NYSTEM RFP
Assessment of the Economic and Other Benefits of the NYSTEM Program
RFP # 0810061130

QUESTIONS AND ANSWERS
4/6/09 – 5/18/09
Including a bidders conference on 5/15/09

General

1. When were appropriations made for the program?

   A. The authorizing legislation was effective April 2007 with the commitment of $600 million over 11 years. The 2007-2008 Budget included an initial appropriation of $100 million and language authorizing an additional $500 million to be provided at $50 million per year for ten years beginning in April 2008. Subsequent budgets enacted for state fiscal year (SFY) 2008-09 and SFY 2009-2010 including an annual appropriation to the program. The current year appropriation is $50 million, as expected.

2. Can the names of the companies that attended the bidders conference be provided?

   A. They were as follows:

   Deloitte Services LP, New York, NY
   The Hill Group, Bethesda, MD/ Braveman BioMed Consultants LLC
   Archstone Consulting, Stamford, CT
   The Hudson Group, LLC, Albany, NY
   Concept Systems, Inc., Ithaca, NY
   Center for Governmental Research, Albany, NY

3. Can the names of the companies that submitted a “letter of interest” be provided?

   A. Not at this time. However, they can be released through a Freedom of Information request after the contract has been executed

Audience for the Proposal and Evaluation Reports

1. How do the Board, NYSTEM and the Department intend to use the reports resulting from this contract?

   A. The Board recognizes that evaluation and public accountability are integral to the program. As reflected in its Strategic Plan, the Board anticipates that the State's targeted investment in stem cell research will provide economic benefits to the State and its residents by attracting and supporting great science and great scientists, encouraging additional outside research funding, and creating a fertile ground for the expansion of New York's biotechnology industry. The Board's mission reflects the Board's desire to foster a robust stem cell research community by supporting the development of appropriate infrastructure, talent, training opportunities and outstanding scientists that by their very nature will create new jobs, business opportunities and new sources of revenues. Consequently, in its Strategic Plan, the Board committed to conducting regular reviews of the potential economic and other benefits of the State's NYSTEM program.

   The Board expects to use these reports to help it assess its progress in fostering a robust stem cell research community, make informed choices about program priorities and directions and fulfill its responsibility for public accountability. The Board also anticipates the reports will be made available to the public, elected officials and members of the stem cell research community and will help maximize support for funding stem cell research. For more information, please refer to Chapter 7 of the Board's Strategic Plan found on the NYSTEM website at www.stemcell.ny.gov. The annual and evaluation reports will enable the Board to make informed recommendations to the Commissioner of Health regarding program priorities and directions.

2. Most of the Board members don't seem to have extensive business backgrounds; the Board developed the indicators but they're not controlling the evaluation and they're not scoring the proposals, correct? So, the people reviewing the proposals are not necessarily the same as those who will use the resulting data/reports?

   A. The indicators included in the RFP were developed by the Board as suggestions, with the expectation that individuals with more expertise in this field would refine them. The review panel has not yet been configured but will be made up of Wadsworth Center staff, most of whom are likely to be directly involved in the NYSTEM program and who will have a full understanding of the evaluation criteria in the RFP. The reports will be used by the Board, NYSTEM staff and others as

mentioned above, but the contract will be with the Department of Health, of which Wadsworth Center and NYSTEM are a part.

3. Does all of the material provided by the contractor have to be made public?

   A. All information provided by the contractor is subject to the Freedom of Information Law (FOIL). All reports and information are expected to be made public, unless expressly protected by law.

4. Who owns the data? Can the contract publish any of the data in scientific journals with or without permission of NYSTEM?

   A. See Attachment 7. The contract will be considered "work for hire" (Section L.) and all materials, data and reports are covered by the Confidentiality provisions of Section Z.

<u>Project Scope</u>

1. To what extent are the indicators listed in the RFP expected to be the only ones measured? It seems that there is some ability to propose alternatives and/or additional indicators.

   A. The key indicators listed in the RFP (Section B.3.) are those identified by the Board in the strategic plan. The RFP states that "the contractor is expected to refine these indicators and identify additional key indicators that are necessary and appropriate for the evaluation." Further, it is expected that the indicators and methods should be designed with input from others to ensure efficacy of the baseline metrics and resulting evaluations.

2. Is this project looking at the ripple effect, tying everything back to the New York State economy?

   A. The intent of the project (see Section A.) is to conduct a comprehensive evaluation of "the impact of NYSTEM funds on the State's scientific research community and to evaluate the program's wider economic and social impacts;" to measure the impact of the program on stem cell science in New York State and the extent to which the goals of the strategic plan are being realized.

3. Does the universe for this project include anyone doing any kind of stem cell science in New York State?

   A. The focus should be on NYSTEM-funded research and the impact of the program on the entire New York State research community as well as wider economic and social impacts. The program does extend to collaborators beyond New York State via subcontracts and funds a full breadth of stem cell related science (except for those activities related to human reproductive cloning). In addition, many NYSTEM-funded researchers are likely to be funded through subcontracts and collaborations with investigators in other states. There may also be measurable impact back to private industry in the State (e.g., commercialization of stem cell research and/or the manufacturing and distribution of stem cell related research products).

4. As we look to developing our team for the project, to what extent do we need to include a stem cell researcher to assess the science and its impact?

   A. Section A. indicates that there will be no evaluation of the research design of NYSTEM-funded projects. Rather, the impact of the funds on the State's scientific community and of the wider social, economic and other impacts of the program will be measured. The extent to which scientific support would be beneficial to a team should be determined by the bidder.

5. How much information is required on the purpose of the research? Research and funding changes over time, so there has to be a distinction between what a researcher is doing in year one versus year three. For example, who he/she is funded by and for what purpose may change over time.

   A. Research efforts do evolve over time and the evolution would be measurable. The contractor could measure the trends – perhaps the influx of National Institutes of Health (NIH) funding to researchers, the shifting of NYSTEM funds to researchers or types of research not previously funded, or a shift from basic to translational research, or from technology development to therapeutics.

6. Can we expect some level of interaction with the peer review contractor and/or peer reviewers regarding the scope of the scientific efforts being applied for and funded?

   A. That was not envisioned but if it becomes necessary to the evaluation, we can facilitate that. In large part, the data and insights that might be

sought from the peer review contractor can be provided by NYSTEM staff.

7. If there is a scientist working on stem cell research and other unrelated research, should that distinction be made in the analysis?

   A. Likely yes, this will depend in part on the key indicators suggested by the contractor and agreed to by NYSTEM staff.

8. Does this project require comparison to other states?

   A. This is not specifically required or excluded. A bidder could suggest certain comparisons to other states as key indicators. However, the purpose of this project is not to compare New York's stem cell science program with programs in other states.

9. Has there been discussion about an ideal number of indicators that are expected to be measured?

   A. No, the RFP states only that the contractor is expected to refine the 16 indicators listed in the RFP and identify additional key indicators that are necessary and appropriate for the evaluation.

10. The RFP states that quarterly expenditures reports are to be filed for reimbursement; however, the RFP also states that "the successful contractor is expected to assume all costs and responsibilities for recording necessary data, preparing and producing the written reports and costs associated with meetings and or presentations to NYSTEM and the ESSCB." Can further details (explanation) be provided on who holds the responsibility for data, software, production, and travel related costs (i.e, NYS or contractor)?

    A. This language intends that the bid price should include/reflect all such costs as the contractor will be responsible for them.

<u>Working with NYSTEM during the Contract Term</u>

1. What resources are available to the contractor?

   A. The contract will have an assigned contract manager to consult regarding contractual, fiscal and reporting issues as well as a NYSTEM program staff member who will serve as the lead contact for the contractor and provide as much guidance as is necessary to ensure proper completion of the contract deliverables. The scientific and fiscal staff can serve as liaisons to NYSTEM-funded research institutions

should that be necessary for the contractor to gain access and information necessary to the completion of the contract. The NYSTEM team includes scientists, health care and policy analysts, legal and regulatory expertise. At this time, it does not include economists and social scientists although there is an understanding of those issues related to evaluation design for work stemming from this RFP. The RFP also states that a workgroup of Board members and NYSTEM staff may be assembled and that NYSTEM staff will review and approve the final set of key indicators and methods.

NYSTEM will provide access to contact information and progress reports of other NYSTEM-funded contractors, which contain some data/indicators to be measured during the contract term, such as publications, inventions, patents, licenses, and other funding.

Other available resources/data sources include a white paper reflecting discussions of NYSTEM staff with New York State scientists conducting stem cell related research, a directory of those scientists, the first annual report, the strategic plan, previously issued and current RFAs and RFPs, Board and committee meeting minutes and other valuable resources are available on the website at http://stemcell.ny.gov. Some public data sources are available as well (i.e., Patent and Trademark Office website). Absent those mentioned above, the proposal should assume that it is the contractor's responsibility to discover and collect the necessary data.

Deliverables

1. If the contract is executed late, will the due dates for deliverables be renegotiable?

   A. The contract is expected to have a start date of December 1, 2009 even if it is executed late. Staff have been able to be fairly flexible in such situations and will negotiate, within reason, adjusted due dates as necessary to accomplish the work within the contract period.

2. Are the due dates listed in the RFP representative of the draft or final product?

   A. Due dates listed in the RFP are for the final product/deliverable as specified by the RFP.

3. What are the “other reports” referenced in Section B.4(b.)(vii.)? Is this just a catch-all?

   A. In large part, these other reports would be ancillary to the major reporting requirements associated with the scope of work listed in the RFP, including but not limited to the firm’s annual audit report.

4. All deliverables are posed in the RFP as written products. Is there any stipulation regarding the technical requirements of those submissions and the underlying data?

   A. The RFP does not address this issue. However, it would be prudent to provide the data and reports using Microsoft products or other compatible packages or standardized formats that will facilitate NYSTEM use of the information.

5. If NYSTEM and/or the Board submit a request that requires additional expenses (e.g., data) beyond what was originally proposed or mutually agreed upon, who is responsible for procuring/paying for these costs and what is the process to amend budget if needed?

   A. It is rare that the scope of work would be expanded during the contract term, the length extended or the amount increased. However, the State does have a contract amendment process for each of those scenarios and each would require several months to execute fully, including approvals from the Department of Health and the Office of the State Comptroller. Remember that the RFP and the entire bid are both incorporated as Appendices B&C to the final contract.

<u>Submission</u>

1. Is there a proposed format for submission of the proposal?

   A. See Section D.3. for the submission requirements and format. It does require that the Cost Proposal be submitted in a separately sealed envelope from the Technical Proposal and that one original and three signed copies of the entire bid package are submitted in a single mailing package.

2. Does the Vendor Responsibility Questionnaire need to be completed prior to submission of the proposal?

   A. No. Section D.8. requires that bidders complete and submit the Vendor Responsibility Attestation (Attachment 9). For the Vendor Responsibility Questionnaire, the Department recommends that the

on-line system be used for those organizations that intend to contract with New York State again in the future.

3. Are hand-deliveries permitted?

   A. Yes. Bidders should phone ahead to 518-474-7002 to ensure that staff will be available to meet them at the Empire State Plaza Corning Tower security desk prior to 2pm. Proposals will not be permitted to be dropped off at the desk; they must be handed directly to staff prior to 2pm.

Review and Award Process

1. After the proposal due date, will bidders be expected to make presentations?

   A. No. Proposals will be scored and the winning bidder selected as described in Section C.3., Method of Award.

2. Who will review the proposals?

   A. The final review team has not been selected but will consist of Wadsworth Center staff.

3. The RFP states that "preference will be given to entities with relevant New York State experience." How are we to understand the phrase "relevant New York State experience"? Does this mean that the proposal has to come from an entity (and all that are affiliated with the entity) located in the state? Or does the experience have to be with NY state clients? Or both? How will your group evaluate the ***relevance*** (in the subject matter sense of relevance) of the entity's experience to New York State? For example, would experience by individuals within the entity in assessing stem cell programs from other states be considered relevant to NYSTEM? Would experience very similar to what you're asking for in assessing a genome or some other state program in another state be considered to be relevant? Does the relevance (in either sense of the word) have to be present for each and every member of the proposing group or can it be there for some and not others?

   A. The bidder does not need to be from an entity located in or affiliated with New York State (Section B.1., Eligibility). Any experience related to the provision of services similar to those sought by the RFP as described throughout Section B. that were for any New York State based organization (whether or not a state agency) would be "relevant New York State experience." The bidder's experience, qualifications

and staffing should be described for the bidding agency and the team members. Bidders should present the strongest case possible (see Section B.4.A).

4. The RFP talks about the 'bidders' experience in a variety of areas (including in economic and impact analysis of funding programs). In our case we are putting together a diverse team, each one of whom brings together a different set of skills and experiences. The team will work under the umbrella of a company which, itself as an organization, has an important skill set and experiences in areas critical to the success of an evaluation of the type you are envisioning but none of it is in the area of economic and impact analysis...those skills/experiences will come from other team members. Technically, the bidder will be the company mentioned above. Even though, for purposes of this proposal it will include the team insofar as members of the team are consultants to the company/bidder and the company/bidder itself without the consultants does not have the required experience in economic and impact analysis. Will that disqualify us?

   A. Bidders should present the strongest case possible regarding experience given the qualifications of team members assigned to the project and the overall experience of the bidding agency (see Section B.4.a.). The assessment of experience is not limited to direct employees of the bidder. In any case, the bidder must be a not-for-profit institution or other recognized legal entity. Unincorporated individual(s) will not be considered eligible to submit a proposal (see B.1., Eligibility).

5. Regarding references, some of our team are recently retired from federal government roles that are highly relevant but for which it is difficult to designate “customers” in the sense that the RFP seems to use the term and those individuals who used the reports may no longer be reachable. How would you recommend that we handle this issue?

   A. Bidders should present the strongest case possible from all facets of the team’s experience and provide information that will allow the reviewers to evaluate the proposal and check references as described in Section III.C., Method of Award.

6. Will a written evaluation of the proposal be provided?

   A. No, however, the process for debriefing is described in Section D.7.

7. Are score sheets available under the Freedom of Information Law (FOIL)?

   A. All documents can be requested via FOIL after the contract is executed.

8. How will the scoring work?

   A. See Section C.3., Method of Award. Following the administrative Pass/Fail assessment (also see Attachment 8), those proposals that "pass" will be forwarded for review. The Technical Proposal score accounts for 75% of the overall score. Each item listed receives points from the reviewers within a pre-established range. Note that 80% of the score for five questions regarding the Bidder's Experience is based on reference checks made by the reviewers. The Cost Proposal score is 25% of the overall score. The proposal with the highest combined score after the normalization formula has been applied (known as a "Best Value" calculation) will be awarded.

9. Beyond the requirements listed in the RFP, should a breakdown of professional service fees and expenses be provided?

   A. The Cost Proposal should contain only the information requested in the RFP. Those dollar figures should include all associated costs necessary to carry out the work proposed in the Technical Proposal and required by the RFP (especially Section B).

10. How are subcontractors and their expertise scored as part of the proposal? Should we bring them on early and explain their expertise as part of the proposal? What if we determine later on that another expertise needs to be added to the team?

    A. Any expertise included in (or absent from) the proposal will be considered in the scoring of the related evaluation criteria. During the course of the contract, NYSTEM staff will review and approve all proposed subcontractors relative to the need. No funds should be expected to be added to the contract to cover the related expenses of the new subcontractor.

11. Would a pass-through supplier of data be considered as part of the bidder's team for evaluation purposes?

    A. This would be assessed as part of the Bidder's Qualifications and Staffing.

12. Does the Board review and approve the proposals and the winning bidder for the RFP?

    A. No. RFPs are scored and awarded as described in #8, above.

13. Does the Funding Committee have final say on the awards from RFAs and do they ever override peer review results? If so, how often?

    A. The Funding Committee makes recommendations to the Department/ Commissioner. For RFAs the Funding Committee has the latitude to make award recommendations based on programmatic balance and other factors; it does not have to follow peer review results if such decisions can be justified. The staff then obtains appropriate approvals from the Commissioner and others, then the award notices can be sent out and the contract development and execution process can begin. For both RFAs and RFPs, there are processes such as Vendor Responsibility clearances and other approvals of the Department, Attorney General and Comptroller that can result in no contract being awarded, so in that respect, the Comptroller has "the final word."

<u>Contract Implementation</u>

1. How can prompt contract execution be facilitated? When should we begin gathering the necessary materials?

   A. Compile all current reports, forms and certifications required (Vendor Responsibility, Workers' Compensation and Disability Insurance, State Consultant Services, etc.) per the RFP. Return them with the signed contract as soon as possible after receiving it. It is expected that proposals will be reviewed and scored before mid-July.

2. How much flexibility is there to move funds from one budget line to another, for example, purchasing a data set rather than funding a staff member to gather it?

   A. The Cost Proposal is not set up as a line item budget, so this is not likely to become an issue.

3. The RFP discusses quarterly payment of vouchers. Is that standard and how soon will we be paid?

   A. Quarterly vouchers are standard. The contractor incurs and vouchers for eligible expenses and is reimbursed. Prompt payment laws require

that vouchers are processed within five days of receipt and approval of the voucher and related deliverables for that time period.