

**RFO 20039: New York State Fiscal Intermediaries (FI) for the Consumer Directed Personal Assistance Program (CDPAP)
Survey of Qualified Offerors
Questions and Answers – June 30, 2021**

Question #	Subject	Question	Answer
1	Award Category 1: County Population Based	Can you please explain bullet two at page 3: "County Location." And how this aligns with 3.0's statement that the relevant time is "as of March 3, 2020." The nuance is what if an FI had a different address as of March 3, 2020 v. the tax filing?	Awards under Category 1: County Population Based will be made based on the address the offeror listed as its primary mailing address on its most recently filed state corporate tax return or its Federal Return of Organization Exempt From Income Tax form (form 990).
2	Award Category 1: County Population Based	Must documentation be provided with the survey to evidence the county in which the FI is located?	The offeror must complete all items in Question 2 for county location.
3	Award Category 1: County Population Based	Since additional offers are going to be made based on the county population will additional contracts for lead FIs be made for individual counties?	As outlined in the Survey Document, one or two additional awards will be made to qualified offerors located in each of the 18 counties listed as evidenced by the address on the offeror's most recent State tax filing or its most recent Federal Return of Organization Exempt from Income Tax, to the extent that such non-awarded offeror exists.
4	Award Category 1: County Population Based	Will additional contracts for lead FIs be made for individual counties based on Category 1?	See answer to Question 3.
5	Award Category 1: County Population Based	What's the difference between counties that have more than 200,000 and counties with more than 500,000?	These thresholds provide the Department with the instruction to select additional qualified offerors in those counties.
6	Award Category 1: County Population Based	Does the DOH plan to give additional Category 1 awards to the largest counties, over 500,000 in population?	As outlined in the Survey Document, one or two additional awards to non-awarded offerors that are located in counties with a population greater than 500,000, as evidenced by the address on the offeror's most recent State tax filing or its most recent Federal Return of Organization Exempt from Income Tax, to the extent that such non-awarded offeror exists.
7	Award Category 1: County Population Based	We are approved to accept Medicaid cases in Connecticut, been in business 5 years with physical office in Greenwich CT. We have private cases in Westchester county. Do we need a physical office in Westchester to be considered?	Awards under Category 1: County Population Based will be made based on the address the offeror listed as its primary mailing address on its most recently filed state corporate tax return or its Federal Return of Organization Exempt From Income Tax form (form 990). Offerors may still be considered for awards under other categories if not eligible under Category 1.
8	Award Category 1: County Population Based	Are awards in Category 1 based on the FI's principal location or the counties served by the FI? (Note: Survey Of Qualified Offerors does not ask which counties are served by the FIs.)	See answer to Question 7.
9	Award Category 1: County Population Based	If the offeror has a physical location in additional counties how can they be considered?	See answer to Question 7.

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10	Award Category 1: County Population Based	If you are an agency that has 2 locations ex. 1 in Monroe and one in Erie county should both regional offices locations be noted? Taxes only permit for one.	See answer to Question 7.
11	Award Category 1: County Population Based	Are awards in Category 1 based on the FI's principal location or the counties served by the FI?	See answer to Question 7.
12	Award Category 1: County Population Based	If FI maintains an office in one County but provides services continuously in other counties, how do we get that across to the reviewer?	See answer to Question 7.
13	Award Category 1: County Population Based	In the case of multistate offerors that provide services in many New York counties, the state tax return address may not be in the state of New York. Is there a better address to use in order to demonstrate the company's presence in New York?	See answer to Question 7.
14	Award Category 1: County Population Based	The Survey Response notice states that the "address of the offeror, as evidenced by the address listed on the last tax filing with New York State, will determine the county where the offeror is based". In the event the address listed on the last tax filing of a qualified applicant under the RFO reflects an out-of-state corporate office and not the NY County in which our primary office is located, will the Department consider additional documentation to establish the primary office in New York of the qualified applicant? The legislative intent of this survey process is to survey information "from all applicants that were qualified by the commissioner as meeting minimum requirements of the procurement process" (365-f (4-a)(b-1)), and excluding those qualified applicants that have a primary mailing address of their out-of-state corporate office would restrict the ability of qualified applicants to be included in this process.	See answer to Question 7.

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15	Award Category 1: County Population Based	On the webinar, DOH indicated that for Award Categories 1&2 (County Population Based) that the official tax address would be used as sole factor for determining county. The tax address does not reflect the offeror's scope of FI service consistent with the original RFO submission. The tax address reflects a single county but the offeror delivers FI services in multiple counties that were identified in the original RFO submission and are in both Categories 1&2. So: A how should the offeror reflect this on the survey response? B- if awarded a contract will the original RFO submission related to service area be approved or will awards be limited to individual counties listed under Categories 1&2?	A. See answer to Question 7. B. See answer to Question 106.
16	Award Category 1: County Population Based	Qualified Offerors required by NYS to file combined tax return don't have state return with address. What should they include in survey as evidence of county?	Qualified offerors without a NYS tax return with address should use the address listed for in-state service of process using the NYS Business Entity Database published by the Department of State.
17	Award Category 1: County Population Based	Offerors required by New York Tax Law to file a combined tax return with other corporations, and whose address would therefore not be on the tax return what information should they include in the survey as evidence of the county where they are located?	See answer to Question 16.
18	Award Category 1: County Population Based	If per State law a qualified offeror files a consolidated tax return based on its parent company's address, how can it demonstrate its business address in NY?	See answer to Question 16.
19	Award Category 1: County Population Based	What about those who file consolidated returns?	See answer to Question 16.
20	Award Category 1: County Population Based	for entities that NYS requires file consolidated returns and don't have a state return with their address. what do they do?	See answer to Question 16.

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21	Award Category 1: County Population Based	<p>The Survey of Qualified Offerors asks for the address included on the organization's latest filed state tax return as evidence of the county where the organization is located. Pursuant to New York Tax Law § 210-C(2)(a), some corporations must file a combined return with other corporations. For Qualified Offerors that do not have a state tax return with their address because New York law requires them to file a combined return with other corporations, what information should they include in the survey as evidence of the county where they are located? These entities constitute Qualified Offerors under the RFP, so the fact that New York Tax Law requires them to file a combined return would not disqualify them from consideration for additional awards under the Survey of Qualified Offerors process, as that would be (i) arbitrary and capricious and (ii) contrary to the terms of the RFP and relevant provisions of the New York Social Services Law as well as procurement laws and rules.</p>	See answer to Question 16.
22	Award Category 1: County Population Based	<p>The Survey asks for the address included on the Qualified Offeror's latest filed state tax return in order to identify the county in which the Offeror is located. As you may be aware, New York Law requires certain entities to file a consolidated tax return that covers multiple organizations. As a result, some Qualified Offerors may not have a New York state tax return that contains their address, despite the fact that their principal place of business is located within one of the "Category 1" counties. In that instance, can the Qualified Offeror provide the address that appears on the Consumer Directed Medicaid Personal Care Rate Sheets that it receives from the New York Department of Health? If the address that appears on the Consumer Directed Medicaid Personal Care Rate Sheets will not suffice, what other documentation should a Qualified Offeror rely upon as the basis for the address to be listed in item 2 of the Survey of Qualified Offerors? The fact that a Qualified Offeror is legally required to file a consolidated New York state tax return does not disqualify it from the RFO, so additional guidance is necessary in order to clarify this requirement.</p>	See answer to Question 16.

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23	Award Category 1: County Population Based	The Survey Response notice states that the “address of the offeror, as evidenced by the address listed on the last tax filing with New York State, will determine the county where the offeror is based”. Our parent company is owned by a publicly traded corporation, which is located out of state. This publicly traded corporation is <u>required by the State of New York</u> to file a Combined Franchise Tax Return, which means that the address listed on our last tax filing reflects the Corporate Office and not the NY County in which our primary office is located. Our interpretation of the legislative intent of the provision as contained in enabling legislation was to identify the primary county in which a previously unawarded FI operates to consider them for inclusion in overall awards based on the size of that county. It does not seem consistent with this intent to determine the location of the primary service area solely through the mailing address of a tax return. A piece of information required somewhat arbitrarily and certainly independently from the purpose of the evaluation being contemplated by the FI survey. In the alternative, the address provided on any number of documents including, but not limited to, our home health license or National Provider Identification (NPI) Number certification would reflect that our primary location address is in the county of Suffolk. In light of this, could you confirm whether additional components will be considered, along with or instead of solely the address on the state tax filing, in determining the county in which the offeror is based under Award Category 1?	See answer to Question 16.
24	Award Category 1: County Population Based	Can each FI submit or otherwise indicate on the survey the areas serviced (previously)?	No. The survey responses are limited to the questions asked and documentation required in each question.
25	Award Category 1: County Population Based	What criteria will the State look to award an offeror under Category 1: County Population based, other than whether the offeror is located in the counties with a population greater than 500,000, as evidenced by the address on the offeror’s most recent State or Federal tax filing?	That the offeror is located in the counties with a population greater than 200,000 or 500,000, as evidenced by the address on the offeror’s most recent State or Federal tax filing is the only criterion that will be looked at for Category 1 awards.
26	Award Category 1: County Population Based	Our agency recently was relocated, therefore the address we have used since the start of the business will no longer be utilized. In this case what would be the steps required to make an update with the new address considering the RFO? And will this last minute change affect us in any way?	Awards under Category 1: County Population Based will be made based on the address the offeror listed as its primary mailing address on its most recently filed state corporate tax return or its Federal Return of Organization Exempt From Income Tax form (form 990).

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27	Award Category 2: OPWDD Certification	What does the Department consider to be IDD State Plan services? Does an offeror need to have a certification from the OPWDD in order to provide Medicaid State Plan services that will be considered to be eligible for Award Category 2: OPWDD Certification	<p>OPWDD State Plan services are: Intermediate Care Facilities (ICF/IID), Day Treatment, IDD Health Home (CCOs), Basic HCBS Plan Support, Crisis Services for IDD, Independent Practitioner Services for IDD, Article 16 Clinic Services, and Specialty Hospital Services.</p> <p>OPWDD State Plan providers are overseen, approved or certified by OPWDD and are subsequently issued a Medicaid Provider ID to deliver the particular State Plan service to people with IDD. OPWDD Home and Community Based Services (HCBS) providers are certified by OPWDD for each HCBS the provider delivers.</p>
28	Award Category 2: OPWDD Certification	Which services are considered Medicaid State plan services to serve individuals with IDD. Does the offeror have to have a certificate from the OPWDD to provide these State plan services?	See answer to Question 27.
29	Award Category 2: OPWDD Certification	What Medicaid State Plan services would be considered as OPWDD-certified services? For Question 6, assuming the offeror has the requisite certification/experience with the IDD population, will the offeror get any points for answering Yes to Question 6 of the survey response (whether it has experience serving the IDD population) even if it is not a non-profit or has not been providing services since 2012?	<p>See answer to Question 27 for a listing of services.</p> <p>If the qualified offeror does not meet all the criteria for Survey Question 6 (i.e., OPWDD certified AND be EITHER a not-for-profit OR providing continuous services since January 1, 2012) they would not qualify under this category.</p>
30	Award Category 2: OPWDD Certification	For I/DD Experience, the survey references that the offeror is licensed or certified by the OPWDD to provide Medicaid State Plan or HCBS to individuals with intellectual disabilities as evidenced through FI's operating certificate or license number, as issued by OPWDD. What are examples of Medicaid State Plan services referred to above? Would the FI have to have an operating certificate separate from their existing DOH-issued certificate to provide home care services under Article 36 of the Public Health Statute?	<p>See answer to Question 27 for a listing of services.</p> <p>OPWDD certification is different and distinct from DOH licensure and must be related to the entity's fiscal intermediary line of business for the purposes of qualifying for an award under this category.</p>
31	Award Category 2: OPWDD Certification	If an agency has been providing FI under OPWDD longer than DOH should that be included?	It is not necessary to include this information. The qualified offeror needs to provide a copy of any OPWDD operating certificates or other certifications.

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32	Award Category 2: OPWDD Certification	Does Early Intervention count for question # 6?	No, Early Intervention services are not authorized, funded, approved or certified to deliver state plan or home and community-based waiver supports and services (HCBS) to individuals with intellectual and developmental disabilities by the Office for People with Developmental Disabilities (OPWDD).
33	Award Category 2: OPWDD Certification	If offeror has a CHHA that provides Medicaid State Plan services to individuals with I/DD does this meet the criteria for Award Category 2?	No. This award category is based only on the qualified offeror's FI line of business, not any corporate affiliates nor collaborating partners.
34	Award Category 2: OPWDD Certification	We have different MMIS numbers for CDPA FI and our OPWDD services. Do I enter the MMIS for CDPA under Question 1 on page A-1 and our OPWDD MMIS under Question 6 on page A-2?	Provided the OPWDD MMIS is related to CDPAP FI services, please enter the OPWDD MMIS number in Question 6. If the OPWDD services are not related to the qualified offeror's FI line of business, the offeror would not be eligible under this award category.
35	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	In regard to Q7 in the survey, we use an external vendor to translate materials for individuals upon request due frequent updates and cost. Can we submit a statement or are actual materials required?	Actual materials are required to be submitted.
36	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Should the FI's that received awards send in all the date stamped translated documentation?	The Department requests all qualified offerors submit all documentation requested. The Department will use the information provided by all respondents to determine the number of additional awards needed in each category.
37	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	If an offeror provided documents in languages other than English prior to 2020, but does not have it dated how should they indicate that to the Department on the Survey?	Qualified offerors may include a separate statement with the marketing materials, attesting specifically that those materials were developed and provided to consumers prior to the March 2020 date. Specifically, the signatory on each survey instrument is attesting that "to the best of their knowledge, the information submitted in and attached to this Survey is complete, accurate, and true in all material respects, and that the individual has actual authority to bind the qualified offeror submitting the Survey." Any inconsistencies found may render the survey and any subsequent awards void.
38	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	How can we prove the marketing material was created and distributed before March 3, 2020?	See answer to Question 37.

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39	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Many of the documents they would be provided to support services to the identified population are proprietary and therefore would there be an opportunity to identify these documents and protect the public release of these against any future FOIL request.	Any proprietary or confidential materials should be marked as such.
40	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	In regards to question 7 all employees hired that communicate with our consumers are bilingual and speak to the consumer in their primary language. What would be satisfactory to demonstrate that we offer these services to our consumers?	A statement of bilingual staff would not alone be deemed sufficient to meet the evidence criterion under this category.
41	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Do awarded offerors need to submit materials for section 7 of the survey? If so, is there a format for the date stamp? MM/DD/YYYY or MM/YYYY	<p>Yes. The Department requests that awarded offerors submit responses to the Survey, including materials for Survey Question 7 if applicable. Materials submitted for Survey Question 7 may have a MM/YYYY or MM/DD/YYYY format.</p> <p>Survey Question 7 reads:</p> <p>Has the offeror historically provided FI services to CDPAP consumers and personal assistants who are racial, ethnic, religious minorities or new Americans as defined in section 94-b of the Executive Law?</p> <p>If yes, provide evidence of information and materials provided to consumers who are racial, ethnic, or religious minorities, or New Americans, in the consumers' primary language or languages if other than English, or that reflect other service customizations based on the distinct cultural or religious needs, including copies of informational materials, website snapshots and other such documentation in the primary languages that correspond to the populations being served.</p> <p>Any copies of information materials should include date stamps of when the materials were first distributed and produced to show that they were created prior to March 3, 2020 and may highlight those areas to which the offer wants to draw the Department's attention.</p>
42	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	For question 7, cultural and linguistic materials, what does the Department mean by "date stamps" exactly? Are there any requirements for them (e.g. electronic date & time stamps)?	See answer to Question 41.

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43	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	If someone has not been in business since 2012 as an FI, should we still indicate their experience serving racial ethnic, etc.?. Or will they be ineligible for these lots because they were not an FI in 2012?	The offerors need to meet the category qualifications AND be EITHER a not-for-profit OR have been providing continuous services since January 1, 2012.
44	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Pertaining to Survey question 7, the Department references copies of information should include a “date stamp” of first distributed and produced. Does a footer date reference suffice? If minor document changes post 03/03/20, can we include?	A footer date reference would be appropriate. If information has been updated since 3/3/20, this new information should be noted or flagged as to the date of the update.
45	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Pertaining to Survey question 7, the Department references information and materials provided to consumers. Does the Department also want information and materials provided to the consumer’s PA’s if s/he fit the same criteria (racial, ethnic, religious...)?	No. Social Services Law Section 365-f only requires the Department to award based on the experience serving racial, ethnic and/or religious minorities or new Americans, i.e., the CDPAP consumers. This standard does not extend to information and materials provided to personal assistants.
46	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	What type of evidence or information is considered appropriate to show that the FI has serviced ethnic, racial, and religious minorities?	Evidence of information and materials provided to consumers who are racial, ethnic, or religious minorities, or New Americans, in the consumers’ primary language or languages if other than English, or that reflect other service customizations based on the distinct cultural or religious needs, including copies of informational materials, website snapshots and other such documentation in the primary languages that correspond to the populations being served. Any copies of information materials should include date stamps of when the materials were first distributed and produced to show that they were created prior to March 3, 2020 and may highlight those areas to which the offeror wants to draw the Department’s attention.
47	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	What types of documentation are necessary to support awards in Category 3?	See answer to Question 46.
48	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Since there is no rating. Please advise.... If our Consumers, and caregivers are the majority of a minority/ethnic group, how can we know what documents will serve as proof enough to qualify?	See answer to Question 46.

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49	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	What kind of evidence and materials is good enough to prove that consumers are ethnic racial minorities or new Americans? And what is new American?	See answers to Questions 46 and 51.
50	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Will an offeror only be considered to meet the criteria for an award under Category 3: Racial, Ethnic, or Religious Minority if (in addition to evidence demonstrating it has experience serving racial, ethnic or religious minority populations), it also has EITHER (a) Non-For Profit Status, OR (b) The offeror has been providing services since 2012?	Yes, a qualified offeror must meet the full category criteria for consideration under this category.
51	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	what groups are included in "new Americans"?	As defined in Executive Law Section 94-b, the terms "new American" and "immigrant" shall refer to non-citizen domiciliaries of New York state whose country of origin is other than the United States.
52	Award Category 3: Experience Serving Racial, Ethnic or Religious Minorities and/or New Americans	Are Native Americans considered "racial, ethnic and/or religious minorities" under Category 3?	Yes.
53	Award Category 4: M/WBE	MBE/WBE certification can be NYC certification?	No. Only New York State M/WBE certification is being considered for Award Category 4.
54	Award Category 4: M/WBE	The NYS MWBE only offers to business with less than 300 employees. We are over 300 employees. Can we use the NYC certificate instead of NYS?	See answer to Question 53.
55	Award Category 4: M/WBE	Does NYC certified business count towards the state minority provision	See answer to Question 53.
56	Award Category 4: M/WBE	We are in process of becoming a certified woman owned business, will showing proof that we are in process for certification be sufficient, or do we need the actual certificate?	The offeror must have been certified as an M/WBE on or before March 3, 2020, the date the original offers were due.
57	Award Category 4: M/WBE	Does a Lead FI with an application pending for certification as an M/WBE qualify under this award category?	See answer to Question 56.
58	Award Category 4: M/WBE	Will an offeror's pending application for NYS MWBE certification make them eligible for one of the additional awards under the provision for additional awards to certified MWBEs?	See answer to Question 56.
59	Award Category 4: M/WBE	WBE certificate has to be dated before the original award announcement?	See answer to Question 56.

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60	Award Category 4: M/WBE Certification	Are the minority/women businesses being given additional points or consideration? If so, based on number of submissions, won't these carve outs in essences make additional awards unreachable?	To the extent that such offers were received, the Department will make at least two additional awards to non-awarded offerors where the Lead FI is a NYS certified MBE and/or WBE. The Department will make two additional awards under Category 4. Awards made under Categories 1, 2 or 3 that also meet Category 4 criteria will count towards these awards. In the Department's sole discretion, it may issue more than two awards to provide geographic distribution and ensure access in different regions of the State, the determination of which will consider the geographic locations and the other survey responses from awarded offerors.
61	Award Methodology	What is the basis to select the year 2012 for Q5? Why not 2016 or 2017?	Social Services Law Section 365-f(4-a)(b-1)(b-2) and (b-3) outlined the criteria for the survey and includes 2012 as the year for the start of services.
62	Award Methodology	How will you decide whether to add one or two awardees in a county with a population over 200,000?	Section 365-f(4-a)(b-1)(b-2) and (b-3) of the Social Services provides the Department with discretion in whether to select one or two awards per county, to the extent that such applications were received, to non-awarded offerors that are located in each county with a population of more than 200,000.
63	Award Methodology	Does the DOH have a plan or method for determining whether 1 or 2 awards will be given in counties over 200,000 or 500,000? I.e., is additional consideration going to be given to counties with over 500,000 in population?	See answer to Question 62.
64	Award Methodology	Looking for clarification regarding the award categories. The amended statute makes it clear that each award category is separate and distinct, why is the department counting awards across categories?	The Department reads the statute to allow a single award to satisfy more than one category.
65	Award Methodology	Re: category exclusivity... Are you awarding based on location first – and then if you can't satisfy 1-2 additional awards in each listed county, you will move to the other criteria?	The Department will first issue additional awards under Category 1 and apply the results to Categories 2, 3, and 4, prior to determining whether additional awards are separately required under Categories 2, 3, and 4.
66	Award Methodology	If you can't satisfy 1-2 additional awards in each listed county, you will move to the other criteria?	See answer to Question 65.
67	Award Methodology	How many awards in total will be given to the offerors who submit the survey?	Until the surveys are completed and returned, the Department does not know how many qualified offerors will meet the criteria in any category.

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68	Award Methodology	Survey is based on very limited data. What is the plan on how this will be evaluated to meet the RFO?	Survey responses will be rated on a “Yes/No” basis. All qualified offerors rated “Yes” in any or all of the four award categories will then be ranked based on their original offer score. The Department will use that ranking to make additional awards until all criteria, as outlined in the Survey Document, are satisfied. Awards may be made from those that are not the next highest scoring if there is an obligation to satisfy a particular service, access or geographic need not satisfied by the next highest scoring offer rated "Yes" for a category.
69	Award Methodology	Will we know or be provided the criteria or points allocated to each area of service?	See answer to Question 68.
70	Award Methodology	What is the minimum score to pass? And when will the offerors know if they qualified?	See answer to Question 68.
71	Award Methodology	The original score/ranking will be prioritized, correct? Out of the original 68, at least 1 LHCSA lost their license.	See answer to Question 68.
72	Award Methodology	What does it mean to be category 1,2,3 or 4 awardee?	Qualified offerors will be eligible to receive an additional award under each of the award categories as outlined in the Survey Document if they meet the category qualifications. There are four award categories.
73	Award Methodology	If I qualify under category 1 only will I be considered?	Yes, a qualified offeror may be considered under one or more categories.
74	Award Methodology	Are these additional awards going to be skewed to corporations that already provides CDPAP?	Offerors should complete the survey with the information available to their particular circumstances to be reviewed by the Department.
75	Award Methodology	If the score is above 300 do we have any chance?	The original offers were scored on a basis of 100 points. Each qualified offeror will be rated for each award category based on the information provided in their survey responses. Until the surveys are completed and returned, the Department does not know how many qualified offerors will meet the criteria in any category.
76	Award Methodology	If a score is 55 out of 100 should we still fill out the survey? Meaning do we have a chance?	Each qualified offeror will be rated for each award category based on the information provided in their survey responses. If an offeror does not complete and timely submit the Survey, it will not be eligible for an additional award. Until the surveys are completed and returned, the Department does not know how many qualified offerors will meet the criteria in any category.

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77	Award Methodology	What will be the Department's basis for awarding more than the baseline '1 or 2' per category that was required by the legislature?	The Department will review the Survey responses and make additional awards based on access and geographic need, which may or may not require more than the baseline 1 or 2 per category as outlined in Social Services Law Section 365-f. It is still the Department's intention to award the fewest number of contracts that preserve statewide access and consumer choice.
78	Award Methodology	How was the criteria determined in the survey?	Social Services Law Section 365-f(4-a)(b-1)(b-2) and (b-3) outlined the criteria for the survey.
79	Award Methodology	Was consumer directed or disability-led board of directors relevant or considered as one area of criteria?	See answer to Question 78. This is not being considered as part of the survey.
80	Award Methodology	Does being minority owned AND woman owned give twice the score?	No. The survey responses will receive one "Yes/No" rating for each question.
81	Award Methodology	How many contracts are being added or authorized overall?	The Department will review the Survey responses and make additional awards based on the criteria outlined in Social Services Law Section 365-f(4-a)(b-1)(b-2) and (b-3). Until the surveys are completed and returned, the Department does not know how many qualified offerors will meet the criteria in any category.
82	Award Methodology	Will the quality of the supporting documentation for Award Category 3 be assessed?	See answer to Question 68. Offerors must submit adequate documentation for the Department to be able to affirmatively assess the offeror's eligibility for each award category.
83	Award Methodology	Will the quality of supporting documentation be assessed?	See answer to Question 82.
84	Calendar of Events	Regarding the 1.0 Calendar of Events, item 5 "Issuance of Survey Document to Qualified Offerors" - What does this mean? Don't we have the survey document? Are you issuing another survey document?	June 30 will be the formal issuance of the Survey Document at which time the 30-day clock for survey submission will begin.
85	Calendar of Events	Does the DOH have an anticipated date to announce who the additional awardees are?	The Department anticipates announcing awards with adequate time for an anticipated contract start date of November 1, 2021.
86	Calendar of Events	Will a final survey document be issued by DOH on June 30th as stated in the DOH timeline contained in the survey letter of June 15? If yes, is it possible that the final survey document may be modified from the original survey?	Yes, a final survey document will be issued by DOH on June 30, 2021. The survey issued on June 30 will not differ from the one previously posted.
87	Calendar of Events	Will survey issued on June 30 (as in the timetable) be different from the one already posted?	See answer to Question 86.
88	Calendar of Events	Is the survey submission deadline July 30th, 2021? There seems to be some confusion regarding that date.	Yes, the survey submission date is no later than 5pm EST on July 30, 2021.

**RFO 20039: New York State Fiscal Intermediaries (FI) for the Consumer Directed Personal Assistance Program (CDPAP)
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Question #	Subject	Question	Answer
89	Continuous FI Operations	One of the eligibility criteria for these award categories requires that the qualified offeror “has been providing continuous FI services since 2012”. Please explain what is considered “continuous” in this context.	Continuous FI services means that the FI has been providing FI services to consumers since January 1, 2012 with no breaks in the availability of FI services.
90	Continuous FI Operations	Regarding question 5a within the survey, “Provide the date on which the offeror began billing for fiscal intermediary services: MM/DD/YYYY”, you may want to clarify if you are requesting the date of service (when services were rendered) versus the date the claims were billed. For example, a Provider may bill and submit a claim for payment several weeks after the date of service. My assumption is that you are referring to the date services were first billed/rendered.	This should be the date on which the services were billed, not rendered.
91	Continuous FI Operations	Pertaining to Survey question 5.a., does the Department have easily accessible data/information that cites the date a FI Provider first billed for services? I.e., if a Provider began billing in 2001, internal retention policies may not have precise date	<p>Yes. However, the Department encourages the qualified offeror provide this date wherever possible.</p> <p>To indicate the need for the Department to identify this date, i.e., the qualified offeror does not have the exact date available, enter the year the services began and enter XX/XX for the month and date.</p> <p>For the example in this question, the answer to 5a would be: XX/XX/2001.</p>
92	Continuous FI Operations	We have been providing CDPAP services for over 25 years and may not have the exact date of our first billing. Is there a way to obtain this information? Thank you	See answer to Question 91.
93	Continuous FI Operations	How can we confirm the start date of when we started to bill for FI services? Our records do not go back to initial date. We were authorized in 1997 but I don't have billing documents going back that far.	See answer to Question 91.
94	Continuous FI Operations	Do you have to provide documentation of the specific date when you began billing?	See answer to Question 91.
95	Continuous FI Operations	How can we confirm the start date of when we started to bill for FI services? Our billing records do not go back to initial date. We were authorized in 1997 but I don't have billing documents going back that far. I don't want to enter the wrong date and get disqualified.	See answer to Question 91.

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Question #	Subject	Question	Answer
96	Continuous FI Operations	Is a qualified offeror who began continuous operations after 1/1/2012, automatically disqualified to receive an award as part of the survey process?	For award category 1: County Population Based, awards will be made based on the address the offeror listed as its primary mailing address on its most recently filed state corporate tax return or its Federal Return of Organization Exempt From Income Tax form (form 990). For award categories 2 and 3, the offeror will be considered if they meet the category qualification and are either a not-for-profit organization OR have been providing continuous service since January 1, 2012. For award category 4, the offeror only needs to be a NYS Certified M/WBE.
97	Continuous FI Operations	Is the 2012 date a statutory requirement?	Yes.
98	Continuous FI Operations	What documents will you need, if any, for Question 5?	No additional documentation is required for Question 5.
99	Contract Notification Date	Based on the recent information disseminated about the RFO survey, can you please confirm how far in advance from the anticipated contract start date the notification process will begin with respect to transitioning consumers?	Please see MLTC Policy 21.01 . The Contract Notification Date, the date on which the Department first publishes on the RFO web page a list of Lead FIs that have contracts executed by OSC resulting from awards under the RFO, has not been determined. However, it will not be prior to the anticipated contract start date.
100	Contract Notification Date	Is the anticipated contract date the same as the contract notification date? Thereby triggering the transition process.	See answer to Question 99.
101	Contract Notification Date	What is going to happen with the ones not awarded on Nov 1?	The Contract Notification Date, the date on which the Department first publishes on the RFO web page a list of Lead FIs that have contracts executed by OSC resulting from awards under the RFO, has not been determined. At that time, all non-awarded FIs will have to begin the 90-day transition period per MLTC Policy 21.01.
102	Contracting	Is the on or after November 1 date when you anticipate submitting the contracts to the OSC or do you plan to submit earlier?	November 1, 2021 is the anticipated date on which the Department anticipates a contract start date.
103	Contracting	Have you already entered into contracts with any of the 68 winning offerors?	The anticipated contract start date for all awards is November 1, 2021.
104	Contracting	Are all Awarded Lead FIs will be contracted after November 1 regardless of survey answers?	See answer to Question 103.
105	Contracting	What about companies which received an award but are not in business anymore?	The Department will not enter into a contract with entities that are no longer in business.
106	Counties to be Served	If awarded, will the offeror only be able to serve the county in which they're headquartered?	If an offeror is newly awarded based on any the Categories contained in the Survey, the offeror will be able to serve <i>all</i> of the counties contained in Attachment D in their original offer.

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Question #	Subject	Question	Answer
107	Counties to be Served	If a FI receives an award under Category 1, please confirm that they are permitted to serve additional counties (i.e. not limited to the county of the FI's principal location)	See answer to Question 106.
108	Counties to be Served	If you provide services in multiple counties beyond one that is listed in category 1 or 2 will the award cover all counties or just the ones noted in the presentation	See answer to Question 106.
109	Counties to be Served	Can an FI who serves multiple counties receive an award for only some of the counties they currently support?	See answer to Question 106.
110	Counties to be Served	If an FI receives an award under Category 1, please confirm that they are permitted to serve additional counties (i.e. not limited to the county of the FI's principal location).	See answer to Question 106.
111	Disabled Veteran-Owned Businesses	Does the DOH plan to honor the Service Disabled Veteran-Owned Business Act when considering additional awards? Governor Cuomo increased the percentage of government contracts to disabled veteran owned businesses from 3% to 6%.	The Department intends to make additional awards in accordance with the required criteria outlined in Social Services Law Section 365-f(4-a)(b-1)(b-2) and (b-3).
112	Disabled Veteran-Owned Businesses	Does the DOH plan to honor the Service Disabled Veteran-Owned Business Act when considering additional awards?	See answer to Question 111.
113	Disabled Veteran-Owned Businesses	Will disabled veteran-owned businesses be given the same benefits and preference as women, minority, and not for profits? If not, why?	See answer to Question 111.
114	Documentation Needed	Will the reviewers of this new survey information have access to the original RFO application for additional information regarding other services (OPWDD service, services for New Americans, other minority categories)	Survey responses should include all required documentation be sent in with the survey. It is not expected that the Department will review the original offer.
115	General	In addition to the attachment sent, can we revise our offer?	No.
116	General	I was given to understand that there are legal suits filed and/or injunctions - will this affect the process?	The Department does not comment on possible active litigation.
117	General	How does this impact parties who have filed an appeal per the guidelines?	OSC will determine the impact of this Survey on pending protests.
118	General	Will previous meeting requests to review submitted applications now be held?	The Department offered and scheduled debriefings for all offerors who requested one within the prescribed time frame. There will be no further debriefings, and there will be no meetings to review submitted applications.

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Question #	Subject	Question	Answer
119	General	Is there way to see what the overall scores are for all submissions so we know where ours stands?	Offerors may submit a FOIL request to obtain this documentation. FOIL requests can be sent to FOIL@health.ny.gov .
120	General	Will the Reviewers that completed the initial Offer be the same team to review the survey?	Please see answer to Question 68.
121	General	How many qualified offerors were qualified to move into the survey?	The Department will not answer this question as it is not relevant to the completion of the survey.
122	General	How do I submit a question?	Questions were able to be submitted in the Q&A function during the webinars or submitted in writing to OHIPContracts@health.ny.gov prior to 5pm EST on June 25, 2021. This question serves as evidence of this person's ability to ask a question.
123	MMIS Number	If we do not have MMIS number what should we enter under question 1 and 5a where MMIS number goes?	Include "Offeror does not have an MMIS number" in the answer to Question 1 and leave the remaining MMIS entries blank.
124	Offeror Information	Can we combine what each Partner is currently doing?	The survey is based on the offeror's fiscal intermediary line of business, not corporate affiliates (e.g., LHCSA line of business) nor collaborating partners.
125	Original Offer Scoring	When will be another RFO for disqualify agency?	The Department has no current plans at this time for issuing any additional procurements for these services.
126	Original Offer Scoring	Will we be allowed to reapply?	See answer to Question 125.
127	Original Offer Scoring	Can we still get our score from the original RFO?	Please contact the Department at OHIPContracts@health.ny.gov .
128	Original Offer Scoring	Is there anything an applicant could do to improve upon, or put at risk, their original scoring and standing for an additional award?	The Department will not rescore the original offers during this process.
129	Original Offer Scoring	What was the cut-off score?	See answer to Question 68.
130	Qualified Offerors	Can a for-profit FI qualify as one of the additional awardees?	Yes.
131	Qualified Offerors	I had a disqualification letter for attachment D for servicing area however I am a MWBE please advise.	Only Qualified Offerors may submit the survey for additional awards. A qualified offeror is defined as an entity that submitted a timely offer under the RFO and was determined by the Department to have met the minimum requirements as outlined in RFO Section 3.1
132	Qualified Offerors	We are a new Agency that would like to offer FI Services, we were not awarded an offer, can we submit the survey?	No. See answer to Question 131.
133	Qualified Offerors	Can a disqualified applicant complete this survey?	No. See answer to Question 131.
134	Qualified Offerors	Can an applicant disqualified in the first round be considered in this round?	No. See answer to Question 131.

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Question #	Subject	Question	Answer
135	Qualified Offerors	Can a disqualified applicant complete this survey?	No. See answer to Question 131.
136	Qualified Offerors	Can someone who didn't applied for the RFO complete the survey?	No. See answer to Question 131.
137	Qualified Offerors	A disqualified agency requests a debriefing.	See answer to Question 118.
138	Qualified Offerors	How do I know if I am a qualified offeror?	A qualified offeror is defined as an entity that submitted a timely offer under the RFO and was determined by the Department to have met the minimum requirements as outlined in RFO Section 3.1. Please email OHIPContracts@health.ny.gov if an entity is unsure.
139	Qualified Offerors	Can an organization qualify to submit a survey if it has been in business since 1981 but did not commence CDPAP FI services 4/1/17?	Yes provided they meet the definition of a qualified offeror as outlined in Question 131.
140	Sale/Acquisition of Offerors	Some bigger LHCSAs are buying out the small FI Leads that are arguably "not financially feasible." How would that affect the landscape of the contracting process, etc.	Only qualified offerors, i.e., the Lead FI that submitted the original offer, will be eligible to submit the survey.
141	Sale/Acquisition of Offerors	What if we were created as a company owned by several existing FIs. What should we submit? All existing FIs were Collaborators and would be Owners of the Lead FI	The information provided in the survey is related to the qualified offeror (i.e., Lead FI) that submitted the original offer, not any corporate affiliates or collaborating partners.
142	Subcontractors	Will there be additional opportunity to be approved as subcontractor?	This question was reviewed as part of the original Q&A, which can be found on the RFO Webpage , in the section Collaborating Partners and Subcontractors, found starting on page 69.
143	Survey Document	I did not get the questionnaire	The Survey Document can be found on the RFO webpage .
144	Survey Submission	What are the penalties, if any, for Awarded Offerors who do not timely complete the survey?	There are no penalties for awarded offerors who do not complete the survey. The Department requests all qualified offerors submit all documentation requested. The Department will use the information provided by all respondents to determine the number of additional awards needed in each category.
145	Survey Submission	Are there any differences between supporting documentation that awarded and non-awarded offerors must provide?	No. See answer to Question 144.
146	Survey Submission	Are awarded FIs required to submit a survey?	See answer to Question 144.
147	Survey Submission	Your slide 6 states awarded offerors SHOULD respond - does that mean it is not required for those who received an awardee status already?	See answer to Question 144.

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Question #	Subject	Question	Answer
148	Survey Submission	If you have already been awarded do you have to submit the survey?	See answer to Question 144.
149	Survey Submission	Is it important for an offeror to indicate that it has experience serving consumers and personal assistants who are minorities or New Americans, if the offeror neither is a charitable organization nor has been providing continuous CDPAP service since 2012?	If a qualified offeror does not meet the qualifications as outlined for each category, they would not be eligible for an award under that category.
150	Survey Submission	Can you outline all the bases for which a for-profit organization qualify? Which category should for profit organizations be focusing on?	It is possible a for-profit qualified offeror could be eligible under any or all categories. Categories 1 and 4 do not have additional requirements around not-for-profit status. Categories 2 and 3 require the offeror be EITHER a not-for-profit OR have been providing continuous services since January 1, 2012.
151	Survey Submission	Under the additional awards that will be given under CDPAP RFO #20039, are for-profit or proprietary agencies eligible?	See answer to Question 150.
152	Survey Submission	Are for profit entities eligible for Award Category 1: County Population Based?	See answer to Question 150.
153	Survey Submission	If an FI has applied or is applying now for not-for-profit status or MBE and they have that completed before July 30, 2021, will that count or be considered?	No. The information provided for the not-for-profit or MBE status must be as of March 3, 2020 when the original offer was submitted.
154	Survey Submission	Should we submit just one PDF file (survey with other documentation following) or we can submit all documents as separate files (pdfs)?	The Department encourages submissions in one PDF but will accept multiple PDF files if the information being provided is too large for one PDF or already in PDF format in another file. In the email, the qualified offeror should indicate the total number of PDF files they are/will be transmitting to the Department.
155	Survey Submission	If a RFO awardee has no interest in bidding for additional award, do they have to submit the survey?	See answer to Question 144.
156	Survey Submission	If a current FI is a qualified offeror or a non-awarded offeror and does not want to be considered in the process for additional offerors, do we need to complete the survey?	Those not wishing to be considered do not have to submit the survey.
157	WebEx - General	Will we receive a copy of the slides?	The slides are posted on the RFO webpage .
158	WebEx - General	Can we get copies of these slides?	See answer to Question 157.

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Question #	Subject	Question	Answer
159	WebEx - General	Will the content of the June 23 webinar be the same as the June 21 webinar?	Yes.
160	WebEx - General	Do we have to attend both webinars or is one sufficient?	The presentation for both webinars was the same. Qualified offerors were encouraged to register for only one.
161	WebEx - General	Will the questions you are answering also be included or do they need to be re-written and sent?	All questions asked during the webinars are included in this Q&A document. It is not necessary to rewrite and send them via email.