



STATE OF CONNECTICUT  
OFFICE OF GOVERNMENTAL ACCOUNTABILITY  
STATE CONTRACTING STANDARDS BOARD

Final & Approved Minutes  
State Contracting Standards Board  
4e-36 Contested Solicitations and Awards Subcommittee Meeting  
9:00 A.M. Thursday, August 31, 2017  
Fifth Floor Office of the Executive Director  
18-20 Trinity Street  
Hartford, Connecticut

Members Present:

Robert Rinker, Chair

Stuart Mahler

David Guay, Ex-Officio, Executive Director

1. Call to order

Meeting was called to order at 9:04 A.M. by Robert Rinker, Subcommittee Chair.

2. Approve the minutes of the March 24, 2017 Meeting

Motion made by Stuart Mahler and seconded by David Guay, Ex-Officio member to approve the minutes of the March 24, 2017 meeting of the State Contracting Standards Board 4e-36 Contested Solicitations and Awards Subcommittee as corrected. All voted in favor.

3. RDS Services, LLC Contest of Award

RDS Services, LLC and Benistar, the shared services organization and bidder contests the award of Connecticut Teachers Retirement Board, Proposal TRB#2017-003 to Part D Advisors.

Chair Rinker began by reviewing letters received from Mr. Fox of RDS Services, LLC.

Chair Rinker asked and Mr. Fox provided a copy of the RFP.

Chair Rinker asked a series of questions:

Asked about the scope of the RFP. Mr. Fox explained his company's role and the Medicare Part D program. RDS Services have a reopening service, recovering of additional Medicare dollars for the State. They have and use proprietary software.

RDS Services, LLC approached the State Teachers Retirement Board (TRB) with a proposal to recover additional dollars. RDS Services, LLC claims to have been part of creating the RFP in January 2017. The TRB has a third party consultant, Joe Fields of Brown and Brown. Joe Fields coordinated the creation of the RFP and RDS gave other bidder names to the TRB.

In discussion Mr. Fox indicated that the TRB is exempt from the minority and small business requirement.

Discussion was held on in state preference and that the successful bidder Part D Advisors is not based in Connecticut.

The contract is a contingent arrangement, performance based. Compensation is based on what is reimbursement.

Discussion was held on the allegation that there was no committee evaluation, and that the TRB approved by vote at a meeting the selection of Part D Advisors. No opportunity for a final and best offer is alleged.

RDS Services, LLC claims they were told a waiver from the three bidder requirement was obtained, but not certain a waiver was obtained.

Question of what or when and if negotiations with Part D Advisors has occurred was discussed.

The Subcommittee to a recess at 10:05 A.M. and returned from recess at 10:09 A.M.

By consensus the Subcommittee decided to send a letter to the State Teachers Retirement Board asking for the responses to the RFP, asking whether a bidder waiver was obtained and requesting a copy. The letter will also request an answer to whether they considered in-state contractor preference and seek a response as to how the bid winner was selected.

The Subcommittee directed Executive Director David Guay, to have a conversation with the Board's Assistant Attorney General on the question of the appropriateness of contingent arrangements, at what point are negotiations ended and does the Board and Subcommittee have the authority to stay an award.

#### 4. Adjournment

Motion made by David Guay, Ex-Officio and seconded by Stuart Mahler to adjourn at 10:30 A.M. All voted in favor.