

New York State Department of Health
RFP #20056: Professional Assistance for New York State’s Medicaid Initiatives

Questions and Answers Posted 12/16/2021

Question #	Corresponding RFP Section	Question	Answer
1.	General	<p>Would DOH consider a more strategic approach to this important procurement by making multiple awards to create a pool of qualified firms?</p> <p>This would give DOH flexibility it currently lacks to quickly apply the best resources to each specific area of need, especially in situations where program priorities and need can change dramatically during the life of the contract. DOH’s sister agencies have used this strategic multiple award approach to great advantage.</p>	The Department agrees that flexibility and timeliness in meeting staffing resource needs is important.
2.	Section 1.0: Calendar of Events (Page 4 of RFP)	Will you consider extending the due date for the Deadline for submission proposal to January 31, 2022?	No. The Department will not be extending the deadline for submission.
3.	Section 2.2: Important Information (Page 6 of RFP)	Is there an ability to leverage an existing agreement with DOH?	This procurement is for a new agreement with the Department.
4.	Section 2.3: Term of Agreement (Pages 6-7 of RFP)	Can annual raises be reflected in the Contractor’s bill rate as salaries increase?	No. The bidder must bid an all-inclusive hourly rate, for which they will bill from years 1-3 of the contract. In year 4 and 5 of the contract, the vendor will be afforded an opportunity to request a CPI increase or decrease.
5.	Section 3.2: Preferred Qualifications (Page 7 of RFP)	Will the state please define “administering staffing arrangements”	“Administering staffing arrangements” is defined as an organization’s demonstrated experience in providing professional staffing solutions to address resource needs for a public health program.
6.	Section 4.0: Scope of Work (Pages 7-17 of RFP)	Will there be any remote work under this RFP? If so, will vaccine requirements be mandatory for those remote resources?	<p>Please see Section 4.2.C.2 of the RFP for information related to telecommuting.</p> <p>Please see Section 4.2.B.7 of the RFP for information related to vaccine requirements.</p>

Question #	Corresponding RFP Section	Question	Answer
			The Department continues to monitor CDC guidance regarding vaccinations and testing and will update guidance for staff accordingly.
7.	Section 4.0: Scope of Work (Pages 7-17 of RFP)	What are the state's requirements for onboarding? Will the awardee or state be responsible for background checks?	Please see Amendment #1 to RFP.
8.	Section 4.0: Scope of Work (Pages 7-17 of RFP)	Will drug tests be required?	Drug tests will not be required as a condition of initial employment.
9.	Section 4.1: General Contractor Requirements, Subsection A (Page 8 of RFP)	Is there a maximum radius of the location to occupy a space near One Commerce Plaza?	There is no maximum radius requirement but the intent is for the resulting contractor to be physically available to deal in a timely manner with local staffing issues as they arise.
10.	Section 4.1: General Contractor Requirements (Page 7-8 of RFP)	Will background checks remain the same in terms of the checks that are necessary for employment? Please provide the list of background checks required under this contract.	Please see response to Question #7.
11.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	<p>From time to time, the state may wish to convert a Contract resource to state employment. In the event of such a conversion, is the state willing to pay the Contractor-Employer a liquidation fee? An example is provided:</p> <p>The maximum payment will be equal to ten (10) percent of the cost of first six (6) months of the engagement.</p> <p>No Liquidation Fees will be made to the Contractor-Employer for transitions after the initial six (6) months of the engagement.</p> <p>If the Resource is hired in the first six (6) months, the payment will be prorated by applying to the number of months remaining in the first six (6) months of the engagement from the original six (6) months.</p> <p>For example, if four (4) months into the engagement, the provider would be entitled to one third (1/3) of the maximum payment.</p> <p>The math would be (6 months – 4 months) / 6 months.</p>	No Liquidation Fees will be made to the Contractor-Employer.

Question #	Corresponding RFP Section	Question	Answer
12.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	<p>Is it a requirement that all embedded staff reside in NYS?</p> <p>Can embedded staff work remotely/outside NYS with DOH approval?</p>	<p>While there is no residency requirement, embedded staff must be able to commute to their primary office location daily unless they have an approved telecommuting agreement on file or an approved reasonable accommodation allowing them to work remotely. Telecommuters may be required to report to the official work site upon management's request or if the alternate work site becomes unavailable and should be within commuting distance should that need arise. Travel reimbursement is not available in such circumstances.</p>
13.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	<p>When a candidate is approved by DOH, the Contractor must provide all necessary eligibility paperwork to DOH. The contractor must assure that professionally licensed staff possess a current license/registration/certification and are able to practice their profession in New York State. The Contractor must ensure that all recruited staff supplied meet the COVID-19 compliance requirements for staff who will co-occupy State owned or leased property. Current requirement is for staff to be fully vaccinated for COVID-19 or have an exemption approved by their employer. It is the Contractor's responsibility to ensure compliance, and require employees with exemptions test for COVID weekly. For verification of eligibility, all eligible paperwork must be supplied to the DOH three (3) business days prior to the candidate's first day of employment, if requested by DOH.</p> <p>What are acceptable exemptions or does the contractor have full discretion to decide which exemptions are appropriate?</p>	<p>Please see Section 4.2.B.7 of the RFP for information related to vaccine requirements. Currently, the only acceptable exemption is for medical reasons.</p>
14.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	<p>Will the Contractor be able to use years of professional experience in lieu of education level on any of our roles? (Example – 4 years of experience substituting for a bachelor's degree)?</p>	<p>While the State will allow the application of degrees as substitution for required experience, it will not allow for experience to substitute for</p>

Question #	Corresponding RFP Section	Question	Answer
			degrees if the position description requires a degree.
15.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Are DOH Hiring Managers required to provide feedback on candidate resumes within a defined amount of time? Are they required to provide feedback on all candidates that interview for a particular position?	No. The contractor is only required to provide a slate of at least three (3) qualified candidates to the Department within 45 calendar days.
16.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Will the successful bidder have autonomy for employees to be part-time and/or for them to have a truncated schedule (For example – 30-hour work week)?	Please see Section 4.2.D.2. of the RFP.
17.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Can hourly staff work 40 hours instead of 37.5 to earn more? If so, will 40-hour weeks be billable?	Please see Section 4.2.D.1 and 4.2.D.2. of the RFP. Should additional hours be required and authorized by the Department, the contractor may bill up to 40 hours per week.
18.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Do existing hourly staff work 37.5 hour weeks? If existing staff work 37.5-hour weeks, will they receive higher wages if they are required to work 40 hour weeks instead of the 37.5 hours they currently work?	Please see response to Question #17.
19.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Since NY Paid Sick is now required, does this decrease the number of PTO days?	NY Paid Sick leave requires that employers with over 100 individuals offer 56 hours of sick leave per employee per year. Please see following link for additional information: https://www.ny.gov/new-york-paid-sick-leave/new-york-paid-sick-leave .
20.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Does DOH have a required number of Paid Time Off days (or hours) that they expect contractors to provide employees under this contract? Are Bidders required to disclose to DOH the number of PTO days that they expect to provide employees under this contract as part of their bid submission? Are Bidders required to disclose to DOH whether they provide Paid Time Off for State designated Holidays? If so, where does DOH suggest Bidders include this information?	The Department does not have a required number of Paid Time Off (PTO) days, but expects that bidders include PTO for employees under this contract in accordance with applicable federal, State and local laws that mandates employers provide paid time off. Yes, bidders should identify the number of PTO days they expect to provide employees and

Question #	Corresponding RFP Section	Question	Answer
			<p>whether they provide PTO for State designated Holidays within their Technical Proposal.</p> <p>Please see Amendment #1 to RFP.</p>
21.	Section 4.2: Contractor Requirements – Contracted Staff Services (Page 8-14 of RFP)	Will the successful contract be allowed to bill for a regular workday in the event that DOH offices are closed? Will contractor employees be permitted to work remotely in the event that DOH offices are closed?	In the event of a workday, where state offices are unexpectedly closed, staff are expected to work remotely unless guidance is provided by the Governor’s Office of Employee Relations to the contrary. In such instances remote work will be billable.
22.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection A (Page 8 of RFP)	Can you provide a list of the current incumbent Contractors so we may bid apples to apples?	The sole current contractor for these services is Public Consulting Group, LLC.
23.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection A, Paragraph 1 (Page 8 of RFP)	This section indicates that the selected contractor must offer employment to existing staff under the previous contract if they meet the contractor’s employment requirements. In order to establish a level playing field, shouldn’t the proposers be advised of the average current salaries per title of contracted staff, as the incumbent contractor already has this information?	Employment offers do not need to adhere to existing levels offered by the current contractor, such that this information is not relevant to new bids
24.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection A, Paragraph 1 (Page 8 of RFP)	<p>Section 4.2.A (page 8) states that “the Department estimates but does not guarantee the need for up to 250 staff positions to be filled.”</p> <p>Can DOH clarify whether the estimated 250 positions are in addition to the currently (as of February, 2021) employed 250 contracted staff which is referenced in section 2.1 of the RFP?</p>	The RFP estimates a need for a total of up to 250 staff positions to be filled, inclusive of currently filled and future positions.
25.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection B.4 (Page 9 of RFP)	In what period of time, from Department request for staffing a position or to fill a vacant position, does the Department expect the position to be filled? Will penalties be invoked if the contractor exceeds the period of time to fill a position?	Please see response to Question #15.

Question #	Corresponding RFP Section	Question	Answer
26.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection B.8 (Page 9 of RFP)	<p>Section 4.2.B.8 (page 9) states that the Contractor will complete performance evaluations for its employees on an annual basis.</p> <p>Will the respective State Supervisors for the Contract employees be required to engage in the annual performance evaluation process? It would seem that the state supervisor would be in the best position to properly evaluate her/his employee's performance. Will the state supervisors be required to furnish a written evaluation?</p>	<p>Please see section 4.2.C.3 of the RFP.</p> <p>DOH will provide the Contractor any information needed to complete annual performance evaluations of staff, including but not limited to staff attendance and performance.</p>
27.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection B.10 (Page 9 of RFP)	Our current policy (system driven) for timecard approval is the manager (client) must approve the weekly time sheets. prior to paying our employees, would you consider modifying the above process?	<p>It is required that the Contractor's staff will prepare the timecards weekly unless a different frequency is agreed to by the Contractor and DOH.</p> <p>Please see Section 4.2.B.10 of the RFP.</p>
28.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection B.10 (Page 9 of RFP)	Currently we pay all our employees biweekly, Per the RFP the payroll is weekly, would you consider modifying the above process?	Please see response to Question #27.
29.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection B.11 (Page 9 of RFP)	What are related expenses to travel costs, for example mileage, tolls, and contractors travel time?	Please see Section D.4. and Amendment #1 to RFP.
30.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection C.2 (Page 10 of RFP)	<p>Section 4.2.C.2 (page 10) refers to the state's telecommuting policy.</p> <p>Would the state be willing to furnish a copy of its current telecommuting policy? Is it safe to assume that telecommuting and remote work are synonymous? If not, can the state articulate how the terms differ?</p> <p>Are contract employees allowed to telecommute in the event the state closes its offices unexpectedly for an emergency (snow, pandemic-related, etc.)?</p>	Telecommuting and remote work are synonymous; contract employees are expected to commute to their primary work location unless they have an approved telecommuting agreement (currently up to 50% in a two week period) or a reasonable accommodation authorizing remote work. Alternate work locations should be within commuting distance.

Question #	Corresponding RFP Section	Question	Answer
			Please see response to Question #12 and #21.
31.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection C.3 (Page 10 of RFP)	<p>Section 4.2.C.3 (page 10) says DOH will provide the Contractor any information needed to complete annual performance evaluations of staff.</p> <p>Can DOH confirm that its Supervisors, Managers and Directors understand that they will be required to engage in this important annual event despite the fact that it is often time consuming?</p>	The DOH Designee will work with the awarded Contractor to provide any information needed to complete annual performance evaluations.
32.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection D.1 (Page 10 of RFP)	<p>Section 4.2.D.1 (page 10) states the regular work week for Contractor’s employees will be 37.5 hours per week.</p> <p>Is the 37.5 hour work week currently in effect for all Contract employees? Does the 37.5 hour work week include 2.5 hours for an unpaid lunch break or it is all-inclusive?</p>	No. The 37.5 hours per week is for time worked and does not include unpaid lunch breaks or other breaks.
33.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection D.3 (Page 10 of RFP)	<p>Section 4.2.D.3 (page 10) states that the state cannot be billed for contract staff hours related to designated holidays unless DOH has requested that the contract staff work.</p> <p>Can DOH confirm what the proper bill rate would be in situations where DOH has requested contract staff work on designated holidays? Are holidays billed at double time or time and a half?</p>	Please see Amendment #1 to RFP.
34.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection E (Pages 10-11 of RFP)	What level of coverage does the Department expect for employee benefits, other than Worker’s Compensation and Disability Benefits, to be offered by the proposer to staff under this contract?	Please see Section 4.2.E of RFP.
35.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection E (Pages 10-11 of RFP)	Is the Westchester County Earned Sick Leave Law in addition to the New York Mandatory Sick Leave Law?	Yes. Please see response to Question #34.

Question #	Corresponding RFP Section	Question	Answer
36.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection F (Page 11-15 of RFP)	Can you provide a job description and payrate for each 'Staff Title' listed?	Please see Section 4.2.F of the RFP. It is the responsibility of the Contractor to propose a payrate for each Staff Title based on the information included in Section 4.2.F (Figure 1) of the RFP.
37.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection F (Page 11-15 of RFP)	Section 4.2.F (page 14) breaks down staffing titles, qualifications and tasks. A candidate's highest degree earned may substitute for professional experience. Can DOH confirm if professional experience may substitute for formal education since it is highly likely that well experienced candidates may arise from time to time, but may lack the required college degree?	Please see response to Question #14.
38.	Section 4.2: Contractor Requirements – Contracted Staff Services, Subsection F, Paragraph 2 (Page 14 of RFP)	Will this contract provide staffing services to other New York State Medicaid agencies? If yes, which agencies will those be?	No.
39.	Section 4.6: Security (Page 16 of RFP)	What type of information and data will the resources have access to?	Contract employees may have access to a broad array of data pertaining to OHIP and its initiatives potentially including Protected Health Information (PHI) and Personally Identifiable Information (PII).
40.	Section 4.7: Transition (Page 17 of RFP)	When does the Department expect the transition from contractor to new contractor to commence?	Please see Section 4.7 of the RFP. The last four months of the contract includes a transition period from the awarded contractor to a potential new contractor.
41.	Section 4.7: Transition (Page 17 of RFP)	How much time does the current contractor have to complete the transition of the program to the new contractor?	Please see response to Question #40.
42.	Section 5.4: Payment (Page 18-19 of RFP)	Is it possible to have annual increases beginning with year 2 and each year thereafter based on CPI?	No. Pricing increases based on CPI are only applicable to Contract Years 4 and 5.
43.	Section 5.4: Payment (Page 18-19 of RFP)	Can we provide DOH with an alternate pricing model?	No.
44.	Section 5.5: Minority & Woman-Owned Business Enterprise Requirements (Pages 19-21 of RFP)	In the contract reporter, it is stated the total MWBE Participation Goal is 30%. In the RFP, it is stated that this goal is 0%.	The total MWBE Participation Goal for this RFP is 0%. However, the Department encourages MWBE partnerships, regardless of the specific

Question #	Corresponding RFP Section	Question	Answer
		What is the intended goal for this solicitation?	<p>opportunity's goal. Please see Section 5.5 of the RFP.</p> <p>The MWBE Participation Goal on the NYS Contract Reporter has been corrected.</p>
45.	Section 5.5: Minority & Woman-Owned Business Enterprise Requirements (Pages 19-21 of RFP)	<p>On page 20 of the RFP, it is stated "For purposes of this solicitation, DOH hereby establishes an overall goal of 0% for MWBE participation, 0% for Minority-Owned Business Enterprises ("MBE") participation and 0% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs and outreach efforts to certified MWBE firms)."</p> <p>What is the intended MWBE Participation Goal for this solicitation?</p>	The total MWBE Participation Goal for this RFP is 0%. Please see Section 5.5 of the RFP.
46.	Section 5.5: Minority & Woman-Owned Business Enterprise Requirements (Pages 19-21 of RFP)	<p>By submitting a bid, a bidder agrees to complete an MWBE Utilization Plan (Attachment 5, Form #1) of this RFP.</p> <p>As the MBE and WBE goals are 0%, is a bidder still required to complete a MWBE Utilization Plan when submitting a bid?</p>	Although the MWBE Participation Goal is 0% for this RFP, MWBE subcontracting is encouraged. As such, bidders should complete and submit an MWBE Utilization Plan with their Administrative Proposal.
47.	Section 5.19: Diversity Practices Questionnaire (Page 26 of RFP)	<p>Question 5 of the Diversity Practices Questionnaire states: "Is your company participating in a government approved minority- and women- owned business enterprise mentor-protégé program?" This question precludes Prime Vendors from forming strategic partnerships with MWBEs specifically for this contract.</p> <p>Would DOH be willing to consider allowing Mentor-Protégé Program partnerships specific to this contract to be submitted as demonstration of commitment to diversity practices and fulfillment of MWBE utilization goals?</p>	Not at this time.
48.	Section 6.1: Administrative Proposal (Pages 27-28 of RFP)	How will Bidder provided References be scored under the evaluation of Bidder responses? Will DOH provide a subjective evaluation of references or will DOH only evaluate whether references were provided?	<p>References will not be scored as part of the evaluation process for this RFP.</p> <p>See Section 8.0: Method of Award.</p>

Question #	Corresponding RFP Section	Question	Answer
49.	Section 6.1: Administrative Proposal, Subsection I (Page 28 of RFP)	<p>On page 28 of the RFP, it states: "The Department has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of respondents of this procurement is practical, feasible, and appropriate. Accordingly, respondents to this procurement should include as part of their response to this procurement, Attachment 10 'Diversity Practices Questionnaire'. Responses will be formally evaluated and scored."</p> <p>Can DOH clarify if, and how, Diversity Practice Questionnaire scoring will be incorporated into the overall Technical Evaluation (75%)?</p>	<p>The Department will not be disclosing this information to the bidding community.</p> <p>Bidders will be evaluated based on the information included in their submitted Technical Proposal as identified in Section 6.2.D.</p>
50.	Section 6.2: Technical Proposal (Pages 28-30 of RFP)	Is there a page limit to the technical proposal?	There is no page limit to the technical proposal.
51.	Section 6.2: Technical Proposal (Pages 28-30 of RFP)	What is the project's current yearly spend?	<p>Information related to the current contract is subject to the Freedom of Information Law (FOIL).</p> <p>Instructions for submitting a FOIL request can be found at the following link: https://www.health.ny.gov/regulations/foil/.</p>
52.	Section 6.2: Technical Proposal (Pages 28-30 of RFP)	Do you anticipate an increase or decrease in the five-year budget?	The Department does not anticipate an increase or decrease in the five-year budget aside from the CPI increases or decreases, which are allowable for Contract Years 4 and 5.
53.	Section 6.2: Technical Proposal (Pages 28-30 of RFP)	Is the Contract start date January 1, 2023	Please see Amendment #1 to RFP.
54.	Section 6.2: Technical Proposal (Pages 28-30 of RFP)	What happens should attachment 8 legal documents change during the down time between award and the actual start date?	The Department will utilize its most current Contract Boilerplate at the time of award.
55.	Section 6.3: Cost Proposal (Pages 30-31 of RFP)	The state mentions it will provide desktops and all equipment. Will laptops be included for potential remote work?	Yes, given resource availability.
56.	Section 8.2: Submission Review (Page 32 of RFP)	<p>Can DOH describe how it will evaluate a Bidders experience in providing similar services?</p> <p>For example:</p>	Please see response to Question #49.

Question #	Corresponding RFP Section	Question	Answer
		<p>1. If a vendor has prior / past experience but no or minimal current experience in providing comparable services?</p> <p>2. If a vendor provides similar services to private clients but no or minimal experience providing comparable services to state clients?</p> <p>3. If a vendor provides similar services but at a much smaller scale than requested / required under this contract?</p>	
57.	Section 8.2: Submission Review (Page 32 of RFP)	Are Bidders allowed to propose optional services to DOH under this contract? Will these optional services be scored as part of the evaluation of proposals?	Please see response to Question #49.
58.	Section 8.5: Composite Score (Page 33 of RFP)	The Composite Score includes reference to MWBE utilization factoring into the award decision in the event of a tie. Can DOH describe how this will factor into the scoring? If a vendor is a lower price, will they be recommended for award? And only if two vendors have the same price, will MWBE utilization factor into the evaluation?	<p>The Composite Score will be calculated using 75% of the Total Technical Score and 25% of the Total Cost score. In the event of a tie, the determining factor(s) for award, in the following order of importance will be:</p> <ol style="list-style-type: none"> 1. Lowest Cost; 2. Minority/Women-owned Business Enterprise (M/WBE) utilization.
59.	Section 8.9: Award Recommendation (Page 33 of RFP)	How will work be agreed to and finalized under this RFP? Will there be work orders or SOW's?	<p>There will be no separate work orders or SOWs.</p> <p>Section 4.0 of the RFP and the bidder's Technical Proposal Narrative define the SOW under this contract.</p>
60.	Attachment 8: DOH Agreement, Appendix X	Given that subcontractors will perform different aspects of the work, is NYDOH willing to negotiate the subcontractor terms and conditions flow-downs since not all subcontractors can accept all of the flow-downs?	No. DOH is not willing to negotiate the subcontractor terms and conditions flow-downs.
61.	Attachment 10: Diversity Practices Questionnaire	Question 5 of the Diversity Practices Questionnaire states: "Is your company participating in a government approved minority- and women- owned business enterprise mentor-protégé program?" This question precludes Prime Vendors from forming strategic partnerships with MWBEs specifically for this contract.	No, DOH will not consider Mentor-Protégé Program partnerships specific to this contract as a demonstration of commitment to diversity practices and fulfillment of MWBE utilization goals

Question #	Corresponding RFP Section	Question	Answer
		<p>Would DOH be willing to consider allowing Mentor-Protégé Program partnerships specific to this contract to be submitted as demonstration of commitment to diversity practices and fulfillment of MWBE utilization goals?</p>	