Clarke County.

K. EQUAL OPPORTUNITY POLICY STATEMENT

It is the policy of the Athens-Clarke County government that no person or business shall be excluded from participation, denied the benefits of, or otherwise discriminated against in relation to the award and performance of any contract or subcontract on the grounds of race, color, creed, national origin, age, or sex.

L. HOLD HARMLESS AND INDEMNIFICATION

The Offeror agrees, insofar as it legally may, to indemnify and hold harmless the Unified Government of Athens-Clarke County, its officers, employees and agents from and against all loss, costs, expenses, including attorneys' fees, claims, suits and judgments, whatsoever in connection with injury to or death of any person or persons or loss of or damage to property resulting from any and all operations performed by Offeror, its officers, employees, and agents under any of the terms of this contract.

M. AWARD OF CONTRACT

This is a past performance/technical/price trade-off source selection in which competing offeror's past and present performance history and technical ability will be evaluated on a basis approximately equal to price. Award will be made to the responsible offeror whose proposal represents the best value after evaluation in accordance with the factors listed in Section IV herein. The Unified Government of Athens-Clarke County may reject any or all proposals if such action is in the Unified Government's interest.

N. QUALIFICATION OF OFFERORS

The Unified Government of Athens-Clarke County may make such reasonable investigations as deemed proper and necessary to determine the ability of the offeror to perform the work and the offeror shall furnish to the Unified Government all such information and data for this purpose as may be requested. The Unified Government reserves the right to reject any proposal if the evidence submitted by, or investigations of, such offeror fails to satisfy the Unified Government that such offeror is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

The Unified Government of Athens-Clarke County contractors/vendors must have a current Athens-Clarke County business license if they are physically located in Athens-Clarke County or if they perform a service in Athens-Clarke County.

Proposals from any offeror that is in default on the payment of any taxes, license fees, or other monies due to the Unified Government will not be accepted.

O. ALTERNATE PROPOSALS

Alternate proposals or proposals that deviate from the requirements of this solicitation will not be considered. Offerors shall not insert in their proposal any written statement which will have the effect of making any material change or changes in the Scope of Services or in any contract between the parties covering subject matter thereof.

P. OPEN RECORDS

In accordance with OCGA Section 50-18-72(a)(34) Any trade secrets obtained from a person or business entity that are required by law, regulation, bid, or request for proposal to be submitted to an agency. **An entity submitting records containing trade secrets that wishes to keep such records confidential under this paragraph shall submit and attach to the records an affidavit affirmatively declaring that specific information in the records constitute trade secrets pursuant to Article 27 of Chapter 1 of Title 10.** If such entity attaches such an affidavit, before producing such records in response to a request under this article, the agency shall notify the entity of its intention to produce such records as set forth in this paragraph. If the agency makes a determination that the specifically identified information does not in fact constitute a trade secret, it shall notify the entity submitting the affidavit of its intent to disclose the information within ten days unless prohibited from doing so by an appropriate court order. In the event the entity wishes to prevent disclosure of the requested records, the entity may file an action in superior court to obtain an order that the requested records are trade secrets exempt from disclosure. The entity filing such action shall serve the requestor with a copy of its court filing. If the agency makes a determination that the specifically identified information does constitute a trade secret, the agency shall withhold the records, and the requester may file an action in superior court to obtain an order that the requested records are not trade secrets and are subject to disclosure;

SECTION III - SCOPE OF SERVICES

The contractor shall provide all personnel, equipment, tools, materials, supervision, and other items and services necessary for Pharmacy Benefit Management as per the scope of services outlined below for the period of the awarded contract.

A. INTRODUCTION AND PURPOSE

The Unified Government of Athens-Clarke County (ACCGov) is a unified city/county government located in the northeast section of the state of Georgia and is approximately sixty (60) miles northeast of Atlanta, Georgia. The Unified Government of Athens-Clarke County (the government's official name) was formed in 1991 by a referendum which required the combining of The City of Athens and Clarke County. ACCGov serves an area population of approximately 100,000 with annual growth projected at 1% per year. ACCGov provides a multitude of local and state-funded services, which includes, but is not limited to, Public Safety, Utility, Courts, Corrections, Tax and Fire Services. ACCGOV employs approximately 1,500 full-time benefit eligible people and has approximately 800 benefit eligible retirees.

The Unified Government of Athens-Clarke County provides self funded health insurance coverage to approximately 1,500 benefit eligible employees and 800 retirees.

The Unified Government of Athens-Clarke County is requesting proposals from vendors for self-insured pharmaceutical insurance coverage and benefit management for full-time employees, long term disability recipients, COBRA participants, and retirees of all ages, as well as, eligible dependents.

B. GENERAL REQUIREMENTS

1. Contract Performance Period: Contract performance period shall be from January 1, 2024, for twelve (12) months unless terminated by either party giving to the other written notice of termination in writing sixty (60) days prior to the proposed date of termination.

C. ADDITIONAL REQUIREMENTS

1. TERMINATION FOR CAUSE: The Unified Government of Athens-Clarke County reserves the right to terminate the resulting contract, in whole or in part, for failure to comply with any provisions of the contract as outlined by providing a written notice to the successful vendor at least ten (10) days before the effective date of termination. The successful vendor will not be relieved of any outstanding responsibilities or unfinished obligations under the resulting contract.

The successful vendor has the right to terminate the resulting contract for cause by providing a written notice of intent to the Purchasing Administrator to terminate at least thirty (30) days prior to the effective date of the contract termination.

2. CONTRACT RENEWAL TERMS

Beginning January 1, 2025, the term of this contract shall be automatically extended for four (4) additional periods of one (1) year each (collectively "Renewal Term") unless either party gives written notice of its intention not to renew, or the intention to modify, the agreement 90 days before expiration of the effective renewal term.

3. TERMINATION WITHOUT CAUSE: The Unified Government of Athens-Clarke County reserves the right to terminate the contract at any time without cause, in whole or in part, by providing a written notice to the other party at least thirty (30) days before the effective date of termination. The other party will not be relieved of any outstanding responsibilities or unfinished obligations under this contract that were incurred prior to termination.

4 INSURANCE.

- a. The Contractor shall, at its own expense, provide and maintain during the entire performance of this contract, at least the kinds and minimum amounts of insurance specified below. The insurer shall be in good standing within the state of Georgia through the Insurance Commissioner's Office and must be rated "A" or better, with AM Best Company.
- b. Before commencing work under the contract, the Contractor shall provide to Athens Clarke County, Attn: Purchasing Administrator, a Certificate of Insurance evidencing the required kinds and amounts of insurance. The minimum kinds and amounts of insurance shall be:
 - i. Workers' Compensation/Employers Liability – Contractors are required to comply with applicable Federal and Georgia State workers' compensation statutes. Policies covering Workers' Compensation liability shall provide coverage of statutory benefits and employers liability of at least \$1,000,000 each accident/injury; at least \$1,000,000 each employee for disease and \$1,000,000 policy limit for disease.
 - ii. General Liability - \$2,000,000 aggregate; \$1,000,000 per occurrence. Coverage should be on a per occurrence basis.
 - iii. Any bid exceeding \$50,000 requires a performance and payment bond for in the amount of 100% of the job. No material deviation from the language will be accepted. These documents must be filled out completely and notarized with appropriate power of attorney form attached. The bonding company must appear on the Federal register of approved companies.
 - iv. Excess Liability - \$2,000,000 on a per occurrence basis
 - v. Cyber Liability - \$5,000,000.00 on a per occurrence basis. If policy is claims made a retroactive date must be provided.
 - vi. Professional Liability - \$2,000,000.00
- c. The Certificate of Insurance evidencing required insurance shall be provided and a notice of cancellation endorsement to the effect that any cancellation or any material change adversely affecting The Unified Government of Athens Clarke County's interest shall not be effective until 60 days after the insurer or the Contractor gives written notice to the Purchasing Administrator and Safety and Risk Administrator
- d. The Certificate of Insurance shall reference the proposal and project name as evidencing this requirement.
- e. The Contractor shall insert the substance of this requirement, including this paragraph, in subcontracts under the contract that require work on The Unified Government of Athens-Clarke County property and shall require subcontractors to provide and maintain a copy of all subcontractors' proofs of required insurance, and shall make copies available to the Purchasing Administrator upon request."
- f. An additional insured endorsement naming the Unified Government of Athens Clarke County as an additional insured and a primary and non-contributory endorsement in favor of the Unified Government of Athens Clarke County must be provided for general liability and excess coverages.
- g. A waiver of subrogation must be provided for Workers' Compensation coverage.

D. SPECIFIC TASKS:

Pharmacy Benefit Management work shall include, but not be limited to the following:

Pharmacy “carve out” benefit. Provide pharmacy benefit management services with complete and detailed data review and analytic options. Approved vendor will process prescription drug claims, negotiate discounts and rebates with appropriate drug manufacturers and retailers, and maintain an approved drug formulary.

SECTION IV - SELECTION PROCESS AND EVALUATION CRITERIA

The Unified Government of Athens-Clarke County intends to evaluate proposals and award a contract without discussions with offerors. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. The Unified Government reserves the right to conduct discussions if the Unified Government later determines them to be necessary.

EVALUATION CRITERIA

Evaluation criteria to be used in determining the selected firm **in order of importance** are:

1. ACCOUNT MANAGEMENT see applicable questions/answers. (20 points)
2. GENERAL MARKET EXPERIENCE see applicable questions/answers. (15 points)
3. ADDITIONAL BENEFITS, SERVICES, PROGRAMS (20 points)
4. UNDERSTANDING OF THE REQUIREMENT and ability to meet RFP defined needs. (10 points)
5. REFERENCES including applicable past work with the Unified Government of Athens-Clarke County. (5 points)
6. PRICING including adequacy and relevancy for the performance of the requirements of the contract. (30 points)

PROPOSAL EVALUATION AND SELECTION PROCESS (PROFESSIONAL SERVICE ONLY)

Athens-Clarke County intends to evaluate proposals and award a contract without discussions with offerors. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. Athens-Clarke County reserves the right to conduct discussions if the government later determines them to be necessary.

SECTION V – PROPOSAL FORMS

A: PROPOSAL FORM

Proposal of _____

(Hereinafter called "Offeror"), organized and existing under the laws of the State of

_____, *doing business as* _____*.

In compliance with your RFP, the Offeror hereby proposes and agrees to perform and furnish all work for the requirement known as **RFP # 01121 Pharmacy Benefit Manager** in strict accordance with the Proposal Documents, within the time set forth therein, and at the price proposed.

By submission of this Proposal, the Offeror certifies, and in the case of a joint Offer, each party thereto certifies as to its own organization that:

1. The Offeror has examined and carefully studied the Proposal Documents and the Addenda, receipt of all of which is hereby acknowledged at Section V-B.
2. The Offeror agrees that this proposal may not be revoked or withdrawn after the time set for the opening of proposals but shall remain open for acceptance for a period of sixty (60) days following such time.

Company:			
Contact:			
Address:			
Phone:		Fax	
Email:			

By checking this box, I acknowledge that I have read all insurance requirements and will meet requirements listed in RFP # 01121 Pharmacy Benefit Manager if awarded.

Authorized Representative/Title <i>(print or type)</i>	Authorized Representative <i>(Signature)</i>	Date
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SECTION V – PROPOSAL FORMS

B: ADDENDA ACKNOWLEDGEMENT

The Offeror has examined and carefully studied the Specifications and the following Addenda, Receipt of all of which is hereby acknowledged:

Addendum No.		dated		Acknowledgement	
Addendum No.		dated		Acknowledgement	<i>Initial</i>
Addendum No.		dated		Acknowledgement	<i>Initial</i>
Addendum No.		dated		Acknowledgement	<i>Initial</i>
Addendum No.		dated		Acknowledgement	<i>Initial</i>
					<i>Initial</i>

Offerors must acknowledge any issued addenda. Proposals which fail to acknowledge the offeror’s receipt of any addendum will result in the rejection of the proposal if the addendum contained information which substantively changes the Owner’s requirements.

SECTION V – PROPOSAL FORMS



C: GEORGIA SECURITY & IMMIGRATION COMPLIANCE (GSIC) AFFIDAVIT

The Unified Government of Athens-Clarke County and Contractor agree that compliance with the requirements of O.C.G.A. § 13-10-91, as amended, and Rule 300-10-1-.02 of the Rules of the Georgia Department of Labor are conditions of this Agreement for the physical performance of services.

The Contractor further agrees that its compliance with the requirements of O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02 is attested to on the executed Contractor Affidavit and Agreement attached hereto.

If employing or contracting with any subcontractor(s) in connection with this Agreement, Contractor further agrees:

- (1) To secure from the subcontractor(s) an affidavit attesting to the subcontractor's compliance with O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02; such affidavit being in the form attached hereto; and

The failure of Contractor to supply the affidavit of compliance at the time of execution of this Agreement and/or the failure of Contractor to continue to satisfy the obligations of O.C.G.A. § 13-10-91, as amended, and DOL Rule 300-10-1-.02 as set forth in this Agreement throughout the contract period shall constitute a material breach of the contract. Upon notice of such breach, Contractor shall be entitled to cure the breach within ten days, upon providing satisfactory evidence of compliance with the terms of this Agreement and State law. Should the breach not be cured, Athens-Clarke County shall be entitled to all available remedies, including termination of the contract and damages.

SEE AFFIDAVIT ON FOLLOWING PAGE

SECTION V – PROPOSAL FORMS



C: CONTRACTOR AFFIDAVIT & AGREEMENT UNDER O.C.G.A. § 13-10-91(b)(1)

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, as amended, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of The Unified Government of Athens-Clarke County, Georgia, has registered with, is authorized to use, and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the provisions and deadlines established in O.C.G.A. § 13-10-91, as amended.

Furthermore, the undersigned will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

_____ Date of Authorization
Federal Work Authorization Company Identification Number

Name of Contractor: _____

Name of Project: _____

Name of Public Employer: The Unified Government of Athens-Clarke County

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, _____, 202__ in _____.

Signature of Authorized Officer or Agent

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE
____ DAY OF _____, 202__

Notary Public
My Commission Expires:

Company Name (*printed*): _____

MANDATORY SUBMITTAL

SECTION V – PROPOSAL FORMS

D: SCHEDULE OF SERVICES OR PRICE/PROPOSAL SCHEDULE

(Must be submitted separately in a sealed envelope)

**** Pricing Forms - (PBM RFP Pricing-Financial Document) is a separate attachment posted with this RFP ****

SECTION VI DOCUMENTS CHECKLIST:

PROPOSAL DOCUMENTS CHECKLIST:

- 1. Cover Letter
- 2. Table of Contents
- 3. Business Information
- 4. Qualifications and Experience
- 5. References/Reference Projects
- 6. Financial Information and Documentation
- 7. Other Relevant Information

MANDATORY PROPOSAL FORMS (SECTION V) Offeror must complete, execute and include with the proposal the following mandatory documents:

- A. Proposal form
- B. Acknowledgement of Addenda
- C. Georgia Security & Immigration Compliance (GSIC) Act Affidavit
- D. Schedule of Services/Supplies and Price Proposal **(Must be submitted separately in a sealed envelope)**
- E. ACC PBM RFP Pricing-Financial Document **(Must be submitted separately in a sealed envelope)**
- F. 2023 EPIC PBM RFP Formulatory Disruption

ATTACHMENT A

What Your Business Needs to Know about Georgia's E-Verify Requirements

(Effective July 1, 2013)

E-Verify Contractor Requirements

Georgia law, **O.C.G.A. § 13-10-91**, requires **all businesses** that contract with a public employer for **labor or services** by bid or by contract in which the labor or services **exceed \$2499.99** to sign an affidavit attesting that they are registered for and use E-Verify **unless** 1) the contractor has **no employees** (in which case they must present an approved state issued identification card/drivers' license from an approved state as provided on the [Attorney General's website](#)) or, 2) the contract is with an individual licensed under Title 26, Title 43, or the State Bar of Georgia who is in good standing and that individual is performing that service. Anyone your business subcontracts with for labor and services, as well as the subcontractors of your subcontractors, in furtherance of that contract is also subject to this requirement. E-Verify Contractor, Subcontractor, and Sub-Subcontractor affidavits can be found [here](#).

E-Verify Private Employer Requirements

Georgia law, **O.C.G.A. § 36-60-6**, requires all businesses, **with more than 10 employees** that are seeking an occupation tax certificate/business license or other document required to operate a business with a county or city to sign an affidavit attesting that they are registered for and use E-Verify. Businesses with **10 or fewer employees** are required to sign an affidavit attesting that they are exempt from this requirement. Once a business has provided this affidavit to the county, all subsequent renewals can be provided with the submission of the E-Verify number, as long as it is the same number as provided on the affidavit, or assertion that your business is exempt. The county will provide the format in which renewal information is collected. E-Verify Private Employer and Exemption Affidavits can be found [here](#).

What Is E-Verify?

E-Verify is a federal Web-based system that electronically verifies the employment eligibility of newly hired employees. It works by allowing participating employers to electronically compare employee information taken from the I-9 Form (the paper-based employee eligibility verification form used for all new hires) against records in the Social Security Administration's database and the records in the Department of Homeland Security immigration databases.

Where Do I Find My E-Verify Number?

The Human Resources Department for your business should have that information, if you have registered. The E-Verify number, which consists of four to six numerical characters, is located directly below the E-Verify logo on the first page of the memorandum of understanding (MOU) entered into between your business and the Department of Homeland Security (DHS) to use E-Verify.

What if I cannot locate or do not have access to my MOU?

If the HR director/program administrator for E-Verify from your business has taken the E-Verify tutorial, you may obtain your company ID number by: 1) Logging in to E-Verify with your assigned user ID and password; 2) From 'My Company,' select 'Edit Company Profile;' 3) The Company Information page will display the company ID number. If your HR director/program administrator has not completed the tutorial, you must contact E-Verify Customer Support at 888-464-4218 or at E-Verify@dhs.gov for assistance.

Is the Federal Tax Identification Number/Employer Identification Number (EIN) the same as the E-Verify Number?

No. While you will be required to provide the Federal Tax Identification Number/EIN for your business to DHS in order to register for E-Verify, a separate number, which consists of four to six numerical characters, will be provided as the E-Verify number for your business by DHS, which will be located on the MOU.

How Do I Register for E-Verify? To register for E-Verify, please visit the [DHS website](#). If you need assistance in completing the registration process or need additional information relating to E-Verify, call their customer service number at 1-888-464-4218, email them at E-Verify@dhs.gov or visit their website at <http://www.dhs.gov/e-verify>.