

February 5, 2024

**VIA ELECTRONIC MAIL**

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**RE:    *Response to Protester's Request for Extension of Appeal Date***  
***AHCCCS ALTCS E/PD Solicitation YH24-0001***

Dear Counsel:

The Procurement Officer has considered the request submitted by Banner-University Care Advantage, later joined by Mercy Care and Blue Cross Blue Shield of Arizona Health Choice (collectively the “Protesters”), for a stay of the deadline imposed under A.A.C. § R9-22-604(I)(1) for the filing of an appeal of the Procurement Officer Decision issued on February 2, 2024 for the ALTCS E/PD Request for Proposals No. YH24-0001. The Procurement Officer has additionally considered Mercy Care’s and Blue Cross Blue Shield of Arizona Health Choice’s alternative requests that AHCCCS extend the appeal deadline if a stay is not warranted. The Protestors contend principally that a stay or an extension is justified by (1) the length of the Procurement Officer Decision; and (2) the production of additional AHCCCS communication records on February 2, 2024, and the expected future production of records of “chat” communications within AHCCCS related to the RFP.

The Procurement Officer does not find sufficient cause for a stay or extension of the appeal deadline. The length of the Procurement Officer Decision corresponds to the breadth of the arguments made in the multiple protest filings. Further, the Procurement Officer Decision answers protest arguments the Protesters have previously briefed to AHCCCS in detail. Also, the Protesters have not identified any communications recently produced by AHCCCS that are relevant to the protest grounds decided in the Procurement Officer Decision, nor any specific basis to believe that any future production of the “chat” communications are likely to contain information relevant to any appeal of the Procurement Officer Decision. Moreover, to the extent that any protester/appellant considers any document AHCCCS produces after the deadline for the appeal provides information relevant to their previously filed appeal, they may seek from AHCCCS, through submission of good cause in a timely request, leave to file a supplement of the relevant portions of their appeal that are required by A.A.C. § R9-22-604(C)(2).

Sincerely,



2/5/2024

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