

New York State Department of Health
Office of Long Term Care

Quality Assurance for
Adult Care Facilities, Home Care Services Agencies, Nursing Homes and
Intermediate Care Facilities, and Complaint Intake
RFP# 0802151214

September 17, 2010

1. RFP Section C.2.f., page 17.

Please confirm that the annual QIP work plan is not required to be submitted with the technical proposal.

Please disregard RFP Section C.2.f., pages 16 – 17, Quality Improvement Project.

This section has been replaced with the following language and supersedes the language written in the RFP released on August 6, 2010:

It is the Department's expectation that State and Contract staff will jointly participate in periodic Quality Improvement Initiatives (QII). No additional cost will be incurred as a result of these activities. DO NOT include QII costs in the Unit Prices provided.

2. RFP Section C.2.f., page 17.

For the annual QIP project, will there be one QIP for each of the components, for a total of four QIPs annually? That is, the bidder must include the full cost of one QIP in each component proposal, with those costs being included within the unit prices for the units within each component.

Please disregard RFP Section C.2.f., pages 16 – 17, Quality Improvement Project.

This section has been replaced with the following language and supersedes the language written in the RFP released on August 6, 2010:

It is the Department's expectation that State and Contract staff will jointly participate in periodic Quality Improvement Initiatives (QII). No additional cost will be incurred as a result of these activities. DO NOT include QII costs in the Unit Prices provided.

3. RFP Section C.2.h., page 18.

The RFP specifies that mileage allowances should be calculated at the standard rates published by the Office of the State Comptroller. If the contractor wishes to use GSS approved federal rates instead, is that permissible?

Mileage allowances should be calculated at the standard rates published by the NYS Office of the State Comptroller.

4. RFP Section C.3., page 21.

The RFP defines the unit (in this case Unit 1) is complete when the first of the following events occurs:

1. The facility is found to be in substantial compliance at the time of the survey; OR
2. An SOD not requiring a POC is issued to the facility; OR
3. An acceptable POC is received by the Department; OR
4. Thirty days have passed since an SOD requiring a POC was issued and the facility has not responded, or has failed to produce an acceptable POC.

If a revisit survey is required, this unit is complete when the revisit survey is scheduled.

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This same statement occurs in Units 2, 3, 5, 9, 10, 13, 15, 16, 17, 18, 19, 21, 22, 23, 25, 27, 28, 29, 30, and 31. Please clarify. Does this mean that if a revisit is required then the initial inspection is not counted as completed until the revisit is scheduled OR is the revisit also counted as an inspection (separate unit) when the revisit is scheduled? When is the revisit inspection counted as a separate unit if at all?

For Adult Care Facilities the initial inspection and the revisit inspection are counted as one unit.

For Home Care Services Agencies, Unit #9 LHCSA- Routine Operational Survey and Unit #10 LHCSA – Pre-opening Survey, the unit is complete when the revisit survey is scheduled if one is required. Inherent in the scheduling of a revisit survey is the receipt and acceptance of a plan of correction that identifies dates for full implementation of all corrective actions. Knowledge of the dates when full implementation is anticipated enables the scheduling of a revisit. The revisit survey would be considered a new survey event for billing purposes.

For Nursing Homes and ICFs, the revisit inspection is counted separately in Units 28, 29 and 31. The sentence, “If a revisit survey is required, this unit is complete when the revisit survey is scheduled,” should be deleted from Units 28, 29 and 31. For these units, the unit is complete when the revisit(s) and all associated paperwork are complete.

5. RFP Section C.3., pages 51-64.

The RFP unit sheets include “Type of Staff”, for Units 21 through 31 the type of staff is designated as RN on these sheets. Please clarify whether RNs are the only staff to be used for these surveys or if other disciplines are also required from the contractor to staff these survey teams.

The contractor must be prepared to provide Registered Nurses (RNs) and other disciplines, as directed, to effectively meet and accomplish the contract requirements and deliverables.

6. RFP Section D.2., page 81.

The RFP lists thirteen sections to be included in each Technical Proposal. The fifth section on the list is “Scope of Work and Quality Assurance Process.” The tenth section on the list is “Quality Assurance Plan.” Since the Quality Assurance Process would ordinarily be part of any Quality Assurance Plan, does the Department want the information on the Quality Assurance Process included in both sections?

The Scope of Work and Quality Assurance Process is a detailed description of how the bidder proposes to perform the services, in each of the components, for which the Department is seeking assistance.

The Quality Assurance Plan is an internal plan developed for the contractor to monitor and improve their processes. Complete Attachment F, Technical Proposal Forms TP-3 to describe the Quality Assurance Plan and insert it the Quality Assurance Plan Tab in the Technical Proposal.

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7. RFP Section D.2., page 81.

The Subcontractor Letter of Intent is listed as the thirteenth required section. The instructions for the Transmittal Letter in Section D.2.a., states the subcontractor letter of intent is to be placed with the Transmittal Letter which is the first of the thirteen sections. Please clarify where the subcontractor letter of intent is to be placed. If it is to be included with the Transmittal Letter, then what is to be included in the thirteenth section of the Technical Proposal?

The subcontractor letter of intent should be placed in a separate tab and not with the transmittal letter. According to the list of required documents the subcontractor letter of intent (#13) should be the last required document in the Technical Proposal.

8. RFP Section D.2., page 81, RFP Section D.2.a through D.2.j, pages 82-92 and RFP Section E.1.c.vii., page 97.

The RFP lists on page 81 thirteen sections to be included in each Technical Proposal. The breakout discussions of those sections on pages 82-92 differs slightly. Additionally there are slight differences in the Criteria for Selection list. Three of the section titles differ as follows:

| RFP Section D.2. | RFP Section D.2.a through D.2.j. | RFP Section E.1.c.vii |
|---------------------------------------------|----------------------------------------------------------|------------------------------------------|
| Scope of Work and Quality Assurance Process | Understanding of Work | Scope of Work and Quality Assurance Plan |
| Specific Skills and Experience | Specific Skills and Experience that must be Demonstrated | Specific Skills and Experience |
| Units Proposal | n/a | Unit Bids |

Which title is the correct title for these Sections?

The correct title for these Technical Proposal Sections should be:

1. Scope of Work and Quality Assurance Process;
2. Specific Skills and Experience that must be Demonstrated;
3. Units Proposal;

The Technical Proposal requires that 1) Scope of Work and Quality Assurance Process and 2) Specific Skills and Experience All of which must be demonstrated so that it may be evaluated. The Unit Bids is the cost associated with performing these services.

9. RFP Section D.2., page 81.

The RFP permits submission of specified documents in a separate binder and to submit one set of these documents covering multiple components. How many copies of this “common documents” binders should be submitted and how should they be packaged and labeled for delivery?

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These specified documents only need to be completed and submitted once and not for each component. These required documents are part of the Technical Proposal. The separate binder must be labeled, tabbed and packaged separately from the Cost Proposal as instructed on page 81 of the RFP.

10. RFP Section D.2., page 82, RFP Section E.1.C.ii., page 97, Section F.4.a., page 103.

RFP Section D.2. says “Submit three copies on separate Flash Drives. These electronically readable Flash Drives must include a complete copy of the application to proposal, readable in Adobe’s pdf format.”

RFP Section E.1.C.ii. says “For each Component bid submit three (3) Flash Drives each for both the Technical and Cost proposals. The Department prefers that the Proposal be readable in PDF format.”

RFP Section F.4.a. says “One copy of the Technical and Cost Proposal must also be submitted on a flash drive in Adobe Acrobat (PDF) format.”

Please clarify what can be included on a single flash drive and how many flash drives must be submitted. Can the Technical and Cost proposals be submitted on the same flash drive as long as they are in separate folders. Can all four Components be on the same flash drive, again as long as they are in separate folders, or must each Component be submitted on three flash drives? If the cost and technical must be submitted on separate flash drives and each component must be submitted on separate flash drives, and three flash drives per document are required, that is a total of twenty-four flash drives.

For each component bid please submit one (1) flash drive. Do NOT put Technical and Cost Proposals on the same flash drive. If you bid on all four (4) components you will submit a total of eight (8) flash drives: four (4) flash drives for the Technical Proposal, consisting of one for each of the four components bid, and four (4) flash drives for the Cost Proposal, consisting of one for each of the four components bid.

11. RFP Section D.2.j.v., page 92.

The RFP states that the contractor must perform additional quality assurance on each Unit and that the Department will decide what to do and how often. Bidder’s must include all QA costs in their price per Unit. Can the Department provide any estimate of the nature and frequency of these additional QA activities that the bidder can use in determining its number of hours per Unit price?

Additional quality assurance activities are at the discretion of the Department and are likely to be situational, and therefore cannot be described in advance.

12. RFP Section D.3., page 93.

The RFP states that “The Bidder must complete the four Technical proposal Forms for each Component bid.” May the Technical Proposal forms be recreated in Excel or Word and imbedded within the Cost Proposal document, so long as the recreated documents contain all of the information in the Attachment F forms in the same order and organization?

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No. Please use the separate forms that are provided for the Technical Proposal (Attachment F) and for the Cost Proposal (Attachment G).

13. RFP Section D.2.3.b., page 94 and E.1.h., page 99.

Instructions for the Cost Proposal state that the Cost Proposal must include proof of incorporation and financial viability and include a minimum of three years of audited financial statements. RFP Section D.2.m., relating to audited financial statements, says that financial statements must be included in the Technical Proposal and specifically directs that they not be included in the Financial Information package. RFP Section D.2., states that proof of incorporation must be included in the Technical Proposal. Should the proof of incorporation and audited financial statements be placed in the Technical Proposal or the Cost Proposal? If they are included in the Technical Proposal, then how are the evaluation criteria in RFP Section E.1.h., going to be applied?

All of the audited financial viability documents, proof of Incorporation and Vendor Responsibility Questionnaire (VRQ) must be included in the Technical Proposal as instructed in RFP Section D.2.m., page 92. Please refer to the Optional Bidders Checklist on page 142 of the RFP.

The evaluation criteria described in Section E.1.h., page 99 of the RFP will be applied to the Bid Form (Attachment B) and Cost Proposal Forms (Attachment G) during the Financial Review. The evaluation criteria described in paragraph b. Proof of Incorporation and Financial Viability will be applied during the Technical review. These documents belong in the Technical Proposal.

14. RFP Section D.3., page 94.

The RFP states that “the Cost proposal must be fully supported by cost data adequate to justify the proposed bid for each Component of this RFP.” RFP Section D.3.c. states that a narrative explanation should not exceed three pages. Can the Department provide an example of a cost item that would require narrative explanation? Is the three page limit for each unit or for each component?

The Department will not provide an example of a cost narrative. What is important is that adequate data is provided to allow the department to assess the reasonableness of the bid price submitted. The narrative data should not exceed three pages for each component.

15. RFP Section D.3., page 94.

The RFP states that “Bidders must use the forms for the Component bid.” May the Cost Proposal forms be recreated in Excel or Word and imbedded within the Cost Proposal document, so long as the recreated documents contain all of the information in the Attachment G forms in the same order and organization?

No. Please use the separate forms that are provided for the Technical Proposal (Attachment F) and for the Cost Proposal (Attachment G).

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16. RFP Section D.3.c., page 95.

The Cost Proposal forms require entry of the bidder's unit price and then calculation of the annual total for that unit. Is any other costing information required to be submitted as back-up to the unit price calculations?

In addition to the Cost Proposal Forms (Attachment G) which requires the entry of the bidder's unit price and the calculation of the annual total for that unit, the bidder must complete "Line A" on the Bid Form (Attachment B) which is the sum of Column C of the Cost Proposal Forms (Attachment G). No supporting documentation to the unit price calculations is required.

17. RFP Section E.1.c.xiii., page 97.

The instructions in the criteria for selection directs the bidder to include the Bidder's Assurances and the Bidder's financial viability and responsibility in the Cost Proposal. RFP Section D.2.a. instructs that the Bidders Assurances form is to be included with the transmittal letter. RFP Section D.2.a instructs the bidder to include "vendor responsibility materials" in the Technical Proposal. Are the Bidder's Assurances and financial viability information to be included in the Technical Proposal or the Cost Proposal or both?

All audited financial viability and stability documents must be included in the Technical Proposal ONLY as instructed in RFP Section D.2.m., page 92. The signed Bidder's Assurances, Vendor Responsibility Questionnaire (VRQ) and Transmittal Letter must also be included in the Technical Proposal. Please refer to the Optional Bidders Checklist on page 142 of the RFP.

18. RFP Section E.1.c.iv., page 97.

The formatting requirements stipulate a font size no smaller than 11. Can tables and charts be provided in a smaller font size, so long as they are readable?

Yes they may.

19. RFP Section E.1.g.iii., page 99.

This section states that "bidders will also be evaluated on staff stabilization plans as requested in Part D.2.h. of this RFP for the Component." It does not appear that "staff stabilization" is specifically addressed in RFP Section D.2.h. Please provide the location within that section of this specific requirement.

The Bidder's plan for staff stabilization can be addressed with a brief narrative in Attachment F TP-4, page 140-141 in the last three (3) questions.

20. RFP Section E.1.g., page 99.

This section states that "bidders must provide the names, addresses, telephone numbers and contact persons for contracts within the past two years ..." RFP Section D.2.n. states "Include contact information for three organizations with which the Bidder has contracted in the three year period ending December 31, 2009." Are these requirements referring to the same thing? If so, is it a two year window or a three year window? If

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these are different requirements, please clarify the difference between the two requirements and specify how many contracts should be listed to meet the requirement for Section E.1.g.

Yes, RFP Sections D.2.n. and E.1.g. are referring to the same requirement of supplying three (3) references. These references are required for the last three (3) engagements specifically related to the cited area. Complete contact information for three (3) organizations with which the bidder has contracted in the three (3) year period.

21. RFP Section E.1.h., page 99.

This section states that “the pricing information must be correlated to the schedule of deliverables and projected workload...” If a bid for a specific component is based on a different assumption about hours per survey and/or number of surveys as specified in Attachment E of the RFP, what level of justification for that difference must be provided with the Cost Proposal and what factors regarding such differences will be considered during evaluation?

Bidders should use the assumptions in Attachment E when developing their bid. If the successful bidder is able to perform contract activities with fewer staff or in less time than the assumptions in Attachment E require, then the contractor will bill accordingly.

22. RFP Section E.1.i.i., page 100.

This section states that “the bidder will be responsible for demonstrating the ability to cover 20% of the annual value of the Component bid ...” Does this need to be demonstrated as part of the Cost Proposal or is this demonstrated following evaluation and during the VRR process? If this needs to be demonstrated as part of the Cost Proposal, please provide direction on where such information should be placed in the Cost Proposal.

Demonstrating the ability to cover 20% of the annual value of the Component Bid would be included in the Technical Proposal and reflected in the audited financial viability and stability documents. It should not be included as part of the Cost Proposal.

23. RFP Section F.2., page 101.

This section states that “the potential contractor must provide assurance that it has no conflict of interest with respect to conducting the duties and responsibilities of the Component of this RFP bid.” Please confirm that this assurance is met with the signed Bidder’s Assurances Form.

Yes, when the Bidder’s Assurance Form (Attachment D) is signed and submitted for each component bid.

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24. RFP Section F.4.a., page 103.

The RFP requires that one copy of the Technical and Cost Proposals for each Component must be submitted unbound. Is this copy one of the five copies or is it in addition to the five copies referenced in Section E.1.c.i. on page 96?

The unbound copy for each component bid is included in the 5 copies. Please submit an original for both Technical and Cost Proposals for each component bid and 5 copies, one of which is unbound.

25. RFP Section F.4.b., page 103.

The RFP provides the address for submission. However, if the proposal is delivered by an express carrier (e.g., FedEx) a phone number is required. What phone number should be used when submitting proposals via express carrier?

The reception telephone number should be used and is (518) 408-1129.

26. RFP Section F.6.a., page 105.

Payment is based on work unit counts. The contractor enters work unit information into the State's computers. Many work units include both State and contractor staff so there is no method for counting work units attributable to the contractor for billing purposes. What provisions will the State make for documenting contractor performed work units or must the contractor implement a separate unit count system, maintained by contractor staff? If the latter, what level of documentation will the State require in support of a contractor's invoice for completed work units?

The Department will work with the selected contractor to determine an appropriate tracking and invoicing system for payment and audit purposes.

27. RFP Section F.6.b., page 106.

Example II of partial payment provisions says that if the unit bid is based on 1-2 staff and the State determines that only 1 staff person will be required, then only half of the bid price will be paid. Please clarify this statement. For example, if the bid is based on 1-2 staff working a total of 40 hours per unit (20 hours each), if the State only requires one contractor staff person, but for the full 40 hours, wouldn't the full bid price be paid in this instance?

The examples in this section were provided to assist bidders with the number of hours needed to complete each activity.

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28. RFP Section F.7., page 107-109.

Several of the tasks subject to penalties for failure to meet timely completion requirements include subtasks that must be completed by State staff (e.g., review and/or approval). These subtasks are outside the control of the Contractor. If such subtasks cause or contribute to failure to meet timely completion requirements, will the penalty be waived?

The contractor will not be penalized for circumstances beyond their control.

29. RFP Section F.7.c., page 108.

If a staff member “resigns” from the Contractor’s employment in order to transition to State employment doing, essentially, the same type of work, is the resulting vacancy subject to the penalty if not filled within 45 days? If so, will the State agree to exercise a hold on the employee’s transition until a replacement can be found (assuming the Contractor is diligent in filling the position)? This question is essentially saying that when DOH hires staff away from the contractor, then DOH is contributing to the contractor's turnover, thus creating the potential for a penalty situation if the contractor cannot fill the vacancy created by DOH's action within the required time frame. So the question is, under these circumstances, will DOH either void the penalty or hold off on the transition of the employee from the contractor's staff to DOH until the contractor can fill behind?

The contractor is responsible for filling all vacant positions within 45 days of the last day worked on the contract.

30. RFP Section F.7.d., page 108.

The RFP stipulates penalties for monthly, quarterly and annual deliverables not met. Please clarify the meaning of this provision. For example, the penalty for monthly deliverables not met is 10% of the value of uncompleted units for the month. As an illustration, Unit 1 anticipates 200 annual surveys. Assuming that translates to 17 surveys completed per month, does this mean that if only 15 surveys are completed in a month, then when the remaining two surveys are completed and billed, the billed amount for those two surveys will be reduced by 10% (plus any disallowed federal participation, if applicable)?

The penalty is a percentage of the value of those units not completed according to the schedule.

31. RFP Section F.7.d., page 108.

The RFP stipulates penalties for failure to complete the monthly, quarterly, annual deliverables noted on Attachment E. Some of the deliverables are dependent on incoming “requests” – e.g., complaints. Please confirm that if the total number of deliverables within a unit is less than the number anticipated through no fault of the contractor (e.g., fewer complaints than anticipated), the contractor will not be penalized.

The contractor will not be penalized for circumstances beyond their control.

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32. RFP Section F.12., page 111.

Please confirm that State Consultant Services Form A is required only for Component 1 and Component 2 and is not to be submitted for Component 3 or Component 4.

Form A is to be completed and submitted as indicated on page 3, D. of the Bid Form:

Bidder agrees to provide the following documentation either “with their submitted bid/Proposal or upon award” as indicated below:

The Bidder checks the appropriate box: With Bid; or Upon Award.

It is preferred that All three of the documents listed on the Bid Form be included with the proposals, ST-220-CA and Form A with the Cost Proposal and the VRQ with the Technical Proposal.

Forms A&B are required by OSC for every Miscellaneous Services /Consultant contracts. It is required for each of the four (4) components.

33. RFP Attachment B, Bid Form, page 122.

The Bid Form does not provide a space for stating which Component the bid is for, although it does require entering the Units X through Y. Should this form have a space for designating which Component the bid form applies to? Also the Bid form references as the Procurement title “FAU” followed by the RFP number. Should this be RFP instead of FAU?

The standard Bid Form is used throughout all State Agencies. The units must be entered (line A) and each of the component bids must be packaged separately, clearly labeled and identified in the table of contents. There will not be any confusion as to which component each Bid Form reflects if they are in the appropriate Cost Proposal Binder.

No, it should be FAU. The number is assigned and used throughout the procurement process.

34. RFP Attachment B, Bid Form, page 124.

The Bid Form, item D. specifies that the State Consultant Services Form A is to be submitted “Upon Award.” The Bidder’s Checklist on page 142 indicates that this form is to be submitted with the Cost Proposal. Please confirm whether State Consultant Services Form A is to be submitted with the bid or upon award.

Form A is to be completed and submitted as indicated on page 3, D. of the Bid Form:

Bidder agrees to provide the following documentation either “with their submitted bid/Proposal or upon award” as indicated below:

The Bidder checks the appropriate box: With Bid; or Upon Award.

It is preferred that All three of the documents listed on the Bid Form be included with the proposals, ST-220-CA and Form A with the Cost Proposal and the VRQ with the Technical Proposal.

Form B is NOT submitted with the Proposal but will be submitted annually by the contractor once the contract is in effect.

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35. RFP Attachment E, page 127.

On Attachment E, Unit 3 specifies 2 FTEs per survey and Unit 4 specifies 1 FTE per survey. On the unit descriptions for Unit 3 and Unit 4 in Section C.3., the FTEs for both of these is noted as 1 or 2 surveyors (investigators) per survey (investigation), the number to be determined by the Department. Is there a reason that Attachment E shows 1 FTE for Unit 3 and 2 FTEs for Unit 4 when the unit description is the same? Should they both show 1 FTE or both show 2 FTEs? If there is a reason for the difference, please explain. This same situation applies to Units 13, 18, 24, 29, and 31.

- Unit 3 should state under description “a specific survey other than a complete survey of a facility....”
- Unit 3 should state under type of staff “Two members of a survey team may be state staff....”
- Unit 4 should state under type of staff “One member of a survey team...”

In summary, for a partial inspection there will be two members of a survey and for a complaint inspection, there will be one member.

The Chart in Attachment E describes the maximum number of each of the Units which the Department anticipates to complete during a calendar year. The number of FTEs specified in the chart are based on workload projections that were available at the time of the RFP issuance and are provided to assist the Bidder in the development of its Technical and Cost Proposal for each Component. The Chart should be used by the Bidder to estimate staff necessary to meet the State deliverable requirements.

36. RFP Attachment E, page 127.

On Attachment E, Unit 5 specifies 100 total annual surveys. On the unit description in Section C.3., it states “approximately 16 applications per year.” Please clarify which number is correct for this unit.

For Unit 5, ACF pre-opening survey including ACF and ALP; A significant increase in the coming year of pre-opening surveys is projected.

37. RFP Attachment E, page 127.

On Attachment E, Unit 6 specifies 38 total annual investigations. On the unit description in Section C.3., it states “15 investigations annually.” Please clarify which number is correct for this unit.

Based on historical information 38 investigations were performed annually. However, 15 investigations are projected for the coming year. There has been a significant decrease in the number of questionable operations over the past few years.

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38. RFP Attachment E, page 127.

On Attachment E, Unit 8 specifies 13 total annual closure review. On the unit description in Section C.3., it states “13 ACF and 30 Q-Op closures.” In addition, the unit description specifically states that both ACF and Q-Ops are included. Please clarify which number is correct for this unit.

Unit 8, Monitoring Facility Closure, clarify under historical information that it was “13 certified ACF closures in 2007 and that of the 30 Q-op closures in 2007, 25 were desk audit closures handled in Central Office”.

39. RFP Attachment E, page 128.

On Attachment E, Unit30 specifies 32.25 hours per survey and one surveyor. On the unit description in Section C.3., it states 32.5 hours except for strike surveys and 35-40 hours for strike surveys and two surveyors. Please clarify why the provision for the two annual strike surveys have been left out of Attachment E.

The provision of two annual strike surveys should be included when estimating resources necessary to meet the State deliverable requirements.

40. RFP Attachment E, page 127.

On Attachment E, Unit 10 specifies 22.5 – 37.5 hours per survey. On the unit description in Section C.3., it states 37.5 hours per survey. Please clarify why the higher hours per survey are shown on Attachment E. In addition, the number of surveys on Attachment E is 40, while the unit description indicates it is 35-40. Please clarify.

Section C.3. provides historical information based on data and contract experience. This information is provided to potential bidders to illustrate that the completion of survey activity is dependent upon variables that may influence the amount of time necessary to complete survey activities. Each of these variables influence the time required to complete a survey. The ranges are provided to illustrate these differences.

The most recent data available to the Department for the number of hours and staff needed to complete a particular unit of service and the maximum number of units of each service are reflected in Attachment E. Bidders should use the data in Attachment E in developing their bid.

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41. RFP Attachment E, page 127.

On Attachment E, Unit 11 specifies 45 hours per manual review. On the unit description in Section C.3., it states 60-80 hours per review for 30 initial manual reviews and 45-50 hours per re-review for 50 reviews. Please clarify how the hours per review were calculated for this unit and why the hours per review on the unit description are substantially higher.

Section C.3 provides historical information based on previous contractor experience. The department has enhanced the training and process for staff in the review of pre-opening survey manuals and as a result the amount of time required to complete this activity has decreased. The most recent data available to the Department for the number of hours and staff needed to complete a particular unit of service and the maximum number of units of each service are reflected in Attachment E. If there are any inconsistencies between the data provided in the body of the RFP (unit of services) and Attachment E, bidders should use the data in Attachment E in developing their bid.

42. RFP Attachment E, page 128.

On Attachment E, Unit 36 specifies 12 hours per on-site investigation. On the unit description in Section C.3., it states 10-12 hours per on-site investigation. Please clarify why the higher hours per survey are shown on Attachment E.

The most recent data available to the Department for the number of hours and staff needed to complete a particular unit of service and the maximum number of units of each service are reflected in Attachment E. Bidders should use the data in Attachment E in developing their bid.

43. RFP Attachment E, page 128.

On Attachment E, Unit 38 specifies 270 total annual complaint intakes. On the unit description in Section C.3., it states “up to 25% of the waiver population of 27,000” which is a total 675. Please clarify why a 10% figure is shown on Attachment E instead of the 25% figure.

The 10% figure, 270 annual, on Attachment E is the number of anticipated potential complaints that should be used for planning purposes. The most recent data available to the Department for the number of hours and staff needed to complete a particular unit of service and the maximum number of units of each service are reflected in Attachment E. Bidders should use the data in Attachment E in developing their bid.

44. RFP Attachment E, page 128.

On Attachment E, Unit 41 specifies 8,800 NH complaints annually. On the unit description in Section C.3., it states 8,800 NH complaints annually plus 100 consumer concerns. Please clarify why the consumer concerns are not shown on Attachment E.

There are 8,800 complaints annually which result in a case being triaged to central office or related area office. This information is entered into the federal ASPEN software, triaged, and reviewed with supervisory

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staff. This number has been referenced in Attachment E, Unit 41. There also are 100 consumer concerns and another 4,000 phone calls that are answered by helpline staff during routine daily operations. This work is required to properly determine whether a case merits triage and inspection, or if the caller can be referred to another agency or basic assistance can be provided. Average time is factored into the 8,800 complaints based on this additional overhead, since basic calls not related to cases are required to determine if a case should be triaged, or alternatively determine if other basic assistance is required to assist the caller. Sometimes staff must lookup information to assist a caller even when a case isn't triaged and inspected.

45. RFP Attachment E, page 129.

On Attachment E, the names of the four components vary slightly from other references in the RFP as shown in the table below. Please clarify the correct name for each of the components.

| RFP Citation | Component 1 | Component 2 | Component 3 | Component 4 |
|----------------------------|---------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------|----------------------------------------|
| Attachment F, page 192 | Adult Care Facilities | Home Care Services Agencies | Nursing Homes and Intermediate Care Facilities | Complaint Intake |
| Section A, page 1-2 | Adult Care Facility Quality Activities | Home Care Services Agency Quality Activities | Nursing Homes and Intermediate Care Facilities | Complaint Intake |
| Section C.3, page 18 | Quality Assurance for Adult Care Facilities | Quality Assurance for Home Care Services Agencies | Quality Assurance for Nursing Homes and Intermediate Care Facilities | Quality Assurance for Complaint Intake |
| Section D.2.f, page 84 | Adult Care Facility Quality Activities | Home Care Services Agency Quality Activities | Adult Day Health Care Program and Nursing Homes Quality Activities | Complaint Intake |
| Attachment F, page 129-134 | Adult Care Facilities | Home Care Services Agencies | Nursing Homes and Intermediate Care Facilities | Complaint Intake |
| Attachment G, page 143-147 | Adult Care Facilities | Home Care Services Agencies | Nursing Homes and Intermediate Care Facilities | Complaint Intake |

Component #1- Adult Care Facilities; Component #2 -Home Care Services Agencies; Component #3 - Nursing Homes and Intermediate Care Facilities; Component #4- Complaint Intake.

RFP Section C.3. refers to each of the FOUR Component's Quality Activities in units of service for the various areas: ACF, Home Care, Nursing Home and ICF and Complaint Intake.

46. RFP Attachment F, Form TP-4, page 140.

Please confirm that the following units are federal quality activities and, therefore, subject to the requirement for staff to be SMQT certified: 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43.

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Although the Adult Day Health Care Program is not a Federal program, staff are required to be SMQT certified. For the remaining units related to nursing homes, staff is also required to be SMQT certified.

47. RFP Attachment F, Optional Bidder's Checklist, page 142.

The bidder's checklist for the Cost Proposal includes Consultant Services Forms A and B. Please confirm that Form B is not submitted with the proposal, but is provided after contract award. Also, please confirm, per prior question, that Form A is not provided for Components 3 and 4.

Form B is NOT submitted with the proposal but is required to be submitted annually by the contractor once the contract is in effect.

Forms A&B are required by OSC for every Miscellaneous Services /Consultant contracts. It is required for each of the four (4) components.

48. RFP Attachment G, Form CP 1-4, Component 4, page 147.

Unit 38 on this form shows a quantity of 2,700. Attachment E shows a quantity for Unit 38 of 270. Please confirm the correct quantity.

The correct number of complaint intakes for Unit 38 should be 270.

49. RFP Attachment G, Form CP 1-4, Component 4, page 147.

Unit 36 on this form shows a quantity of 300. Attachment E breaks this down into two separate quantities (150 each) with different hours per investigation for on-site vs off-site investigations. Please clarify if you want a blended rate for this and that, if so, the blended rate would be billed for the investigation regardless of whether it is on-site or off-site. Also, if a blended rate is to be used, what protection does the contractor have against all 300 investigations being the more time-consuming on-site version rather than a 50-50 split?

A blended rate should **NOT** be used. Please submit a rate for each activity, one rate for the on-site complaint investigation activity and one rate for off-site complaint investigation activity.

Label the cost proposal for each in the following manner:

| | |
|-------------|-----------------------------------------------------------|
| 36 A | Home Care and Hospice Complaint Investigation – ON- SITE |
| 36 B | Home Care and Hospice Complaint Investigation – OFF- SITE |

The percentage of complaint investigations conducted off-site vs. on-site is based on historical data.

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50. RFP Attachment G, Form CP 1-4, Component 4, page 147.

Unit 42 on this form shows a quantity of 175. Attachment E breaks this down into two separate quantities for regional office (75) vs central office (100) with different hours per dispute resolution for regional office (7.5) vs central office (3.5). Please clarify if you want a blended rate for this and that, if so, the blended rate would be billed for the dispute resolution regardless of whether it is from a regional office or the central office. Also, if a blended rate is to be used, what protection does the contractor have against all 175 dispute resolutions being the more time-consuming regional office version rather than a 57/43 split?

A blended rate should not be submitted. The regional office IDR function should be considered separate from the central office IDR function.

51. RFP Attachment M, M/WBE Procurement Forms, page 160-167.

Attachment M includes six forms as follows: (1) Bidder's Proposed M/WBE Utilization Form; (2) Minority Owned Business Enterprise Information; (3) Women Owned Business Enterprise Information; (4) M/WBE Utilization Plan; (5) M/WBE Letter of Intent to Participate; and (6) M/WBE Staffing Plan. Are all six forms to be submitted with the bid or are only forms 1, 2 and 3 submitted with the bid and the remainder submitted following award?

Attachment M, M/WBE Procurement Forms # 1-6 should be submitted in the Cost Proposal.

If you are unable to complete Form #6, M/WBE Staffing Plan, at the time of submission of your Proposal, it is acceptable to use "To Be Determined".

52. RFP Section Definitions of Terms, page xi.

In the definition of the term "RFP", it is indicated that the proposal is due on August 26, 2010. Should we assume that this date is meant to be October 8, 2010?

The Proposal due date is October 8, 2010.

53. RFP Section A. page 1.

The RFP indicates that the anticipated start date is July 1, 2011. When does the State anticipate award notification? Will there be a start-up period, i.e., a period of time between contract start date and commencement of quality assurance activities?

The anticipated contract start date is July 1, 2011. It is not feasible to anticipate an award notification date since the number of proposals is undetermined at this time. The Technical Proposal requires a detailed start-up plan for each component bid. This includes the activities the Contractor will undertake to implement the quality assurance activities within 90 days of the award; Section C.2.g. page 17.

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54. RFP Section A. page 1.

The 4th paragraph states, “The award of a contract for these activities does not include a right for the successful Contractor to be the exclusive provider of the services described below.” It is understood that a different contractor may be awarded for each of the 4 components, but does the quoted sentence mean that each component may be awarded to more than one contractor? Please explain.

The quoted sentence on page 1, “The award of a contract for these activities does not include a right for the successful Contractor to be the exclusive provider of the services described below”, interprets as the State reserves the right to perform these services with State staff. No, there will not be more than one Contractor awarded for each of the four components.

55. RFP Section A. page 2.

Please explain why Unit # 32 (Random Quality Assurance Audits) and Unit #33 (Enforcements), which are both classified as “Nursing Home Quality Activities” are part of Component 4 (Complaint Intake) rather than Component 3 (Nursing Homes and Intermediate Care Facilities).

Unit #32 (Random Quality Assurance Audits) should be included under both Component 3 (Nursing Homes and Immediate Care Facilities) and Component 4 (Complaint Intake). Unit #33 (Enforcements) should be included in Component 3 (Nursing Homes and Immediate Care Facilities) but not included in Component 4 (Complaint Intake).

56. RFP Section A. page 8.

The 1st sentence of the 3rd paragraph (“The Department oversees the licensure and continued the quality of services provided by LHCSAs.”) seems to have a word missing. Please explain.

This paragraph should read: “The Department oversees the licensure and *monitors the* quality of services provided by LHCSAs.”

57. RFP Unit #2, page23.

Under Historical Information, the RFP indicates that “at least one Home Care surveyor will participate in EALR surveys.” However, Home Care surveyor staff and Adult Care Facility staff will now be part of separate contracts since Adult Care Facilities and Home Care Services Agencies are separate Components of this RFP. How should the bidder plan for Home Care surveyors in its Adult Care Facility proposal? Please note that this same question refers also to Unit #5 (page 29).

The Nurse surveyor responsible for the Home Care surveillance component of the EALR and ALP survey conducted by the Adult Care Facility survey team will be trained in the Home Care surveillance process applicable to the EALR or ALP surveillance process as it related to the Home Care program requirements.

58. RFP Unit #12, page 39.

Under Location of Work, the RFP indicates that the “Current Contractor operates out of New York City and Syracuse.” Are both of these locations required to be maintained? Please note that this question also refers to Units #13 and #14 (pages 41 and 43, respectively).

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Services are currently being provided from these locations. The bidder may assume that the Unit activities will continue to operate in those locations. Some of the activities (not all) of the activities included in this RFP are currently outsourced to independent contractors.

59. RFP Unit #15-20, pages 45-50.

Is there a current contractor for ICF/MR Quality Activities?

The ICF/MR Quality Activities are performed by Contract and State staff.

60. RFP Section D.2., page 81.

The tabbed sections list indicates a separate tab for “Quality Assurance Plan”. The next tab, Technical Proposal Forms, includes TP3, Quality Assurance Plan. Where should the Quality Assurance Plan be placed, or should it be repeated in both sections?

The Quality Assurance Plan is an internal plan developed for the contractor to monitor and improve their processes. Complete Attachment F Technical Proposal Forms TP-3 to describe the Quality Assurance Plan and insert into the Tab for Quality Assurance Plan in the Technical Proposal.

61. RFP Section D.2., page 81.

In the middle of the page, there is a paragraph which begins, “This section should also include . . .” Is “this section” referring to the “subcontractor letter of intent”, or the section below (“Curricula Vitae . . .”)?

The paragraph on page 81 of the RFP which begins, “This section should also include the FOLLOWING DOCUMENTS...” is referring to the list of documents in the section below, (“Curricula Vitae...”)

62. RFP Section D.2., page 81.

For “HIPAA Procedures and Medicaid Confidentiality”, the relevant Attachments seem to be P and Q, rather than O and P. Is this correct?

The HIPAA Procedures is Attachment P and the Medicaid Confidentiality is Attachment Q.

63. RFP Section D.2.h.i.-iv., pages 86-89.

The RFP for these sections repeats requirements that are listed in other sections of the proposal. For example, experience is required under “Organization, Experience and Personnel”, as is a list of contracts for similar work. Yet “Specific Skills and Experience” is listed as a required section on page 81, and contains the same requirements. What should be included in the Bidder’s proposal under the section “Specific Skills and Experience”?

There may be instances in the RFP where similar information is requested from bidders in more than one section of the proposal. Each section of the proposal will be evaluated based on specific standards relevant to that section. Bidders should provide all the information requested in each section of the RFP in their proposal for that section, even if it duplicates information provided in other sections of the proposal.

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64. RFP Section D.2.h.i., page 87.

The last sentence in the 3rd paragraph indicates that “the distribution plan [distribution of Contractor staff among Units of the Component] must demonstrate how the contractor staff will be allocated across Components.” Since each Component requires a separate proposal, please explain.

The request for a distribution plan should be disregarded.

65. RFP Section D.2.m., D.3., pages 92, 94.

The bottom of page 92 indicates that the Independently Audited Financial Statements must be included in the Technical Proposal, but the RFP under Cost Proposal indicates the audited financial statements are to be included in the Cost Proposal. Please resolve this discrepancy.

All of the audited financial viability documents, proof of Incorporation and Vendor Responsibility Questionnaire (VRQ) must be included in the Technical Proposal as instructed in RFP Section D.2.m., page 92. Please refer to the Optional Bidders Checklist on page 142 of the RFP.

66. RFP Section D.2.c., E.1.c.iv, pages 83, 97.

The RFP indicates that the Executive Summary should have a font size no smaller than 10, but the Proposal Formatting Requirements indicate that the font size can be no smaller than 11. Please resolve this discrepancy.

Please use a font size no smaller than 11. Tables and charts may be provided in a smaller font size, so long as they are readable and correctly identified.

67. RFP Form TP-3, page 138.

Please explain why the RFP indicates that the Quality Assurance plan should cover calendar year 2011, when the contract start date is listed as July 1, 2011?

The **anticipated** contract start date is July 1, 2011; however, it is possible that the contract begin earlier. A quality assurance plan must be able to be put into effect at the start of the contract.

68. RFP Form TP-4, page 140.

The form asks for the percentage of staff members who are SMQT certified as of January 1, 2009. Is this the correct date?

No. Please use January 1, 2010; since once staff is SMQT certified they are not required to take the SMQT exam again.

69. Nursing Home Quality Activities, Federal Revisit – Life Safety Code. The Type of Staff listed is RN. However, as indicated on page 12, there is special training for Contractor staff specializing in Life Safety Code. In other Units (see Unit #1, for example), these individuals are required to be Sanitarians. Please clarify the staffing and required training for this Unit.

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Staff must be a Registered Nurse. Additionally, contractor staff who specialize in Life Safety Code are required to meet the training requirements on page 12.

70. The RFP states the contract goes into effect July 2011. Is that the same time that the bidder will get word of the award or will the successful bidder be notified prior to the July 2011 start date?

The **anticipated** contract start date is July 1, 2011. The procurement process permits DOH to notify the selected Bidder once the review process has been completed and well in advance of the contract start date.

71. For those contractors who are currently SMQT qualified, will they need to sit for the CMS Basic Training and take the SMQT exam again?

Contractors who are currently SMQT qualified will not need to take the SMQT exam again.

72. Will the nursing home surveys follow the traditional survey process or will the new QIS survey process be implemented?

New York State has initiated the QIS survey process in the Buffalo and New Rochelle regions. This process will continue to be implemented incrementally across the state over the next two years. Nursing home surveys for non-Registered QIS Surveyors will follow the traditional survey process until full QIS implementation.

73. How readily will the survey schedule be available so that plans for hiring of the appropriate numbers and qualifications of staff can be accomplished seamlessly?

The survey schedules are developed several months in advance of the surveys.

74. Will there be a bidders conference planned?

No, there will not be a Bidders Conference for this procurement.

75. If the QIS survey will be required, will the NYSDOH provide the lap tops for these surveys?

Yes, the NYSDOH will provide the tablets for the surveyors.

76. Due to the large geographical location for the various survey sites, will staff be required to work out of a central office or may they work remotely (home office)?

It is at the discretion of the Regional Office Program Director.
In most cases staff, work out of the NYSDOH Central and/or Regional Offices as assigned.

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77. RFP Section C.3., pages 51-64.

Unit 21 through 31, Nursing Home Quality Activities, indicates under “Type of Staff”, that RNs are the only discipline being requested. Is this the only discipline being requested for these activities or will a multidisciplinary team need to be provided as required under Unit 12 through 14, Adult Day Health Program Activities?

Please refer to Question # 5 for the answer.

78. What is the anticipated mix in terms of manpower that will be provided by the state and what the subcontractor will provide?

The combination of State and Contract staff will be determined at the time that the quality activities are scheduled.

79. RFP Attachment E, page 127.

There are volume discrepancies in at least some of the Units for this proposal, which will clearly affect budget. For example, Unit # 5 (ACF Pre-opening Survey) indicates the following:

- Unit page (page 29): 16 applications per year
- Attachment E: 100 annual surveys
- Form CP-1-1: 100 annual surveys

Similar discrepancies also exist for Unit 6.

Please refer to Questions #37 & #38 for the answer.