

# DVHA Routing Form

Type of Agreement: Contract      Agreement #: 18261      Form of Agreement: Amendment      Amendment #: 3

Name of Recipient: Marble Valley Regional Transit District      Vendor #: 6771

Agreement Manager: Bill Clark      Phone #: 879-5958

Brief Explanation of Agreement: **Amendment adds funding for six months of transportation services.**

Start Date: October 1, 2010      End Date: December 31, 2011      Maximum Amount: \$287,389.00

Amendments Only:      Maximum Prior Amount: \$191,956.00      Percentage of Change: ~~50.00%~~ 100.76%

Bid Process (Contracts Only):     Standard     Simplified     Sole Source     Statutory     Master Contract SOW

Funding Source

Global Commitment 93.778	\$191,956.00		

Contents of Attached Packet

- AA-14                       Attachments A, B, C & F                       Attachment G - Academic Research
- Sole Source Memo               Attachment D - Modifications to C & F               MOU
- Qualitative/Justification Memo     Attachment E - Business Associate Agreement     Other: **Amendment #3**

Reviewer	Reviewer Initials	Date In	Date Out
DVHA Grant & Contract Administrator	Kate Jones	7/14	7/14
DVHA BO	Jill Gould	7/14/11	7/14/11
DVHA Commissioner	Lori Collins	7/14/11	7/14/11
AHS Attorney General	Seth Steinzor		7/22/11
Following Approvals for Contracts Only:			
AHS CIO	Angela Roulle		
AHS Central Office	Martha Faber		
AHS Secretary	Patrick Flood, Dept Sec		

Vision Account Codes: **Paid for through HP and the MMIS system**

	Initials & Date
<input type="checkbox"/> Subrecipient Module Entry	_____
<input type="checkbox"/> FFATA Entry	_____

Vision PO #: \_\_\_\_\_

**STATE OF VERMONT CONTRACT SUMMARY AND CERTIFICATION ----- Form AA-14 (10/18/2010)**

Note: All sections are required. Incomplete forms will be returned to department.

**CHECK ONLY ONE BOX IF APPLICABLE:**

ARRA Contract

ACA Contract

**I. CONTRACT INFORMATION:**

Agency/Department: AHS/ DVHA Contract #: 18261 Amendment #: 3  
 Vendor Name: Marble Valley Regional Transit District (MVRTD) VISION Vendor No: 6771  
 Vendor Address: 158 Spruce Street, Rutland, VT 05701  
 Starting Date: 10/1/2010 Ending Date: 12/31/2011 Amendment Date: **UPON EXECUTION**  
 Summary of agreement or amendment: Amendment adds six months of funding for transportation services.

**II. FINANCIAL INFORMATION**

Maximum Payable: \$287,389 Prior Maximum: \$ 191,956 Prior Contract # (If Renewal):  
 Current Amendment: \$95,433 Cumulative amendments: \$ 144,239 % Cumulative Change: **100.76% 50.00%**  
 Business Unit(s): 03410 VISION Account: 507600

**III. PERFORMANCE INFORMATION**

Does this Agreement include Performance Measures tied to Outcomes and/or financial reward/penalties?  Yes  No

Estimated Funding Split: G-Fund % S-Fund % F-Fund % GC-Fund 100.00 % Other %

**III. PUBLIC COMPETITION**

The agency has taken reasonable steps to control the price of the contract or procurement grant and to allow qualified organizations to compete for the work authorized by this contract. The agency has done this through:

Standard bid or RFP  Simplified Bid  Sole Sourced  Qualification Based Selection  Statutory

**IV. TYPE OF AGREEMENT & PERFORMANCE INFORMATION**

Check all that apply:  Service  Personal Service  Architect/Engineer  Construction  Marketing  
 Information Technology  Other, describe:

**V. SUITABILITY FOR CONTRACT FOR SERVICE**

Yes  No  n/a If this is a Personal Service contract, does this agreement meet all 3 parts of the "ABC" definition of independent contractor? (See Bulletin 3.5) If NO, then contractor must be paid through Payroll

**VI. CONFLICT OF INTEREST**

By signing below, I certify that no person able to control or influence award of this contract had a pecuniary interest in its award or performance, either personally or through a member of his or her household, family, or business.

Yes  No Is there an "appearance" of a conflict of interest so that a reasonable person may conclude that this party was selected for improper reasons: (If yes, explain)

**VII. PRIOR APPROVALS REQUIRED OR REQUESTED**

Yes  No Agreement must be approved by the Attorney General under 3 VSA §311(a)(10) (personal service)  
 Yes  No I request the Attorney General review this agreement as to form  
 No, already performed by in-house AAG or counsel: \_\_\_\_\_ (initial)  
 Yes  No Agreement must be approved by the Comm. of DII; for IT hardware, software or services and  
 Telecommunications over \$100,000  
 Yes  No Agreement must be approved by the CMO; for Marketing services over \$15,000  
 Yes  No Agreement must be approved by Comm. Human Resources (privatization and retiree contracts)  
 Yes  No Agreement must be approved by the Secretary of Administration

**VIII. AGENCY/DEPARTMENT HEAD CERTIFICATION; APPROVAL**

I have made reasonable inquiry as to the accuracy of the above information:

7/14/11 *Ray Collins* 7/29/11 *Patricia Flood*  
 Date Agency / Department Head Date Agency Secretary or Other Department Head (if required)  
 7/22/11 *[Signature]*  
 Date Approval by Attorney General Date Approved by Commissioner of Human Resources  
 Date CIO (initial) Date CMO (initial) Date Secretary of Administration *12/15/11*  
*[Signature]*

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State of Vermont  
Department of Vermont Health Access  
312 Hurricane Lane, Suite 201  
Williston VT 05495-2807  
www.dvha.vermont.gov

Agency of Human Services  
[Phone] 802-879-5900  
[Fax] 802-879-5651

MEMORANDUM

**TO:** Jeb Spaulding; Secretary, Agency of Administration (AOA)

**FROM:** Lori Collins; Acting Commissioner, Department of Vermont Health Access (DVHA)

**THROUGH:** Douglas Racine; Secretary, Agency of Human Services (AHS) *PP for PR 7/29/11*

**DATE:** July 14th, 2011

**SUBJECT:** Approval for Sole-Source Contract for:  
Marble Valley Regional Transit District (Contract # 18261)  
Duration is: 10/01/10 – 12/31/11  
Value of Contract: \$191,965.00 Proposed Increase: \$95,433.00

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DVHA seeks to follow up with its recent extension amendments with an amendment that adds additional funding to the contract. When the extension amendment was finalized, we incorrectly calculated that there was enough money remaining in each contract to fund an additional six months of work. In reality, we do not have enough funding available to continue our transportation contracts. We have instructed providers to hold off on invoicing DVHA as long as possible while the current amendments are in review.

The contractors raised an issue about the lack of additional funding close to the contract's end date of 6/30/11 (before extension), although it was too late to rectify the problem without the contract expiring. Contractors have signed their six month extensions without funding to continue to the working relationship, but in good faith that funding would be added in a new amendment.

The maximum contract amount was calculated to allow us to level-fund the six-month extension of the contract term. Using the current monthly invoice amount, we added six more months of funding. We also pro-rated the criminal background checks and Volunteer Recruitment and Retention funds for an additional six months.

This contract covers the administrative costs associated with the Non-Emergency Medicaid Transportation (NEMT) program for this broker. The administrative costs in this contract are identical to those paid in the previous fiscal year. Our performance measures have been working well, accruing savings for this program achieved through a decrease in utilization of the program. Utilization costs are paid as claims through the Medicaid Management Information System

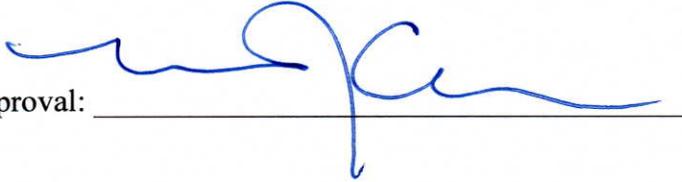
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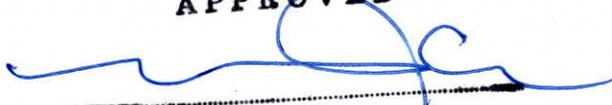
(MMIS). We will reduce utilization by identifying and correcting inefficiencies and fraudulent/wasteful utilization.

The funding for this contract will be covered by the Global Commitment to Health Appropriations and complies with all mandatory provisions of AOA Bulletin 3.5.

AOA Approval: \_\_\_\_\_



**APPROVED**



Secretary of Administration

Date \_\_\_\_\_

02/15/11

STATE OF VERMONT  
 AMENDMENT TO CONTRACT FOR PERSONAL SERVICES  
 Marble Valley Regional Transit District



AMENDMENT

It is agreed by and between the State of Vermont, Department of Vermont Health Access (hereafter called the "State") and Marble Valley Regional Transit District (hereafter called the "Contractor") that the contract on the subject of Medicaid transportation services, effective October 1, 2010, is hereby amended effective upon execution by both parties, as follows:

By deleting on page 1 of 6 in Amendment #1, Section 3 (Maximum Amount) and substituting in lieu thereof the following Section 3:

**3. Maximum Amount:** In consideration of the services to be performed by the Contractor, the State agrees to pay Contractor, in accordance with the payment provisions specified in Attachment B, a sum not to exceed \$287,389.

By deleting on pages 4-5 of 6 in Amendment #1, Section 1 (Summary of Billable Services), and substituting in lieu thereof the following Section 1:

TYPE OF SERVICE	TYPE OF PAYMENT	DESCRIPTION	SCHEDULE	MAXIMUM UNDER THIS CONTRACT	NOTES
Administrative (General)	Monthly Administrative Fee	Payment for administrative services		\$230,820	
Volunteer Recruitment and Retention	Pass Through	Limited payment will be made to help offset volunteer mileage incurred for the unnecessary dispatch for Medicaid, under certain circumstances, at the current GSA rate plus \$2.94 per incident (a round trip) until the funds for this purpose are exhausted.	Line Item ("VRR") on Monthly Invoice	\$2,763	Contractor/Broker must retain documents, to make available to the DVHA upon request, which verifies this request for payment.
National Criminal Record Check	Pass Through	Per manual: see Attachment O	Line Item ("NCRC") on Monthly Invoice	\$3,333	Contractor/Broker must retain documents, to make available to the DVHA upon request, which verifies this request for payment.
Taxi: VCIC Checks	Pass Through	Per manual: see Attachment O	Line Item ("Taxi VCIC") on Monthly Invoice	\$1,667	Contractor/Broker must retain documents, to make available to the DVHA upon request, which verifies this request for payment.
MAXIMUM UNDER THIS CONTRACT				<b>\$287,389</b>	

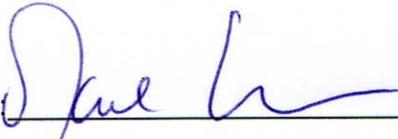
**STATE OF VERMONT  
AMENDMENT TO CONTRACT FOR PERSONAL SERVICES  
Marble Valley Regional Transit District**

**Page 2 of 2  
Contract # 18261  
Amendment #3**

This amendment consists of 2 pages. Except as modified by this amendment and any previous amendments, all provisions of this contract, (#18261) dated October 1, 2010, shall remain unchanged and in full force and effect.

**STATE OF VERMONT  
Department of Vermont Health Access**

**CONTRACTOR  
Marble Valley Regional Transit District**

By:   
~~Lori Collins, Acting Commissioner~~  
Mark Larson

By:   
Maggie R. Kane  
Interim Executive Director

Date: 8.22.11

Date: 8/15/11