

New York State Donate Life Registry
RFP No. 0222121202
Question and Answers
April 6, 2012 – April 20, 2012

1. Question

Section 3.1.1, bidders must demonstrate the ability to allow enrollees to dis-enroll. Would electronically withdrawing still result in a written verification letter being mailed?

Answer

Currently the law does not allow for electronic withdrawal from the registry.

2. Question

In regards to registrants in the original intent registry- will the bidder be required to send out letters or have access to this separate list of individuals?

Answer

Currently, authorized OPOs and tissue banks have access to the intent registry, as it is all one database which simply notes whether the person is in the consent or the intent registry. We would expect this to continue in any database developed by the successful bidder. While new intent enrollments are no longer accepted, intent registrants are allowed to update their enrollment information (i.e. change of address or name). The developed system would be expected to issue any required letters related to these transactions in the same manner that is adopted for the consent registrants.

If this question refers to the requirement under Article 4310 that intent registrants receive a letter informing them of the new consent registry, that requirement is not a deliverable under this RFP.

3. Question

What constitutes a widely accepted mainstream technology?

Answer

DOH considers the following as widely accepted mainstream technologies:

Microsoft: C# and .NET; Java: J2EE, EJB, and JSP; Application/Web Servers: WebSphere, Weblogic and iPlanet; Databases: Oracle, Sybase, SQL Server.

Other technologies will be considered on a case by case basis.

4. Question

In Section 3.11.1 the department requires that all software assets be turned over to the Department at the end of the contract. What exactly is included in "software assets?"

Answer

Software assets will include, but are not limited to, the following: the artifacts listed in Section 3.6 b), c), and d); Security/Functional/Performance/User Acceptance test plans, test cases, and test results; third-

party components; licenses and other material necessary to operate and administer the registry.

5. Question

In Section 3.12, Administration and Oversight, the successful bidder must demonstrate the ability to carry out the deliverables listed which relate to administration and oversight of the NYSDLR- will this need to be accomplished by the start of the contract on September 1, 2012 or during the first year?

Answer

The successful bidder must demonstrate the ability to administer and oversee the NYSDLR at the time the responsibility is transferred, which is expected to be on or within 1 year of the contract approval from the Office of the State Comptroller.

6. Question

In Section 3.12.5 the Department notes that it currently contracts with an outside entity for a portion of the NYSDLR promotion. Who holds the contract and what materials are included in this promotion?

Answer

The New York Alliance for Donation currently receives funding from the DOH to promote the NYSDLR. Materials such as a brochure and poster were developed for use in DMV offices.

7. Question

Will the Department continue its contract with the outside marketing entity? If so, will that entity be responsible for any portion of media placement and/or campaign design/ collateral development?

Answer

Yes, the Department will continue to oversee the funding to support initiatives by the New York Alliance for Donation (NYAD) as long as that funding is made available. DOH and NYAD will coordinate what activities and deliverables will be required for this funding.

8. Question

Would the winning bidder be expected to use and implement the existing entity's creative materials?

Answer

No, the winning bidder will develop new materials based on the results of all marketing research (focus groups, field testing, etc.) for a statewide multi-media campaign.

9. Question

If the iterative and final candidate is rejected by the Department is there an appeal process?

Answer

The agency has the right to reject all bids pursuant to the terms of the RFP. If the agency does so, any

challenge to that decision would be in court pursuant to Article 78 of the Civil Practice Law and Rules. If the agency receives multiple proposals and accepts one of them, an offerer who was not selected would have the ability to file a bid protest with the Office of the State Comptroller (OSC), subject to OSC's procedures.

10. Question

In regards to system security, who created the security test plan and what are the criteria?

Answer

The winning bidder is responsible for creating a security test plan as part of the Security Plan which must be approved by the DOH. Attachment 20 is the Security Requirements. As stated in section 1.1. of Attachment 20, a standard NYSDOH Security Plan template will be provided prior to commencement of the project, which must be completed as a deliverable. For completion of the RFP response, Attachment 21 is required, using Attachment 20 as a reference.

11. Question

Section 4.1 Technical Proposal says "... the following four sections along with the Transmittal Letter and Table of Contents:" but only lists three sections. What is the fourth?

Answer

This was a typographical error, there are three sections required, not four.

12. Question

After the contract term is up (5 years) what is the process? Will the contract be renewable or will it go out for a competitive bid?

Answer

The contract term does not provide for renewals. Any continued outsourcing of the operation of the registry would be subject to a new procurement prior to the end of the 5-year term.

13. Question

The New York Alliance for Donation (NYAD), which is comprised of the OPO's, Tissue, and Eye banks in New York State, collectively spends close to \$2 million on marketing. Due to the unique make-up of populations in each region, tactics and messaging vary. NYAD strongly recommends that marketing tactics, messaging and media buying continue to be managed by region and NYAD member. NYAD, however, would move to one call-to-action throughout all regions (e.g. "sign-up today @ xyz.com"). Do the requirements of the RFP prohibit such an approach?

Answer

While this approach is not prohibited, the intent of the RFP is the creation of a statewide campaign with one message for each of the intended audiences. The winning bidder will be encouraged to consult with OPOs, Tissue and Eye Banks across the state for their past campaign and outreach successes, failures and evaluation results. However, the winning bidder in conjunction with State (DOH and DMV), will develop and execute a statewide, coordinated multi-media campaign.

14. **Question**
Data transfer from DMV is essential. Has DOH had preliminary discussions with DMV regarding transfer of data to a vendor? If not, will DOH assist with negotiations with DMV?

Answer

The DMV is aware of and has reviewed the RFP. While the DOH will assist where possible, the terms of the agreement for transfer of DMV data will be under the purview of the DMV.

15. **Question**
What is the process by which DOH would vet “key personnel” in order to determine if DOH approves or rejects?

Answer

DOH may vet key personnel through the evaluation of resumes or CVs which detail experience, by checking references, and/or through the completion of interviews.

16. **Question**
Is it DOH’s (and DMV’s) role to approve marketing plans including strategies, tactics, targets, and messaging? Or, is it DOH’s (and DMV’s) role to simply consult?

Answer

Yes, it is the State’s role (DOH and DMV) to approve any and all plans, including specific strategies, tactics, target audiences and messages which directly pertain to the marketing of the NYSDLR. The bidder’s proposal should outline, as per the RFP specifications regarding 3.12.5 Public Outreach, Education and Marketing, its plan to address each deliverable.

17. **Question**
Some marketing vehicles are mandated, including “TV, radio, print, out-of-home, and Internet.” Ideally, marketing vehicles are determined after a target audience is identified (budget also plays a role). Will the vendor be permitted to eliminate/replace some of the mandated vehicles based on what is most appropriate for the target audience as well as budget?

Answer

As per the RFP, in the first year of the campaign, these media outlets are required. In the subsequent years of the contract, the media outlets should be determined based on the findings of the focus groups.

18. **Question**
If DOH agrees that NYAD members can continue to market by member and region, then will NYAD members be permitted to continue to use their current marketing vendors/agencies, therefore no longer be required to seek bids from three vendors?

Answer

This solicitation will not require the winning bidder or subcontractors to solicit and receive three bids for any and all product(s) or service(s).

19. **Question**
How does the Department anticipate measuring success of the marketing and outreach campaigns? Will success be measured by the number of new enrollees per week/month/year? Or will it be measured by the number of people reached through media outputs (i.e. number of hits on the website, etc.)?

Answer

As required on page 39-40, in 3.12.5 Public Outreach, Education and Marketing, an evaluation mechanism is required. It is up to the bidder to explain how they think it best to measure success. However, the Department would expect that one of the major measures of success would be the increase in the number of registry enrollments both statewide and regionally and that the data be shared with the DOH and DMV on a quarterly basis.

20. **Question**
Will the Department provide a logo or branding material to be displayed on all marketing/website and collateral information? Or, is the contractor responsible for designing and creating new material?

Answer

Yes, the Donate Life New York State logo will be provided to be used in all marketing, outreach and communication efforts for the Registry.

21. **Question**
Does the Department anticipate media buys (radio/TV/print) in language formats other than English or will multi-language be reserved for collateral materials?

Answer

Yes, it is anticipated that broadcast materials (TV, radio) be available in a minimum of one other language (Spanish). Based on the focus group findings, the bidder may have to translate these spots into other languages. Collateral materials such as the brochure which includes an application will need to be translated into the state's standard eight required languages – Spanish, French, Haitian Creole, Chinese (Traditional), Italian, Russian, Korean and Polish, by a certified translation service. A certificate of accuracy will need to be provided to NYSDOH for each translation.

22. **Question**
Does the Department anticipate any future budget for marketing/media costs in the first contract year or in contract out-years?

Answer

No, not in this current fiscal year. The DOH is unable to make any representations with regard to future budgets.

23. **Question**
Can the Life Pass It On Trust Fund be used to fund marketing activities?

Answer

Monies from the trust fund can only be expended with a specific appropriation in the State budget. The 2011-2012 State budget did not include such an appropriation. Pursuant to section 95-d(3) of State Finance Law - "Monies of the fund shall be expended only for organ transplant research and education projects approved by the Commissioner of Health, or to provide grants to not-for-profit corporations in this state which are incorporated for the purpose of increasing and promoting organ and tissue donation awareness." Grants resulting from the trust fund would be awarded based on the outcome of a separate competitive process.

24. **Question**
How many calls per day does the Department anticipate coming into the call center?

Answer

As explained in the RFP, on page 8, we currently receive a monthly average of 500 calls. The volume of calls fluctuates daily. Mondays and the day after a holiday experience the largest call volume both in incoming calls and return calls to inquires left on the off-hours voicemail system.

25. **Question**
What is the average length of a call into the call center?

Answer

The average length of a call to the call center is 2-3 minutes. However calls can vary greatly depending on the caller's inquiry and the use of language interpretive services.

26. **Question**
The vendor is required to image all documents for permanent storage. Are documents currently scanned and stored? If so, where are they stored? Will the vendor have access to the same storage/server space or be required to provide their own separate scanning and storage system for all documents?

Answer

The DOH has recently acquired the ability to scan and store registry documents. Documents received by the Department (modification forms, voter registrations and OPO cards) are currently scanned and linked to the database so that they are viewable to all users. These documents are stored on secure servers within DOH. The winning bidder will **not** have access to the same server/storage space.

27. **Question**
What mechanism is available to the vendor to discuss, negotiate and, if necessary, reject requests from the Department for additional deliverables, revisions to deliverables, and deletion of deliverables?

Answer

The vendor will be expected to accommodate requested additional deliverables in good faith.

Particularly as some deliverables may be necessary due to changes in Agency programs or statute, agency requests for additional or revised deliverables must be accommodated.

28. Question

Section 3.12.3 states that there should be a system for management for the data entry of removal requests, enrollment modifications and paper enrollments from multiple sources including: voter registration, organ procurement organizations, tissue and eye banks, and the Department paper enrollment forms. How does the voter registration system integrate with a third party system like the Organ and Tissue donor registry? Would the bidder need to create a Web services front end to allow the "voter registration" system to submit requests into the donor registry?

Answer

Under current law, the Board of Elections (BOE) is not required to submit information to the registry electronically and in fact has indicated its intention to do so on paper. The successful vendor must be able to accommodate and manage such submissions. They average 2,000-3,000 per month (RFP p. 8). As noted on p. 9 of the RFP, the bidder's response should allow for a system that would "meet all current and future needs..."The intent is that the response would allow for changes and growth of the system, e.g., eventually providing for electronic transmission of BOE enrollments, similar to how DMV enrollments are sent to NYSDLR.

29. Question

The RFP allows for only 2 licenses. Can the number of licenses be increased?

Answer

According to Section 3.8 g), The Department requires the vendor to provide DOH a **minimum** of two (2) user licenses.

30. Question

Section 3.1.1 provides the ability for individuals to register electronically with the use of an electronic signature, the process of which must meet a trust level 3 pursuant to Office for Technology (OFT) guideline G07-001(Identity and Access Management; Trust Model) available at: <http://www.cio.ny.gov/tables/technologypolicyindex.htm> and consistent with any other applicable policies or guidelines of OFT or the New York State Office of Cybersecurity. Would a digital or cryptographic signature be required, whereby we must verify user identity through a credit bureau or other financial or government institution?

Answer

A digital or cryptographic signature could be considered an electronic signature. Regardless of the precise type of electronic signature used, the signature process must comply with the requirements of the OFT guideline, meeting the standard for Trust Level 3 (see OFT Guideline G07-001 and NYS-P10-006).

31. Question

It appears that the NY Electronic Signature requirements are similar to that of other states, in that the collection of personal information with an attestation/affirmation statement would satisfy this requirement. Please provide clarity on this point.

Answer

The question is unclear. A simple affirmation/attestation is insufficient absent a process which otherwise meets OFT standards for Trust Level 3 (see OFT Guideline G07-001 and NYS-P10-006).

32. Question

Page 101, Section 8 requests a Standby Letter of Credit in the amount of \$1,500,000. If the winning bidder is unable to furnish the letter for such a high dollar amount, what are the alternatives ? Does this SLOC need to be backed by the full dollar amount, or just a percentage?

Answer

The SLOC is intended to provide security to the Department to ensure the availability of resources necessary to re-assume responsibility of the operation of a potentially revised registry. Accordingly, it must be provided in a form which provides access to the full funding amount. So long as the SLOC provides such access, whether the vendor would need to provide the issuer with funds equal to the face value of the SLOC or some lesser amount would be the subject of negotiations between the vendor and the issuer of the SLOC.