



# SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

## Agenda Item Summary

Meeting Date: July 19, 2023

Agenda Section: Discussion and Possible Action

Agenda Item Title: Approve 2023-2024 Pharmacy Benefits Management

From: Rita Uresti, Executive Director of Human Resources

Additional Presenters if Applicable: Xavier Guevara, SWBC District Consultant, Victoria Cantu, Procurement Director, and Tony Kingman, Chief Financial Officer

Description: As part of the District's Self-Insured Health Plan, a Pharmacy Benefit Manager is selected to both manage and dispense prescription drugs to those covered by the plan.

Historical Data: For the 2021-2022 and the 2022-2023 Health Plan year, the District designated HEB as the Pharmacy Benefits Manager.

Recommendation: Approve United Health Care as Pharmacy Benefits Management for South San Antonio ISD.

Purchasing Director and Approval Date: Victoria Cantu, Director of Procurement

Funding Budget Code and Amount:

2023-07 - Pharmacy Benefits Management (PBM) Services

Supplier	Rank		Score	Criteria Scoring						
	100			Responses to RFP Questionnaire	Experience with School District	Software Capabilities	Experience with Direct Providers	Claims Fiduciary	Overall Cost	
UnitedHealthcare	1	78.71		15.00	10.00	10.00	13.33	12.83	30.67	
H-E-B Rxtra	2	71.71		13.50	9.83	9.00	11.67	12.17	27.50	
BCBSTX	3	71.00		12.50	9.17	8.67	12.67	12.00	27.83	
Cigna	4	52.00		9.67	7.50	6.17	9.17	10.00	18.17	
Araya	5	24.43		4.50	3.67	3.67	4.50	4.50	7.67	
		59.57		11.03	8.03	7.50	10.27	10.30	22.37	

Evaluators
Quintanilla, Dalia
Sanchez, Dominga
Tafoya, Valerie
Thomas, Dawn
Torres, Helen
Torres, Joann



## 2023-07 Addendum 4

### UnitedHealthcare

### Supplier Response

#### Event Information

Number: 2023-07 Addendum 4  
Title: Pharmacy Benefits Management (PBM) Services, Transparent Modeling  
Type: Request for Proposal  
Issue Date: 5/12/2023  
Deadline: 6/5/2023 03:00 PM (CT)  
Notes: The South San Antonio Independent School District (SSAISD) requests interested parties to submit proposals for "Pharmacy Benefits Management (PBM) Services, Transparent Modeling."

Bid Opening Event details are as followed:

June 5, 2023, 3:00 pm  
Google Meet joining info  
Video call link: <https://meet.google.com/kao-ijcx-sye>  
Or dial: ?(US) +1 980-349-7135? PIN: ?928 451 593?#

## Contact Information

Contact: Victoria Cantu Director of Procurement

Address: Procurement Office

1450 Gillette Blvd.

San Antonio, TX 78224

Phone: (210) 977-7025 x3018

Email: victoria.cantu@southsanisd.net

## UnitedHealthcare Information

Address: 6200 Northwest Parkway  
San Antonio, TX 78249  
Phone: (210) 474-5007

By submitting your response, you certify that you are authorized to represent and bind your company.

Amanda Rees

*Signature*

*Submitted at 6/5/2023 11:57:38 AM (CT)*

amanda\_rees@uhc.com

*Email*

## Requested Attachments

### South San ISD Terms and Conditions

Sample Administrative Services Agreement.pdf

### Conflict of Interested Parties\_1295

Certificate of Interest Parties\_1295.pdf

### Edgar Certification Form

1b. Edgar Certification\_07.pdf

### Company Profile Overview

Company Profile Overview.pdf

Provide company overview that includes not limited company history, appointed team, resumes, etc.

### SWMBE Certifications

No response

Upload Certificates here, if applicable.

### CIQ Form

Conflict of Interest\_2023\_5.30.23.pdf

### Reference #1

References.pdf

### Reference #2

References.pdf

### Reference #3

References.pdf

### Proposer Questionnaire

RFP 2020-07 PROPOSER QUESTIONNAIRE\_PHARMACY\_UH C.pdf

### Respondent Attachments to include Exhibits

South San Antonio ISD TX UHC RFP 2023-07.zip

## Bid Attributes

### 1 Introduction

There are attributes, including this one, associated with this proposal. Some are notes and require no response, but most have a required response. \*\*Please select each page on the right-hand side of the blue bar below (at the bottom of this list of attributes) in order to view the next page of Bid Attributes\*\*

### 2 South San ISD Terms and Conditions

South San Antonio ISD Terms and Conditions are provided in an attachment to the proposal. Please check if you agree or disagree to the terms and conditions of this proposal. This is your electronic signature.

Disagree

### 3 Submission Response

South San Antonio ISD prefers responses to be submitted online via our electronic system. Submissions may be submitted manually. Manual submissions must be delivered to the Procurement Office, in a sealed envelope by the date and time stated in this bid event.

No fax or email submissions will be accepted.

For any questions, please contact South San ISD Procurement Department (210) 977-7025 ext 3518

Attention: Victoria Cantu, Director of Procurement  
South San ISD Administrative Offices  
1450 Gillette Blvd  
San Antonio, TX 78224

### 4 Communications Statement

Contact between vendors and South San Antonio ISD personnel during the proposal process or evaluation process is strictly prohibited. Any attempt by vendors during the proposal process to contact South San Antonio ISD personnel may result in disqualification. All communication shall go through the Procurement and Contracts Department during this competitive process. All questions received and the corresponding answers will be distributed to all bidders. No verbal responses will be provided. The deadline for questions about this proposal is stated in the Bid Activities and the district will not respond to questions after this time and date. Response to questions will be posted in the form of an addendum to this proposal. The vendors will be responsible for checking the website for any posted addenda.

### 5 Vendor Required Attachments

Be sure to upload all required documents and forms to the "Response Attachments" tab of this bid event. Missing one or more documents may disqualify interested vendor.

### 6 Proposal Opening

Proposal Openings are held virtually online. [\(link provided in Activities tab\)](#)

Any proposal received later than the specified time, whether delivered in person or by any other method shall be disqualified. Any questions pertaining to the proposal procedures should be addressed to the Procurement Department at South San Antonio ISD.

If the District office location where bids/proposals are to be submitted is closed due to inclement weather, natural disaster, or for any other cause including if the electronic bid system is unavailable on the due date, the deadline for submission shall be extended until the next District calendar business day, unless the bidder is otherwise notified by the District. The time of day for submission shall remain the same.

### 7 Section 2

#### **PROPOSAL REQUIREMENTS**

**\*\*THE FOLLOWING LINES ITEMS BELOW REQUIRE A RESPONSE\*\***

**8 Anti-Trust Certification**

I affirm under penalty of perjury of the laws of the State of Texas that:

1. I am duly authorized to execute this agreement/contract/proposal on my own behalf or on behalf of the company, corporation, firm, partnership or individual (Company) listed below;
2. In connection with this proposal, neither I nor any representative of the Company have violated any provision of the Texas Free Enterprise and Antitrust Act, Tex. Bus & Comm. Code Chapter 15;
3. In connection with this Proposal, neither I nor any representative of the Company have violated any federal antitrust law; and
4. Neither I nor any representative of the Company have directly or indirectly communicated any of the contents of this proposal to a competitor of the Company or any other company, corporation, firm, partnership or individual engaged in the same line of business as the Company.

☒ I affirm

**9 Felony Conviction Notice**

Texas Education Code, Section 44.034, Texas Education Code, Notification of Criminal History, Subsection (a), states "A person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony." Subsection (b) states "A school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination of the contract." Is your firm owned or operated by anyone who has been convicted of a felony?

No

**10 Felony Conviction Details**

If your firm is owned or operated by anyone who has been convicted of a felony, please list their name and the details of the conviction. If not applicable, please enter N/A (not applicable).

N/A

**11 Criminal Background Check Requirement**

If an employee of a contractor is covered under SB 9, the contractor must bear the burden of obtaining a national, fingerprint-based criminal history check. Under Section 22.0834 of the Education Code, the contractor is then required to certify to the district that the criminal history check has been performed. The contractor, not the district, is responsible for contacting DPS directly to set up an account for the purposes of obtaining criminal history record information. Under the statute SB 9, a contractor is required to conduct a criminal history review on an employee only when the following criteria have been met: \*The employer has contracted with district to provide services. \*The particular employee will have continuing duties relating to the contract with the district. \* The particular employee will have contact with students. A contractor or sub-contractor may not work on District property or any location the District deems a place where students are regularly present when \*they have been convicted of a felony or misdemeanor involving moral turpitude, as defined by Texas law or any other offense the District believes might compromise the safety of student, staff or property.

A Proposer's violation of this section shall constitute substantial failure. If the Proposer is the person or owner or operator of the business entity, that individual may not self-certify regarding the criminal history record information and its review, and must submit original evidence acceptable to the district with this Agreement showing compliance. Possession of fire arms, alcohol and/or drugs, even in vehicles, is strictly prohibited on school/district property. The use of tobacco products are not allowed on school district property. ~~~This is your electronic signature.

Agree

1  
2 **Bidder's Certification**

Texas Government Code Chapter 2252 relates to bids by nonresident contractors. The pertinent portions of the Act are as follows: Section 2252.001(3) "Nonresident bidder" refers to a person who is not a resident. Section 2252.001(4) "Resident bidder" refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state. Section 2252.002, as amended by H.B. 3648, 83rd Legislature (2013 Regular Session): "AWARD OF CONTRACT TO NONRESIDENT BIDDER. A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the greater of the following:

(1) the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located; or

(2) the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which a majority of the manufacturing relating to the contract will be performed." Section 2252.002, as amended by H.B. 1050, 83rd Legislature (2013 Regular Session): "AWARD OF CONTRACT TO NONRESIDENT BIDDER: A governmental entity may not award a governmental contract to a nonresident bidder unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in:

(1) the state in which the nonresident's principal place of business is located; or

(2) a state in which the nonresident is a resident manufacturer." ~~~ Is the vendor a Resident Bidder of Texas as defined in Texas Government Code Section 2252.001(4)?

Please indicate the status of your company as a "resident" proposer or "nonresident" proposer under these definitions.

Non-Resident Proposer

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3 **Non-resident Bidder's Certification**

Non-resident Bidder of Texas as defined in Texas Government Code Section 2252.001(3) ~~~ If your firm is not a Resident Bidder of Texas as defined in Texas Government Code Section 2252.001(4), indicate your firm's principal place of business City and State. If not applicable, please enter N/A (not applicable).

United HealthCare Services, Inc. 9900 Bren Road East Minnetonka, Minnesota 55343

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4 **SWMBE Certification**

List type of certifications participated by the SWMBE (Small, Women, and Minority Business Enterprises)

Must attach Certificates on the "Responses Attachment" tab

UnitedHealth Group is a Fortune 500, publicly traded company that does not qualify as a certified diverse supplier under any of the following designations: | Minority-owned Business Enterprise (MBE) | Woman-owned Business Enterprise (WBE) | Veteran-owned Business Enterprise (VBE) | Disabled Veteran-owned Enterprise (DVBE) | Disability-owned Business Enterprise (DOBE) | Small Business Enterprise (SBE) | Lesbian, Gay, Bisexual or Transgender Owned Business Enterprise (LGBTBE)

1  
5 **Anti-Collusion Statement**

I affirm that I am duly authorized to execute this contract; that this company, corporation, firm, partnership or individual has not prepared this bid in collusion with any other Bidder, and that the contents of this bid as to prices, terms or conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

☒ I Agree



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6**Debarment or Suspension Certification**

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement of good or services equal to or in excess of \$100,000. Vendors receiving individual awards of \$100,000 or more and all sub-recipients must certify that the organizations and its principals are not suspended or debarred.

(I) Certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency under the Federal OMB, A-102, common rule.

Failure to certify will render bidder non-responsive and will not be considered for award.

1  
7**No Israel Boycott Certification**

Effective September 1, 2017, a Texas governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:

(1) does not boycott Israel; and

(2) will not boycott Israel during the term of the contract. (TEX. GOV'T CODE Ch. 2270)

"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. TEX. GOV'T CODE §808.001(1)

Vendor certifies that they do not boycott Israel, will not boycott Israel during the term of this Agreement, and are in compliance with Section 2270.002 of the Texas Government Code.

☒ I Agree1  
8**No Excluded Nation or Foreign Terrorist Organization Certification**

Effective September 1, 2017, Chapter 2252 of the Texas Government Code provides that a Texas governmental entity may not enter into a contract with a company engaged in active business operations with Sudan, Iran, or a foreign terrorist organization - specifically, any company identified on a list prepared and maintained by the Texas Comptroller under Texas Government Code §§806.051, 807.051, or 2252.153. (A company that the U.S.

Government affirmatively declares to be excluded from its federal sanctions regime relating to Sudan, Iran, or any other federal sanctions regime relating to a foreign terrorist organization is not subject to the contract prohibition.)

Vendor certifies that they do not support foreign terrorist organizations and are in compliance with Sections 2252.152-154 of the Texas Government Code.

☒ Agree

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**Form 1295 - Certificate of Interested Parties**

Pursuant HB 1295, the addition of section 2252.908 of the Government Code, all awarded vendors must fill out electronically, with the Texas Ethics Commission's online filing application.  
[www.ethics.state.tx.us.whatsnew/elf\\_info\\_form1295.htm](http://www.ethics.state.tx.us.whatsnew/elf_info_form1295.htm)

The law states that a governmental entity or state may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties (Form 1295) to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental or state agency. The Texas Ethics Commission has adopted rules requiring the business to file Form 1295 electronically with the Commission. This form must then be signed and attached in the "Response Attachments" tab of this bid event, prior to any business transaction.

Please note the following:

Box 2: Please enter South San Antonio\_ ISD

Box 3: Please use South San Antonio\_\_ ISD's solicitation (bid) number **RFP# South San Antonio** as the identification number being requested and the contract name as description of goods or services.

A **new** form must be completed upon each renewal.

Please acknowledge that you have read and understand that the district may not do business with your company without the submittal of this form.

20

**Vendor Employment Certification**

For the contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendors ultimate parent company or majority owner;

1) Has its principal place of business in the State of Texas;

**OR**

2) employs at least 500 persons in Texas.

**If you are not a Texas based business, do you have more than 500 employees in Texas?**

21

**No Deviations or Exceptions**

I certify that there are NO deviations or exceptions from the attached specific terms, conditions, and specifications.

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## Deviations and Exceptions

If your company intends to deviate from the Specifications listed in the attached documents, all such deviations and exceptions must be listed here with complete and detailed conditions included. The District will consider any deviations or exceptions in its bid award decisions.

The District reserves the right to accept or reject any proposals based on deviations indicated below. If none, list NONE

UnitedHealth Group is a publicly traded company and is exempt from the Form 1295 filing requirement under the amended law. We cannot confirm South San Antonio Independent School's Terms and Conditions. Please refer to the attachment titled, "Sample Administrative Services Agreement." We will have our provided references complete the reference sheets upon finalist notification. Our claim system is unable to limit outpatient rehabilitation therapy services to a day maximum per year or per lifetime. Solution: We suggest removing the day maximum for outpatient rehabilitation therapy services. Replace with a visit limit per year or per lifetime. Our claim system is unable to limit chiropractic or spinal manipulation services to a day maximum per year or per lifetime. Solution: We suggest removing the day maximum for chiropractic/spinal manipulation services. Replace with a visit limit per year or per lifetime. Our claim system is unable to limit cardiac rehabilitation services to a day maximum. Solution: We suggest removing the day maximum for cardiac rehabilitation services. Replace with a visit limit per year or per lifetime. Our claim system is unable to limit home health care services to a specific number of days per year or hours per day. Solution: We suggest replacing the days per year and hours per day limits for home health care with a visit limit per year. Each visit should equal 4 hours of care. Our claim system is unable to limit coverage on a case-by-case basis for TMJ non-surgical services. Solution: We suggest removing the case-by-case provision on non-surgical TMJ treatment.

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## Purchasing Cooperative

Has your company been awarded a purchasing cooperative contract? If yes, please list the names of the Cooperatives and the contract numbers you have with each. If none, please enter N/A (not applicable).

N/A

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4

## Reference Instructions

References must independently fill out Reference Sheets provided in the attachments tab.

Proposers will upload documents with proposal.