

Memo

Date: 14 April 2023

To: Allan Moffitt, Interim Clinical Director Commissioning, Te Whatu Ora - Health New Zealand

From: s 9(2)(g)(ii)

Subject: Evaluation Panel Report for Guidelines for Gender-Affirming Care RFP

Purpose

1. The contents of this memo relate in part to a current ('live') request for proposal (RFP) process and therefore this paper must be treated as Commercial in Confidence.
2. This memo is to seek your approval to notify the preferred supplier of the outcome of the evaluation for the 'Update to the Guidelines for Gender-Affirming Care' RFP.
3. Once approved, Te Whatu Ora will enter contract negotiations with that provider.

Background

4. This RFP followed a closed tender process to select the best provider to deliver the update to the national guidelines for gender-affirming health care (the Guidelines)¹. The updated Guidelines will provide guidance on clinical and cultural best-practice when delivering care to transgender patients and will be updated to reflect the World Professional Association for Transgender Health (WPATH) Standards of Care Version 8² which were released in late 2022.
5. The successful provider will have the capability to carry out consultation with the relevant stakeholders on gender-affirming health care, ensuring that the updated Guidelines meet the needs of the community and requirements to deliver clinical and medical services safely.
6. Individual service negotiation points will be prepared for the required services and negotiated within the contract.
7. To support your decision-making, the attached evaluation report documents the outcome of the evaluation process and the immediate next steps in the procurement process.
8. The scoring summary is attached as Appendix A.
9. The final weighted scores and rankings are attached as Appendix B.
10. The scorer's comments are attached as Appendix C.

¹ Guidelines for Gender Affirming Healthcare (2018 – New Zealand). Professional Association for Transgender Health Aotearoa. Retrieved from <https://patha.nz/Guidelines> (accessed 9 December 2022).

² [WPATH Standards of Care for the Health of Transgender and Gender Diverse People Version 8.](#)

Recommendations

1.	Note	The RFP closed on 30 March 2023 with 2 responses received	Yes
2.	Note	A multi-disciplinary Evaluation Panel completed their evaluation of the responses to the RFP on 5 April 2023, in accordance with the process set out in the Procurement Plan approved 8 March 2023.	Yes
3.	Note	two (2) RFP responses were received, from: 1. Professional Association for Transgender Health Aotearoa Incorporated (PATHA) 2. Gender Minorities Aotearoa (GMA)	Yes
4.	Note	the top ranked response was from PATHA PATHA will be the sole provider as the needs outlined within the RFP are met by one provider requiring the full funding amount. The services proposed demonstrated PATHA can meet requirements to reduce inequities in health outcomes, with a focus on meeting obligations to Te Tiriti o Waitangi. Accordingly, their proposal meets the requirement for the update to the Guidelines	Yes
5.	Agree	to progress to contract negotiations with PATHA with the anticipation of awarding them the contract for Guidelines for Gender-Affirming Care, with funding up to \$124,000 (excluding GST)	Yes
6.	Note	PATHA's proposed pricing for the work at \$124,000 exceeds the anticipated maximum of \$100,000 as set out in the RFP. Although budget is available for this, we will need to negotiate the pricing to determine whether the pricing can be reduced or whether public value for money can be demonstrated for the extra services proposed for the pricing provided	Yes
6.	Agree	to communicate the outcome of the process to the unsuccessful respondent and offer them the opportunity for a debrief	Yes
7.	Note	letters will be provided for approval before being sent	Yes

Approval: I, Allan Moffitt, Interim Clinical Director Commissioning, Te Whatu Ora – Health New Zealand agree with the recommendation and next steps.

Allan Moffitt,
Interim Clinical Director Commissioning
Te Whatu Ora -Health New Zealand

Date: 13/04/2023

Evaluation Report

Guidelines for Gender-Affirming Care RFP

Purpose

1. This report documents the outcome of the evaluation process of the closed RFP for the Guidelines for Gender-Affirming Care.
2. The RFP was sent to two selected providers and received a response from each.
3. The RFP sought applications from the two providers to deliver, 'updating national guidelines for gender-affirming health care and lead referral pathways for gender-affirming health services and supports'.
4. This is a fixed-fee procurement. The successful provider will be allocated funding of up to \$124,000 excl GST from Budget 2022.

Summary of Respondents

5. The two proposals were from:
 - a. PATHA
 - b. GMA
6. There were no Te Whatu Ora internal respondents.

Evaluation Panel

7. A panel of 4 were assembled to evaluate the responses. Half of the panel membership had lived experience of gender-affirming care. The other panel members provided subject matter expertise and representation from Te Aka Whai Ora.
8. The panel consisted of the following:

s 9(2)(g)(ii)

9. s 9(2)(g)(ii), both Commissioning Managers, facilitated the panel.
10. During the panel moderation, meeting notes were taken by s 9(2)(g)(ii).
11. s 9(2)(g)(ii) attended the meetings as an observer and non-voter.
12. The panel individually scored the responses against all criteria and met as a panel to agree on the consensus/moderated scores for each criterion.
13. The moderation meeting was an open discussion for all to consider the comparative strengths and weaknesses of each proposal.
14. The final moderated scores were used to confirm the total weighted score and the proposals were ranked in order before the pricing of each proposal was considered in accordance with the procurement plan.
15. The panel reviewed which proposal was the best 'public value' offer, based on a combination of the non-price ranking and the corresponding whole-of-life pricing. The evaluation panel's decision was based on the offer representing the best solution at the best reasonable price.

Conflict of Interest

16. Preparation for this sourcing process began with the New Zealand Health Partnerships procurement at the end of 2022.
17. Members of the evaluation panel and project team were provided with conflicts of interest and confidentiality declarations prior to the RFP documents being released to them.
18. Members of the evaluation panel and project team were provided with a list of the respondents and were asked to declare any further conflicts of interest via an updated conflict of interest declaration.
19. No declarations of conflicts of interest were received.

Procurement Process

20. The procurement process was outlined in the RFP document. The evaluation process followed the steps outlined in these sections.
21. The procurement process was as outlined in procurement and evaluation plan.

Evaluation of Proposals

s 9(2)(g)(i)

23. The Panel considered the pricing after the non-pricing criteria evaluation was completed and considered the offer representing the best solution at the best reasonable price was PATHA's.

Recommendation

24. PATHA delivered the most comprehensive response with the highest score of 4.05 out of 5. This proposal successfully demonstrated PATHA can deliver the objectives of this funding and accordingly we recommend selecting PATHA as the provider of these services, subject to successful negotiation of an agreement.

Due Diligence

25. Due diligence will take place during contract negotiations with the preferred provider.

Next Steps

26. Advise the preferred provider by phone call, followed up with a letter via email. The award is subject to contract negotiations and due diligence.
27. Contract negotiations will be entered into at an agreed time and procurement managers, project manager and senior advisor will attend these meetings.
28. The letter to GMA as the unsuccessful provider will be sent at the same time as the preferred provider. The letter will offer the opportunity for a debrief.
29. The project team will work with the preferred provider to negotiate points relevant to each service and then draft an agreement (subject to reference checking and due diligence as required).

Appendix A – Scoring summary

RFX:	Update to Guidelines for Gender Affirming Care	1 PATHA		2 GMA	
		Moderated / Median Score	Weighted score	Moderated / Median Score	Weighted score
	Non-price Criteria				
2.1	Criteria 1 Capacity				
2.1.1	Response to 1a. To what extent has the organisation demonstrated it has the structure to and capacity to suitably carry out this work. Has it provided detail of any current relevant contracts it holds with Government Agencies		0.05		
2.1.2	Response to 1b. To what extent has it demonstrated it has the relevant resources/team to update of gender-affirming care guidelines including its ability for cultural support and stakeholder consultation. Have they included risks associated with resourcing capability and an appropriate mitigation of these risks.		0.1		
2.2	Criteria 2 Solution Fit for Purpose				
2.2.1	Response to 2a. How suitable is their solution to update gender-affirming care guidelines and do they include updating the guidelines to bring them in line with the World Professional Association for Transgender Health Standards of Care.		0.15		
2.2.2	Response to 2b. How well has the respondent described how it will ensure that the updated guidelines will be applicable to primary and community care providers, with clear guidance on commencing hormone therapy in primary care		0.1		
2.2.3	Response to 2c. Do they have relevant experience in developing clinical or other guidelines for professionals		0.05		
2.3	Criteria 3: Addressing Equity and Māori Health and Wellbeing				
2.3.1	Response to 3a. To what extent has the respondent demonstrated a commitment to improving Māori Health outcomes in access to gender-affirming healthcare in Aotearoa New Zealand. Have they shown how they will incorporate Te Ao Māori principles and perspectives into updated Guidelines, ensure Māori representation in decision making at all levels of the Guidelines development, that Guidelines will be appropriate for and address the differing needs of Māori from and living in different regions, and demonstrated how they will run stakeholder engagement processes are appropriate for and address the needs of Māori stakeholders and whānau.		0.15		
2.3.2	Response to 3b. To what extent has the respondent demonstrated a commitment to addressing inequities in access to gender-affirming healthcare in Aotearoa New Zealand and ensure the guidelines are appropriate for and address the needs of Pacific peoples, youth and tāngata whaikaha		0.15		
2.3.3	Response to 3c. Does the proposal demonstrate how the solution will embed Te Tiriti o Waitangi principles into the design and delivery of Guidelines		0.05		
2.4	Criteria 4: Capability of the Organisation to carry out consultation with the relevant stakeholders				
2.4.1	Response to 4a. Has the provider demonstrated their capability to develop guidelines in partnership with and for transgender and non-binary patients, including the multiplicity of trans, non-binary, Takatāpui, and MVPFAFF+ perspectives - encompassing those with a variety of clinical, cultural and regional needs. How appropriate is their experience?		0.1		
2.4.2	Response 4b. Describe your organisation's plan for how guidelines will be developed in partnership with clinical and medical perspectives, ensuring that guidelines will be applicable for health professionals across the health system and meet requirements to deliver clinical and medical services safely		0.05		
2.4.3	Response to 4c. Does the organisation have appropriate experience working with health and/or education organisation successfully delivering project or service within the last three years		0.05		
Totals			100.00%		4.05

s 9(2)(g)(i)

Released under the Official Information Act

Appendix B: Final weighted scores and rankings

Respondent	Weighted Score	Ranking	Strengths	Weaknesses	Continue to next stage of process and any conditions	
PATHA	4.05	1	<p style="color: red; font-size: 2em; font-weight: bold; text-align: center;">s 9(2)(g)(i)</p>			<p style="text-align: center;">Yes</p> <ul style="list-style-type: none"> Need to provide a plan how they will engage with communities (transgender and non-binary), including how specifically they will connect with Pacifica communities already doing this work
GMA	<p style="color: red; font-weight: bold;">s 9(2)(g)(i)</p>	2				<p style="text-align: center;">No</p>