

**STATEMENT OF WORK
VOCATIONAL REHABILITATION SERVICES
INVITATION TO QUALIFY (ITQ) CONTRACT**

- I. OVERVIEW:** The purpose of the Vocational Rehabilitation Services ITQ is to qualify responsible and responsive Contractors to perform Vocational Rehabilitation Services to the Commonwealth of Pennsylvania, Department of Labor & Industry (L&I), State Workers' Insurance Fund (SWIF) for Vocational Rehabilitation Services. The Department of General Services (DGS) is seeking qualified Contractors with the experience, background, certifications, and services at competitive prices while ensuring that agency requirements are met in compliance with all regulations of [The Pennsylvania Workers' Compensation Act, specifically Title 34, PA Code Section 123.201](#) which allows Pennsylvania Workers' Compensation insurers to maintain or provide vocational rehabilitation services. The awarded Contractor(s) shall provide all facilities, labor, materials, services, skills, supervision and necessary equipment to manage and conduct provision of services under this Contract. These services will be provided by an independent Contractor, not as an employee of the Commonwealth. The awarded Contractor(s) shall render services in accordance with the policies, procedures, and standards of the Commonwealth.

Staff augmentation is not permitted under this contract.

A successful Contractor(s) will not be permitted to subcontract all or any work.

- A. SITUATIONS REQUIRING VOCATIONAL SERVICES PRIOR TO JUNE 24, 1996:** The following situations could require vocational services as determined by SWIF:
1. When the injured worker has reached medical stability or has been released by a physician for modified work and the insured has no work or light duty work available for the employee.
 2. When the injured worker has been released to work with physical restrictions and the insured is willing to accommodate the employee, the vocational counselor, in conjunction with the insured, may do job analysis to match job activities with specific physical restrictions.
 3. When the insured has work available within the injured worker's physical capabilities and an employee demonstrates an unwillingness to return to work, then the vocational counselor may do job analysis and prepare job descriptions to be presented to a Workers' Compensation Judge or physician. A vocational counselor may also show additional job availability in addition to that available with the injured worker's employer. This additional work may only be done following consultation with the appropriate district office manager. Assuming this approval is secured, the Contractor(s) may be required to prepare a light duty packet in accordance with requirements determined by SWIF; and/or
 4. When the insured has no modified or regular light duty work available for the insured worker, the vocational counselor can assist in locating suitable employment within the physician's restrictions. If the injured worker is uncooperative, the employment positions located may be used as evidence at the workers' compensation hearing to modify or suspend benefits. At this time, the Contractor(s) may be required by SWIF to prepare a light duty packet, containing at a minimum, job analysis, current medical condition, case summary and listing of jobs available. If directed by SWIF, the Contractor(s) will testify and supply evidence regarding the status of cases referred for vocational services. The Contractor(s) will assist and cooperate with SWIF attorneys and claims personnel in preparing for such hearings;

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All Contractor(s) shall be required to complete the Labor Market Survey (LMS) within four (4) months of the referral by SWIF.

B. SITUATIONS REQUIRING VOCATIONAL SERVICES ON OR AFTER JUNE 24, 1996:

The following situations could require vocational services as determined by SWIF:

1. When the injured worker has reached medical stability or has been released by a physician for modified work and the insured has no work or light duty available for the employee, earning power is to be determined by expert opinion evidence or work the claimant is capable of performing. The evidence must consider a claimant's residual productive skills, education, age, additional work experience. Evidence to establish earning power includes job listings with government agencies, such as PA CareerLink's, private job placement agencies, and advertisements. Act 57 made a LMS the vehicle for establishing earning power. For purposes of this ITQ, LMS shall consist of a minimum of four (4) specific job referrals being sent to the claimant and his/her lawyer. The jobs should be physically and vocationally appropriate for the claimant and should be open and available to the claimant at the time the LMS is being conducted. Notices of said job referrals shall be sent by both regular and certified mail.

2. When the injured workers have been released to work with physical restrictions, and the insured is willing to accommodate the employee, the vocational counselor, in conjunction with the insured, may perform a job analysis to match job activities with specific physical restrictions.

II. ISSUING OFFICE: This ITQ is managed and administered by the Commonwealth of Pennsylvania, Department of General Services (DGS), Bureau of Procurement. All inquiries should be referred to:

Crystal Zelinski, Commodity Specialist
Department of General Services
Bureau of Procurement, 6th Floor
555 Walnut Street
Harrisburg, PA 17101-1914
Telephone: (717) 346-8112
Email: czelinski@pa.gov

III. SERVICES: The vocational consultant must evaluate the injured individual and identify employment opportunities consistent with his/her physical capabilities and vocational abilities. The vocational rehabilitation process includes, but will not be limited to, the following elements:

A. Vocational Evaluation and Analysis: At the direction of SWIF, the Contractor(s) will offer vocational evaluation/analysis services to the injured workers. Vocational evaluation and analysis involve evaluating an individual's vocational history, determining transferable skills, and assessing skill potential. If transferable skills are lacking, evaluation tests can be administered. The testing may consist of any or all the following, dependent upon the needs or the individual injured worker or referral source:

1. **Interest Testing** – This test is administered to generate additional vocational placement possibilities as identified by the individual's interests.

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2. ***Achievement and Intelligence Testing*** – These tests assist in defining abilities in reading, spelling, math, and ability to understand and comprehend, respectively.
3. ***Personality Testing*** – This type of testing distinguishes behavioral and emotional traits and tendencies.
4. ***Work Samples Testing*** – This testing is offered in some areas and provides a full battery of “hand’s-on” work samples (simulated work stations). The purpose is to provide observable and measurable information skills and vocational aptitudes. Each work sample introduces some job factors an individual may encounter in a realistic work setting and evaluates a person’s ability to perform the required tasks.

After assessing the individual’s vocational history, transferable skills and vocational potential, occupational guidance may be provided to assist the injured worker in determining realistic vocational goals. Services to include:

- Initial interview and evaluation/expert interview process to be conducted within 10 days of assignment to Contractor(s);
- Analysis of medical factors;
- Analysis of vocational factors; and
- Occupational guidance.

****NOTE FOR SITUATIONS REQUIRING VOCATIONAL SERVICES ON OR AFTER JUNE 24, 1996:**

1. SWIF requires that the individual performing vocational services under this contract must meet the criteria of 34 PA Code section 123.201 relating to qualifications. Said person must meet the criteria in his/her own right and cannot satisfy this standard by working under the direct supervision of another individual.
2. As part of an initial file review, the vocational services company shall verify that the claimant did, in fact, receive form LIBC-757 – Notice of Ability to Return to Work. As soon as practicable thereafter, the vocational services company shall secure proof that the employer has no light duty position for the claimant on a form supplied by SWIF. Said proof shall be in a form acceptable for presentation and use in a workers’ compensation hearing in the event one is necessary. The Contractor(s) would then be required to perform an LMS as described herein; and/or
3. If an employee demonstrates an unwillingness to submit for an “Expert Interview” the Contractor(s) will immediately notify the assigned investigator by telephone and in writing in order that SWIF might file, the appropriate petition.

B. Job Development and Placement: At the direction of SWIF, the Contractor(s) will provide job development/placement services. Selective job placement is a service designed to return the injured individual to productive employment and expedite case movement and closure. The job development and placement process will include, but is not limited to, the following elements:

1. Job Readiness Programs – These are designed to enhance an injured worker’s employability and job placement potential by teaching him/her job seeking skills as the program is conducted in a group setting. The injured worker benefits from peer interaction and SWIF benefits from a prorated charge for the services rendered;

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2. Job Bank – A valuable tool in the placement of impaired individuals, the job bank is an open record of job descriptions and analysis as well as cooperative and interested employers. The ready availability of this information expedites the placement activities, therefore reducing the usual time and costs for these services; and
3. Individual Job Placement – After identification of alternative employment positions within the individual’s physical capabilities and aptitudes, the vendor will work one on one with the injured workers to insure timely, appropriate placement.

Follow-up services by SWIF may be required.

- IV. QUALIFICATIONS:** Contractors interested in becoming an ITQ Contractor must meet the following requirements. Failure to meet the below requirements will result in the application being rejected
- A. Contractors will be required to download, complete, and upload Attachment A, Vocational Rehabilitation Technical Submittal;
 - B. Contractors will be required to download, complete, and upload Attachment B, Vocational Rehabilitation Cost Submittal;
 - C. Contractors are required to download, complete, and upload the Domestic Workforce Utilization Form;
 - D. Contractors are required to download, complete, and upload the Iran Free Procurement Form.

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V. **SERVICE CATEGORIES:** Contractors will need to choose the appropriate commodity code(s) to qualify for this contract. Contractors will select the appropriate code(s) under the Business Details section of the qualification process. The Commonwealth may add additional commodity codes as the need arises. The table below lists the appropriate commodity code and description of each service category. Each Contractor(s) that *qualifies* for a Service Category will be awarded a contract. Award of a contract to a Contractor(s) is *not* a guarantee of business.

COMMODITY CODE	DESCRIPTION OF SERVICE CATEGORY
86000000-ITQ-257 TERRITORY A: Philadelphia District Office (Counties: Bucks, Chester, Delaware, Montgomery, and Philadelphia)	Refer to Section III. Services for Service Category Description Contractor(s) must be able to service the entire geographical area(s) for which a response to the ITQ is submitted and must have vocational counselors physically located in the counties specified in this Commodity Code.
86000000-ITQ-258 TERRITORY B: Harrisburg, Pottsville, Sunbury and Scranton District Offices (Counties: Adams, Berks, Bradford, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming and York)	Refer to Section III. Services for Service Category Description Contractor(s) must be able to service the entire geographical area(s) for which a response to the ITQ is submitted and must have vocational counselors physically located in the counties specified in this Commodity Code.
86000000-ITQ-259 TERRITORY C: Pittsburgh, Johnstown and Erie District Offices (Counties: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana,	Refer to Section III. Services for Service Category Description Contractor(s) must be able to service the entire geographical area(s) for which a response to the ITQ is submitted and must have

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Jefferson, Lawrence, McKean, Mercer, Somerset, Venango, Warren, Washington, and Westmoreland	vocational counselors physically located in the counties specified in this Commodity Code.
86000000-ITQ-260 STATEWIDE Includes all 67 counties within Pennsylvania	Refer to Section III. Services for Service Category Description Contractor(s) must be able to service the entire geographical area(s) for which a response to the ITQ is submitted and must have vocational counselors physically located in the counties specified in this Commodity Code.

VI. ADDITIONAL LIABILITY INSURANCE: In addition to the other types of insurance required, Contractor(s) are required to have in place upon signing of the contract the following type of insurance: \$1,000,000 Single Limit Errors and Omissions Insurance with Certificate of Insurance to SWIF.

VII. ASSIGNMENT OF SERVICES: When services are required, SWIF will contact the qualified Contractor(s) and assign projects based on Contractor availability and capacity. At that time, SWIF will provide the Contractor with specific information regarding the injured individual, the proposed start date, and required completion date so that the Contractor can accurately gauge its ability to complete the work. SWIF will issue a Purchase Order to the Contractor upon their agreement to perform the assigned services.

Purchase orders may be issued for services to be provided for a specified period of time or for a specified number of properties. SWIF may add services for additional properties to an existing Purchase Order if sufficient funds and/or time remain on the Purchase Order.

VIII. CONDUCT OF VOCATIONAL EXPERTS:

- A. Before conducting an earning power assessment interview, the vocational expert shall disclose to the employee, in writing, the role and limits of the vocational expert’s relationship with the employee.
- B. A vocational expert who conducts an earning power assessment interview shall generate a written initial report detailing the expert’s involvement in the litigation and conclusions of any surveys or tests. The vocational expert shall serve a copy of the initial report on the employee and counsel, if known, within 30 days of the date of the interview.
- C. A vocational expert who authors additional written reports, including earning power assessments or labor market surveys, shall simultaneously serve copies of these written reports upon the employee and counsel, if known, when the expert provides the written reports to the insurer or its counsel.
- D. A vocational expert who satisfies the requirements of this section complies with the Code of Professional Ethics for Rehabilitation Counselors pertaining to the conduct of expert witnesses for purposes of Section 306(b)(2) of the Act (77 P.S. § 512(2))
<https://www.pacode.com/secure/data/034/chapter123/subchapCtoc.html>

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The PA Workers' Compensation Act can be reviewed at

<https://www.dli.pa.gov/Individuals/Workers-Compensation/publications/Pages/WC%20Act/WC-Act-Landing-Page.aspx>

- IX. STAFFING ADMINISTRATION:** Awarded Contractor(s) are expected to utilize standards of professionalism in all aspects of the performance of the Contract. All personnel must be fully qualified for the performance of the task to which assigned. In the event of recurring and/or un-resolved personnel performance issue(s), the Commonwealth has the right to request that such personnel be replaced.
- A. Personnel will be audited every six (6) months to ensure proper notification, resumes, certification documentation and certification renewal documentation have been provided to SWIF as described in this solicitation.
 - B. Notice of personnel changes (additions, deletions and/or changes in local, state of federal licenses/certifications) must be communicated to the Labor and Industry, SWIF Vocational Rehabilitation Program Manager and the Department of General Services Contracting Officer.

Karen Lord, Chief Claims Officer
Department of Labor & Industry
State Workers' Insurance Fund
100 Lackawanna Ave.
Scranton, PA 18503
Tele:570-963-3130, 717-265-8025
Fax: 570-963-4261
 - C. If personnel changes are made without notice to SWIF and DGS, the contract may be terminated.
 - 1. If an employee is terminated and another employee, already employed by the Contractor(s) which has credentials on file with SWIF is used as a replacement on a specific project, notification must be given to SWIF at time of replacement.
 - 2. If a new hire is to be utilized on SWIF's projects, the Contractor(s) must provide advanced notice of at least five (5) business days to SWIF and provide a resume and proof of certifications for review and approval by SWIF.

X. TRAVEL TIME / REIMBURSEMENTS:

Travel will be paid at 50% of the hourly rate for the first two hours of travel. Travel over two (2) hours will only be reimbursed for mileage driven after the first two (2) hours at the current rate as per [Management Directive 230.10](#). Parking and tolls will be reimbursed at actual cost(s) based on the submission of appropriate receipt(s).

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XI. BILLING AND REPORTING:

The Awarded Contractor(s) shall submit computer-generated invoices monthly to the referring SWIF Office for services rendered on each claim assigned. The invoices must list the SWIF claim number, claimant's name, and date of service, invoice number, and invoice date. The invoices must include a breakdown of charges, a detailed report of the services provided and include any necessary receipts, for which reimbursement is being requested. See section on Reimbursements for further details.

The Awarded Contractor(s) will submit, a monthly report listing the Vocational Rehabilitation Services provided for the period by district office.

A copy of all monthly reports must be submitted by the 15th of the following month to:

State Workers' Insurance Fund
Attn: Chief Financial Officer
100 Lackawanna Ave.
Scranton Pa. 18503

Or emailed to RA-LISWIF-PROCUREMENT@pa.gov