



Date: January 14, 2021

To: RFP Participants

From: Office of Contracts and Procurement

Re: ODMR20210020 Single Pharmacy Benefit Manager Addendum 2

Addendum Clarifying Section 3.10 Protest Procedures

This addendum makes changes to the ODMR-2021-0020 RFP (“RFP”). Carefully read the addendum, which is hereby incorporated into the RFP. **To the extent that any term, sentence, or provision of the RFP contradicts or varies from this Addendum, this Addendum controls.**

Section 3.10 of the RFP is hereby replaced with the following:

A prospective or actual Offeror objecting to any matter relating to this RFP may file a protest using the following guidelines:

Protests must be made in writing and must contain the following information:

- The name, address, and telephone of the protestor
- The name and number of the RFP being protested
- A detailed statement of the legal and factual grounds for the protest, including any relevant documents
- A request for a ruling by ODM
- A statement as to the form of relief requested from ODM
- Any information the protestor believes to be essential to the determination of the factual and legal questions at issue

A Protest based on alleged improprieties in the **issuance of the RFP** or any other event preceding the closing date for receipt of proposals, must be filed no later than **3:00 p.m.**, Columbus, Ohio local time, on the closing date for receipt of proposals, as specified in **Section 1.6**, Anticipated Procurement Timetable, of this RFP.

A Protest based upon the **award selection** must be filed no later than **3:00 p.m.**, Columbus, Ohio local time, on the seventh (7th) business day after issuance of the award and denial letters. Therefore, all protests based upon the award selection of this project **must be received by Thursday, January 21, 2021 at 3:00 p.m., Columbus, Ohio**, to be considered timely. Any such protest can be mailed, delivered using a delivery service, sent by email, or hand delivered to the following address:

Deputy Legal Counsel, Office of Contracts and Procurement
Ohio Department of Medicaid
50 West Town Street
Columbus, Ohio 43215
ODM_Procurement@medicaid.ohio.gov

It is the obligation of the protestor to make certain that the protest is **received** by ODM by Thursday, January 21, 2021 at 3:00 p.m. Columbus time. ODM will not consider protests that are received after the deadline of Thursday, January 21, 2021 at 3:00 p.m. Columbus time.

When a timely Protest is filed, the selection or contract process may be suspended until a decision on the protest is issued or the matter is otherwise resolved, unless the Director of ODM determines that a delay will severely disadvantage ODM. The Offeror who would have been awarded the Contract will be notified of the receipt of the Protest.

ODM may issue written decisions on all timely protests and will notify any Offeror who filed an untimely protest as to whether the Protest will be considered.