

New York State Department of Health  
Office of Professional Medical Conduct  
Bureau of Adjudication

IFB No. 16106

Hearing Reporter Services for Department of Health Hearings

July 30, 2015

***Response to Written Questions***

1. Do you currently have court reporters covering the areas indicated in the IFB?

Answer. The IFB requires hearing reporters. We currently have hearing reporters covering the areas indicated in the IFB.

2. Can we get the current vendor name for Region 1?

Answer. The current vendor name for Region 1 is Precise Court Reporting Services.

3. Could you please provide breakdown of the rates for region 1 & region 3?

4. What are the prices on the current contract for region 1?

Answers 3 & 4. : See below for current contract rates for regions 1 & 3

<b>Region 1</b>	Rates		<b>Region 3</b>	Rates
<u>Delivery type</u>			<u>Delivery type</u>	
Normal	\$ 4.70		Normal	\$ 7.00
Priority	\$ 6.00		Priority	\$ 7.50
Overnight	\$ 6.75		Overnight	\$ 10.00
Immediate	\$ 7.25		Immediate	\$ 11.00
Evening rate	\$ 5.45		Evening rate	\$ 11.00
Copy Rate	\$ 0.25		Copy Rate	n/a

5. The locations mentioned are areas that are outside of my area unless I used other reporting services. Would this proposal encompass Catchment 8 & 9 which would include Sullivan, Ulster, Dutchess, Orange, Putnam, Rockland and Westchester Counties?

Answer. The regions in this IFB are not referred to as Catchment areas. See Attachment 5, Estimated Volume of Hearing Reporter Services Per Year for the New York State Regions and Cities within each region that must be covered.

All bidders must be able to cover all cities listed within the region they are bidding on.

6. Could you please provide where the hearings are for region 3 & region 4 are held?

Answer. **Region 3 Rochester**

OPMC Western Area Office – NYC Rochester  
335 E. Main Street  
Rochester, NY 14604

**Region 3 Buffalo**

OPMC Western Area Office – Buffalo  
584 Delaware Avenue  
Buffalo, NY 14202

**Region 4 Syracuse**

OPMC Central NY Regional Office  
217 South Salina Street  
Syracuse, NY 13202

**Region 4 Utica**

Utica State Office Building  
207 Genesee Street,  
Utica, NY -13501

Oneida County Office Building  
800 Park Avenue, 4<sup>th</sup> Floor,  
Utica, NY - 13502

7. What is the normal venue of the hearings? Are they conference rooms or auditoriums?

Answer. The normal venue of the hearings are conference rooms.

8. You request the names and experiences of all reporters assigned to perform services with the DOH. We have a large team of reporters in New York that we work with, any one of which can be assigned to this work at any time. Do you need the names and experiences of all of them or can we provide that information as hearings are staffed?

Answer. See page 6, Section C. 1.c which states “The Contractor will provide the names and experience of all hearing reporter individuals and/or independent contractors assigned to perform hearing reporter services at the locations identified in their contract with the Department yearly, with updates if any changes occur. The Department reserves the right to reject any hearing reporter. ”

9. Is the header on each page considered line 1 of 25 or is it separate from 25 line Requirement?

Answer. The header on each page is considered line 1 of 25 and not separate from the 25 line requirement.

10. Under 5 (f) of Original Transcript Page requirements, page 8 of the IFB states that the transcript paper shall be un-punched unless otherwise designated In order to bind a transcript, paper must be punched. Does this mean that the transcript are not to be

bound? How would you prefer original transcripts be bound? Can transcript copies be velobound?

Answer. Section C. 5 (f) of Original Transcript Page Requirements, page 8 of the IFB states "Paper shall be un-punched unless designated by the Department as punched, with punch specifications. There shall be no additional charge for punched paper." The IFB does not require the transcripts to be bound.

11. Under 9 (a) of Delivery Requirements page 9 of the IFB notes that Full sized original, condensed copy and Cd to Presiding officer; full sized copy and condensed copy to assigned attorney. Under this scenario, is the billing to be one original and three copies for bidding purposes? We ask this due to the fact that on the bid form page, under estimated pages, you noted approximately 12,600 original pages for region one, and only 10,000 copy pages, and not 37,000 copy pages (which would equate to one original and three copies).

Answer. **The scenario you provide is incomplete according to the IFB.**

Under 9(a) of Delivery requirements page 9 of the IFB:

- **Presiding Officer:** one (1) original, one (1) condensed [four (4) pages on one (1) page] copy and one (1) CD transcript; each will include an index.
- **The Department's assigned attorney:** one (1) full size copy and one (1) condensed [four (4) pages on one (1) page] copy.
- **Each hearing panel member (if applicable):** one (1) condensed [four (4) pages on one (1) page] copy.

In the above scenario in the IFB, there would be 1 original, 6 copies and 1 CD. For billing purposes, there would be 1 original at delivery rate (normal/priority/overnight /immediate), 1 full size copy and 5 one sided condensed copies (each of the condensed copies (four (4) transcript pages on one (1) sheet) should be billed at four (4) pages, not one (1) page) at the copy rate.

Billing scenarios change depending on type of hearing. See page 4, Background for details on types of hearings. Also See Section C. Detailed Specifications, 11: Charges, Payments and Payment Reductions, page 10 of the IFB

The quantities listed in the Cost Bid Form, under the estimated pages per year column for each item are estimated quantities per region and include all scenarios of which you are referencing only one, therefore, the number of original pages differ from the copy pages.

12. 9(a) of Delivery Requirements, page 9 of the IFB, lists each hearing panel member (if applicable) as parties who are to receive condensed transcripts. Is this to be provided for no additional charge by the contractor?

Answer. No, condensed transcripts for each hearing panel member will be charged at the copy rate.

13. Can you confirm that the only deliverables/services you will be requesting are the original transcript, one copy of the full-size transcript and up to five copies of the compressed transcript?

Answer. No, the above mentioned scenario is one scenario, applicable for OPMC hearings. The deliverables/services change based on the type of hearing. See Section C. 9 Delivery Requirements, a. and b. Also see Section B. Background for the types of hearings.

14. Page quantities: We assume a 100 page transcript with 10 index pages = 110 pages to be billed. We assume 10 condensed pages with four pages on each = 40 pages to be billed?

Answer. Yes, a 100 page original transcript with 10 index pages should be billed at 110 pages (see Section C. 11).

Yes, 10 condensed copies (four (4) transcript pages on one (1) sheet) should be billed at 40 pages (see Section C.11).

15. On average, can you approximate how many transcript pages are produced per hearing?

Answer. No. Transcript page amounts vary depending on the type of hearing. Please see Attachment 5, Estimated Volume of Hearing Reporter Services per year for each region.

16. We do not see mention of appearance fees. Are those included in the regular rates?

Answer. Correct, the IFB does not include appearance fees. See Section C.11.d: Cancellation minimum fee.

17. Are there other services you may request?

Answer. No.

18. Would you ever need exhibits processed?

Answer. See Section C. 8: Miscellaneous Requirements.

19. Or the hearing videotaped?

Answer. No, See Section C. 3: Recording Requirements.

20. Or real time services?

Answer. See Section C. 2: Reporter Requirements, part c: "Reporters shall be proficient in court stenography (able to take a verbatim record of all that is spoken and to read back from that record when asked). Reporters shall be able to protect the confidentiality of patient/witness names within the transcript."

21. Would additional copies of the transcripts ever be sold to other parties attending the hearing?

Answer. The definition of the term "other parties" in the above question is not clear, therefore, a response cannot be provided.

22. Do you expect to see an invoice with one line item listing the page rate which includes all charges or may we include a separate charge for appearance fees and any additional services requested? Can we attach a separate rate sheet with those 'extras'?

Answer. See Section E. 6: Payment for Submission of Vouchers and Invoices. No, there are no separate appearance fees or 'extras' to be charged to this contract.

23. Will all transcripts (originals and copies) be mailed to the location where the hearing was taken?

Answer. No, see Section C. 9 (a) & (b) of Delivery Requirements.

24. Will we be expected to deliver a transcript to the witness for read and sign (errata) purposes?

Answer. No, contractors will not be expected to deliver a transcript to the witness for read and sign (errata) purposes.

25. Do I understand from the cancellation minimum fee, that travel is only reimbursed if the hearing is cancelled, and that travel is not customarily reimbursed if the hearing goes forward?

Answer. Yes, round trip travel expenses may be charged if a hearing date is cancelled after the reporter has traveled to the hearing location. Travel reimbursement rates cannot exceed the rates established by the NYS Comptroller for state employees. For more information on the current travel reimbursement rates, visit <http://www.osc.state.ny.us/agencies/travel/manual.pdf>. (See Section C. 11.)

26. Can you describe what is meant by the "hearing committee"? Is it a panel of several people also asking questions?

Answer. See Amendment 1 and Section B. Background. The number of panel people may vary based on the hearing type.

27. How often are the “other Department programs” scheduled, or are we only bidding on the OPMC work?

Answer. We cannot determine how often the “other Department programs” are scheduled. See Attachment 5 for an estimated number of hearing days for each region which includes all types of hearings. No, you are not only bidding on the OPMC work, but the “other Department programs” as well.

28. To submit a bid, you ask us to submit three handwritten signed originals. Are you requested that the entire proposal be handwritten or are original signatures on copies acceptable? Is it just the Cost Bid Form that must be handwritten three times? Or do you expect all parts of the bid (including the Cost Bid Form, Bid Proposal Narrative (including the description of 2 years’ experience and description of how we plan to meet the work outlined) and all additional forms and attachments) to be handwritten?

Answer. The three handwritten signed original bid proposals do not need to be handwritten, however, the original bid proposals should be designated original and have an **original, handwritten signature in ink** (that includes all forms and attachments). The four handwritten signed copies of the bid proposal should be copies of the original signed bid proposal.

29. Does the contractor need to complete and submit a ST-220-TD form for this contract?

Answer. Yes, the contractor will need to submit a Contractor Certification ST-220-TD form, if applicable (Pursuant to Tax Law Section 5-a, as amended, effective April 26, 2006). See Section D. 15. New York State Tax Law Section 5-a of IFB for more information.

30. A) If a proposer is already a M/WBE, do the MWBE Procurement Forms in Attachment 4 (Utilization Plan, Staffing Plan and EEO Policy Statement) need to be completed? B) I was wondering if I needed to fill out the M/WBE- related forms being that I am a WBE.

Answer. A) The Utilization Plan should be completed only if the MWBE is able to subcontract to another MWBE. The Staffing Plan and EEO Policy Statement forms should be completed by every contractor. B) The Utilization Plan should be completed only if the WBE is able to subcontract to another M/WBE. The Staffing Plan and EEO Policy Statement forms should be completed by every contractor.

31. Same question with regard to the quarterly M/WBE reports.

Answer. If the MWBE is able to subcontract out a portion of their work per their submitted utilization plan, the MWBE would need to report quarterly payments to that subcontractor online at: <https://ny.newnycontracts.com>. If the MWBE is not subcontracting with another MWBE, they do not need to supply quarterly reports.

32. 95% of my independent contractors are women and minorities, but they are not M/WBE certified. Can they be listed in the utilization and staffing plan reports?

Answer. The Utilization Plan should be completed only if the WBE is able to subcontract to another M/WBE. The Staffing Plan and EEO Policy Statement forms should be completed by every contractor.

33. In Attachment 7 where reference is made to New York businesses, do New York State independent contractors fall into the category of New York State businesses?

Answer. For purposes of this attachment, a NYS business is any business that offers an economic benefit to New York State.

34. Page 14 of the IFB lists (from a to g) the items that should be included in proposal. Does this mean that Attachments 8, GLBU: DOH01 Appendix X and all other attachments other than those listed on page 14, a – g, do not need to be completed and included in proposal?

Answer. Page 14 of IFB: The Cost Bid Form (Attachment 6) must be included in the proposal. The bid proposal should also include the other items listed on page 14, a-g. Attachment 8 is the Sample Standard New York State Contract Language and Appendices which is not to be submitted as it is a sample only.

35. For the three originals do these all have to be written out by blue pen three times? Or can we make a copy and have an original blue ink signature on the three originals?

Answer. The three handwritten signed original bid proposals do not need to be handwritten, however, the original bid proposals should be designated original and have an original, handwritten signature in ink (that includes all forms and attachments). The four handwritten signed copies of the bid proposal should be copies of the original signed bid proposal.