



## **REQUEST FOR PROPOSALS FOR COMPREHENSIVE STUDY AND REPORT REGARDING PHARMACY BENEFIT MANAGERS AND THEIR IMPACT ON PRESCRIPTION DRUG ACCESS AND COSTS RFP # 25-388-01**

### **1. Purpose.**

Pursuant to Act 2025-130, the State of Alabama Legislative Services Agency, (hereafter, Agency) solicits proposals from qualified out of state consultants, with national expertise and experience, whether individuals or firms, interested in conducting a comprehensive study on the operations and practices of pharmacy benefits managers (PBMs) and the relationships between PBMs and other actors and participants in the drug supply chain such as drug manufacturers, drug wholesalers, and pharmacy services administration organizations, as well as the resulting effects of these practices and relationships on prescription drug costs, the practice of pharmacy, and consumer access to medications. (see “**Scope of Services**”). This RFP is issued in accordance with the requirements of the Procurement Policies and Procedures for Alabama Legislative Entities. This RFP is not an offer to contract but seeks the submission of proposals from interested professional service providers which may form the basis for negotiation of a professional service contract or contracts. Specific terms and requirements in this RFP may be waived or modified by the Agency as it deems necessary and appropriate. The state has no liability for any costs incurred by a prospective provider for the preparation and production of a proposal or for any work performed prior to the issuance of a contract. ***The Agency reserves the right to reject any and all proposals and to solicit additional proposals if that is determined to be in the best interests of the State of Alabama.***

### **2. Scope of Services.**

The successful vendor will be responsible for and agree to do all of the following:

- A. Conduct and/or complete a comprehensive study on: (1) the operations and practices of PMBs; (2) the relationships and interactions between PBMs and other actors and participants in the drug supply chain such as drug manufacturers, drug

wholesalers, and pharmacy services administration organizations; and (3) the resulting effects of the practices and relationships studied in subparts (1) and (2) on prescription drug costs, the practice of pharmacy, and consumer access to medications.

- B. Communicate regularly with the Agency and others identified by the Agency on the details, progress, scope, and results of the comprehensive study undertaken by the vendor, as well as any other areas of potential importance or concern to the Agency identified by the vendor that are relevant to the scope and operation of pharmacy benefit managers in the State of Alabama and/or to the study in which the vendor is engaged on behalf of the Agency.
- C. Draft a report that contains a detailed summary of the data and findings from the comprehensive study, as well as recommendations on best practices or courses of action regarding the scope and operation of PBMs in the State of Alabama based on the results of the comprehensive study and the concerns addressed by the Legislature in Act 2025-130.
- D. Track and record all data sources relied upon or used in the completion of the study and the report performed in furtherance of this Request for Proposal.
- E. Provide monthly reports to the Agency regarding the status and progress of the study and report, starting within thirty days of the end of each prearranged and agreed upon reporting period. In furtherance thereof, unless agreed otherwise by the Agency, the vendor will hold monthly conference calls or face to face meetings with the Agency regarding the status and progress of the study and report and will keep the Agency apprised of any problems or issues with the completion of the study and report in the timeframe agreed upon by the parties. Additionally, failure of the successful vendor to make reports in a timely manner will constitute a material breach of any contract existing between the vendor and the Agency.
- F. Complete the study and report, and provide it to the Agency, the President Pro Tempore of the Alabama Senate, and the Speaker of the Alabama House of Representatives by no later than December 1, 2025.
- G. Agree and acknowledge that all data accumulated by the vendor in furtherance of the services performed for the Agency, including the comprehensive study and report identified herein will be property of the State of Alabama and will be made available upon demand at any time in a format satisfactory to the Agency.

The quality and timeliness of such services will be subject to review and inspection by the Agency at any time.

### **3. Requirements.**

A successful vendor must:

- A. Demonstrate that it has previous experience with, and possesses the requisite knowledge and ability to, obtain, organize, and analyze the necessary information to complete the study and the report within the timeframe established by the Agency.
- B. Demonstrate or provide evidence that it has the ability to adequately and professionally analyze, understand, and evaluate the information and factors relevant to the scope of the study and the report – specifically regarding PBMs and their interplay and relationships with drug manufacturers, insurance providers, pharmacies, and prescription consumers.
- C. Describe the methods it will utilize in working with the Agency to conduct the study and report and ensure its timely completion.
- D. Disclose and describe any business litigation, regulatory proceedings, governmental investigations, or any other proceedings alleging fraud, negligence, or criminal activity relating to its consulting services in which it, any primary consultant, or any other officer or principal of the firm, has been involved in within the last five years.
- E. Describe its previous work in providing consultation or conducting studies involving, related, or similar to PBMs.
- F. Disclose any conflicts of interest the consultant or firm may have and describe how such conflicts are identified and handled to ensure project integrity.
- G. Disclose any activity in which anyone in the firm provided anything of value, including gifts, travel expenses, entertainment, meals, or other things to any employee or representative of an Alabama state government agency, board, bureau or commission in the past 12 months, describing the thing(s) provided, the purpose for doing so, and the person(s) to whom the things were provided.
- H. Describe any personal or professional relationship any officer or employee of the firm may have had with any employee or representative of an Alabama state government agency, board, bureau or commission over the last five years.

Each of the above areas of inquiry must be specifically and separately addressed by a named officer or representative of the firm seeking to contract with the Agency. Failure to respond in this manner may result in the vendor's response to the request for proposal being disregarded.

### **4. Qualifications.**

A successful vendor must provide to the Agency:

- A. A detailed description of the firm's qualifications, training, and capabilities in light of the foregoing **Scope of Services**.
- B. A brief history, from the inception, of the firm and any parent organization(s).
- C. A description of the ownership structure of the firm, giving specific details regarding any parent or affiliate organization(s).
- D. Evidence of a willingness and ability to follow guidelines and constraints as developed by the Agency.

Each of the above areas of inquiry must be specifically and separately addressed by a named officer or representative of the firm seeking to contract with the Agency. Failure to respond in this manner may result in the vendor's response to the request for proposal being disregarded.

## 5. Experience.

A successful vendor must:

- A. Provide a comprehensive history of the firm's provision of the desired services.
- B. Provide a list of references for the firm's current and past clients, with contact information.
- C. Describe the firm's experience with, and services provided to governmental entities considering the foregoing **Scope of Services**.
- D. Provide a list of the firm's employees that will work on the project, including each employee's background and resume.
- E. Describe how the services outlined in the Request for Proposal are to be provided by the firm.

Each of the above areas of inquiry must be specifically and separately addressed by a named officer or representative of the firm seeking to contract with the Agency. Failure to respond in this manner may result in the vendor's response to the request for proposal being disregarded.

## 6. Fees.

Proposals must disclose and include any and all fees, costs or expenses to be charged for the services described in Section 2 ("**Scope of Services**"). If applicable, the fees described and disclosed should include all charges for educational and consulting services, and the method by which such fees and expenses are determined. Failure to provide a complete listing of all fees, costs and expenses to be charged may result in the disqualification of the professional service provider submitting the proposal.

## **7. Submission of Proposals.**

Proposals must be received by the Legislative Services Agency no later than **4:00 o'clock p.m., Central Time Friday, May 5, 2025.**

Proposals must be directed to Othni Latham, LSA Director and may be submitted by either of the following:

By email: [olatham@lsa.state.al.us](mailto:olatham@lsa.state.al.us).

By hard copy using the following mailing address: **11 South Union Street, Suite 613 Montgomery, AL 36130-3525.**

## **8. Selection of Professional Service Provider.**

Upon review and evaluation of proposals, the Agency may select the professional service provider or providers determined to best meet the needs of the study and report. The Agency may initiate negotiations for contract terms and conditions, including fees, at any time in its discretion. ***All proposals received in response to this RFP may be rejected and the Agency may solicit additional proposals.***

## **9. Professional Service Contract Required.**

The professional service provider selected to provide the services specified in the RFP must enter into a written contractual agreement with the Agency. The terms and conditions of such an agreement will be subject to review and approval by legal counsel for the Agency.

## **10. Standard Form Contracts.**

Should a professional service provider desire to utilize a standard form contract in the provision of the services specified herein, it should include the standard form contract with its proposal. If any term or condition of its standard form contract is non-negotiable, such term or condition should be clearly identified. Non-negotiable terms and conditions determined to be unsatisfactory to the Agency may result in disqualification of the professional service provider submitting the proposal.

## **11. Legislative Contract Review.**

Any professional services contract resulting from this RFP is subject to review by the Contract Review Permanent Legislative Oversight Committee in accordance with Section 29-2-40, et seq., Ala. Code.

## **12. Vendor Disclosure Statement and Immigrant Compliance Requirements**

The provider selected by the Department must provide an original Disclosure Statement as required by Section 41-16-82 et seq., Ala. Code. Copies of the Disclosure Statement, and information, may be downloaded from the State of Alabama Attorney General's Office website at [www.state.al.us/Page-Resources](http://www.state.al.us/Page-Resources). The selected provider must also attest that all workers are citizens of the United States or are proper and legal immigration status.

Section 31-13-9(b), Ala. Code provides, "As a condition for the award of any contract to a business entity or employer that employs one or more employees, the business entity or employer shall provide documentation establishing that the business entity or employer is enrolled in the E-Verify program." A responder's submission of a response to this RFP will constitute a representation that it is enrolled in the E-Verify program. Prior to the award of a contract, the selected responder must submit a fully executed, completely legible, copy of the Memorandum of Understanding between the contractor and the United States Department of Homeland Security as evidence of compliance with this requirement.



ALABAMA LEGISLATIVE SERVICES AGENCY

By: Original Signature on File

Othni Lathram, Director

Date: April 21, 2025