



**Request for Proposal (RFP)  
New York State Department of Health  
(NYSDOH)**

**Office of Quality and Patient Safety (OQPS)  
Office of Health Insurance Programs (OHIP)**

**OHIP Data Mart Analytics and Application  
Technical Services Support Project**

**RFP Number 15358**



**Request for Proposal (RFP)**  
**OHIP Data Mart Analytics and Application**  
**Technical Services Support Project**  
**RFP Number 15358**  
**Schedule of Key Events**

RFP Release Date	December 4, 2013
Procurement Library Available	December 4, 2013
Written Questions Due Date	December 17, 2013 at 4:00PM ET
Response to Written Questions Due Date	January 7, 2014 (On or about)
Proposals Due Date	January 28, 2014 by 4:00PM ET
Contract Start Date (Anticipated)	May 1, 2014



## **DESIGNATED CONTACTS:**

Pursuant to State Finance Law §§ 139-j and 139-k, the Department of Health identifies the following designated contacts to whom all communications attempting to influence this procurement must be made:

Joseph Zeccolo  
New York State Department of Health  
Fiscal Management Group, Bureau of Contracts  
Empire State Plaza  
Corning Tower, Room 2756  
Albany, NY 12237  
Phone: (518) 474-7896  
Email: [jxz02@health.state.ny.us](mailto:jxz02@health.state.ny.us)

### **Permissible Subject Matter Contact:**

Pursuant to State Finance Law § 139-j (3) (a), the Department of Health also identifies the following allowable contact for communications related to subject matter pertinent to this solicitation:

**Submission of Written Questions**  
**Submission of Written Proposals**  
**Procurement Library Requests**  
**Debriefings**  
**Negotiation of Contract Terms after Award**

Ms. Mary Beth Conroy  
New York State Department of Health  
Office of Quality and Patient Safety  
Bureau of Health Informatics  
Empire State Plaza  
Corning Tower, Room 878  
Albany, NY 12237  
Phone: (518) 474-3189  
Email: [mbm07@health.state.ny.us](mailto:mbm07@health.state.ny.us)

*For further information regarding these statutory provisions, see the Lobbying Statute summary in Section XI.T Administrative Requirements Lobbying Statute of this solicitation.*



## Table of Contents

I.	Overview of the New York State Department of Health (NYSDOH); Office of Quality and Patient Safety (OQPS); and the Office of Health Insurance Programs (OHIP) Data Mart Analytics and Application Technical Services Support Project.....	1
A.	Introduction.....	1
B.	New York State Department of Health, Office of Health Insurance Programs and Office of Quality & Patient Safety Overview.....	2
C.	New York State Office of Information Technology Services (ITS) Overview.....	3
D.	Project Background.....	3
E.	Project Purpose.....	3
F.	Eligibility.....	4
G.	Scope of Work Summary.....	4
H.	Organization of the Request for Proposal (RFP).....	4
II.	OHIP Data Mart Analytics and Applications Projects and Environment.....	6
A.	Overview of the Current Projects and Environment.....	6
B.	Medicaid Quality Measures and Performance Analytics.....	7
C.	Medicaid Drug Rebate Application.....	7
D.	Health Homes Applications, Quality Measures and Performance Analytics.....	8
E.	Medicaid Redesign Team Performance Analytics.....	9
F.	Medicare Data Delivery and Analytics for Dual Eligible Members.....	9
G.	Medicaid Claims History & Client Data Reports (CDR).....	9
H.	Patient Centered Medical Home.....	9
I.	Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD).....	10
J.	Overview of the Current Technical Environment.....	10
III.	Project Approach.....	13
A.	Introduction.....	13
B.	Overview of Technical Services Support Management Deliverables.....	13
C.	System Change Management.....	14
D.	Summary of Documentation Deliverables.....	15
IV.	Project Management and Staffing Requirements.....	16
A.	Project Management.....	16
B.	Staffing Requirements.....	17
C.	System Change Management Project Pricing Approach.....	19
D.	System Change Management Project Estimation.....	20
V.	Business Requirements.....	21
A.	Overview.....	21
B.	Medicaid Quality Measures and Performance Analytics.....	21
C.	Medicaid Drug Rebate Application.....	22



D.	Health Homes Applications, Quality Measures and Performance Analytics .....	25
E.	Medicaid Redesign Team Performance Analytics .....	25
F.	Medicare Data Delivery and Analytics for Dual Eligible Members .....	26
G.	Medicaid Claims History & Client Data Reports (CDR) .....	26
H.	Patient Centered Medical Home (PCMH).....	27
I.	Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD) .....	27
VI.	Technical Services Support Requirements .....	28
A.	Overview .....	28
B.	OHIP Data Acquisition Support Requirements.....	28
C.	OHIP Data Delivery Support Requirements .....	29
D.	OHIP Applications, Business Intelligence and Analytic Support Requirements .....	29
E.	OHIP Metadata Support Requirements .....	31
F.	OHIP Database Administration and Data Model Support Requirements .....	31
VII.	Service Level Agreement Requirements .....	33
A.	Overview .....	33
B.	Staffing.....	33
C.	Performance .....	34
D.	Problem Management .....	34
VIII.	Testing Requirements .....	38
A.	Overview .....	38
B.	Unit Tests .....	38
C.	System Integration Tests.....	38
D.	Regression Tests .....	38
E.	Volume Tests .....	38
F.	Parallel Tests .....	38
G.	User Acceptance Tests (UAT) .....	39
H.	Business Continuity Testing .....	39
I.	Software Patching and Fix Testing .....	39
IX.	Security Requirements.....	40
A.	Overview .....	40
B.	Security, Privacy and Confidentiality Plan .....	40
C.	Data Security.....	41
D.	Application Security .....	41
E.	Network Security .....	42
X.	Proposal Requirements.....	43
A.	Introduction.....	43
B.	Proposal Requirements Overview.....	43
C.	Proposal Submission Instructions .....	43



D.	Technical Proposal Contents .....	44
E.	Price Proposal Contents .....	47
F.	Method of Award .....	48
XI.	Administrative Requirements .....	51
A.	Issuing Agency.....	51
B.	Legal Basis.....	51
C.	Inquiries .....	51
D.	RFP Issuance and Amendments.....	51
E.	No Bid Form .....	52
F.	Certifications and Guarantees by the Vendor.....	52
G.	Procurement Library .....	52
H.	Use of Electronic Mail .....	53
I.	Submission of Proposals .....	54
J.	Reserved Rights .....	55
K.	NYSDOH Responsibilities.....	56
L.	Contractor Responsibilities .....	57
M.	Vendor-to-Vendor Relationships .....	58
N.	Payment.....	58
O.	Limitation of Contractor Liability.....	59
P.	Term of Contract.....	60
Q.	Debriefing .....	60
R.	Protest Procedures.....	60
S.	Vendor Responsibility Questionnaire .....	60
T.	State Consultant Services Reporting.....	60
U.	Lobbying Statute .....	61
V.	Accessibility of State Agency Web-Based Intranet and Internet Information and Applications .....	62
W.	Information Security Breach and Notification Act .....	62
X.	Public Information .....	62
Y.	New York State Tax Law Section 5-A.....	62
Z.	Piggybacking.....	63
AA.	Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority and Women Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women.....	63
BB.	Iran Divestment Act.....	66
CC.	Appendices.....	66
DD.	Attachments .....	66



# **I. Overview of the New York State Department of Health (NYSDOH); Office of Quality and Patient Safety (OQPS); and the Office of Health Insurance Programs (OHIP) Data Mart Analytics and Application Technical Services Support Project**

## **A. Introduction**

The purpose of this Request for Proposal (RFP) is to procure the services of a Contractor that will provide technical services support for the New York State Department of Health's (NYSDOH) Office of Quality and Patient Safety (OQPS) and the Office of Health Insurance Programs (OHIP) Data Mart. The OHIP Data Mart is an analytical platform for the New York State Medicaid Program and has been operational since 1998. Many program areas within the NYSDOH, Office of the Medicaid Inspector General, and the Attorney General's Office rely on the information from and applications available through the OHIP Data Mart to perform analysis and reporting.

The OHIP Data Mart is used to support a wide variety of research and analytical services that have resulted in savings and other improvements to the Medicaid program including the following:

- Provides detailed data to support analysis for a variety of Medicaid programs including: Health Homes, Medicaid Redesign Team (MRT analytics), Medicare (Dual Eligibles); Patient Centered Medical Home (PCMH) and Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD);
- Supports the Medicaid Drug Rebate program application which has generated approximately \$16 billion dollars in revenue since 1999;
- Supports the implementation of an informational/reporting infrastructure that enables the State to maintain effective controls over eligibility and rate-setting methodologies;
- Supports timely access to detailed annual spending summaries for creation and execution of New York State, New York City and other local government budgets;
- Serves as the primary source of detailed Medicare Disproportionate Share Hospital data to the Centers for Medicare & Medicaid Services (CMS) and National Government Services, generating \$2 billion of financial relief for New York State Hospitals in 2006;
- Provides evidentiary documents for grand jury and court cases, liens and recoveries, data for national litigation, and information to respond to internal and external audits;
- Supports the ability for analysts to maximize audits and improve the information provided; and
- Provides data to supports disease management and other quality of care issues, healthcare outcomes, waiver reporting, health plan performance, rate-setting applications, State Plan Amendment calculations, Medicare Part D and Phased Down State Contribution calculations.

The hosting and operational support of the OHIP Data Mart database infrastructure is included in the current Medicaid Data Warehouse (MDW) Replacement / OHIP Data Mart Operational Support Project contract. That contract provides the infrastructure hardware/OS and network to support the requirements of the production, test, development, failover, backup/recovery and disaster recovery environments. It does not however, include the technical support required for development and maintenance of the OHIP Data Mart which consists of activities such as: data acquisition; database administration; and application and analytics development and support. The NYSDOH retains responsibility for the hosting and operational support of the web servers used by the OHIP Data Mart applications. It also retains responsibility for the CMS Direct Connect Environments. Over the term of this contract, the operational support of both will likely be transitioned to the New York State Office of Information Technology Services (ITS).



## **B. New York State Department of Health, Office of Health Insurance Programs and Office of Quality & Patient Safety Overview**

The New York State Department of Health (NYSDOH) is the Single State Agency responsible for the administration of New York's Medicaid program. Under federal and state law and regulations, the NYSDOH administers Medicaid in conjunction with 58 local social services districts and other state agencies including the Office of Mental Health (OMH), the Office of Alcohol and Substance Abuse Services (OASAS), the Office for Children and Family Services (OCFS) and the Office of Temporary Disability Assistance (OTDA) and the Office for People with Developmental Disabilities (OPWDD). The Office of the Medicaid Inspector General (OMIG) is an independent agency established to preserve the integrity of the Medicaid program by conducting and coordinating fraud, waste and abuse control activities.

New York State's (NYS) Medicaid Program is one of the largest insurance programs in the nation. Along with affiliated programs, it provides health care coverage to over five (5) million New Yorkers and spends over \$52 billion annually. Approximately 4.2 million of these members receive their health care through enrollment in a managed care organization (Medicaid Managed Care: 3.3 million, Family Health Plus: 430,000, Child Health Plus: 340,000), while the remaining population receives their health care through the traditional fee-for-service (FFS) program.

State and Federal health care programs and consolidation of existing programs have increased the need for better management and analysis of health care claims information at the State level. The Affordable Care Act, Health Information Technology for Economic and Clinical Health Act (HITECH), and Health Insurance Portability and Accountability (HIPAA) have impacted how claims and other transactional information are created and used. The ability to keep pace with health care information is crucial to the successful oversight and management of the NYS health care system.

Within the NYSDOH, the Office of Health Insurance Programs (OHIP) and the Office of Quality and Patient Safety (OQPS) are directly responsible for administering and evaluating public health insurance programs including Medicaid, Family Health Plus, Child Health Plus, and the Elderly Pharmaceutical Insurance Coverage Program (EPIC).

OHIP was established in January 2007 with the mission of ensuring that eligible New Yorkers are able to get and keep coverage; ensuring quality of care; and advancing health system reform. The OHIP mission is carried out by seven Divisions. The Division of Finance and Rate Setting is responsible for all rate setting activities and is the primary liaison with the NYS Division of Budget managing the Medicaid Global Spending Cap. The Division of Program Development and Management is responsible for all policy and strategic planning including waiver, State Plan Amendments and serves as the primary liaison with the Governor's Office. The Division of Health Plan Contracting and Oversight is responsible for managed care organization (MCO) contracting, oversight and serves as primary liaison to all health plans. The Division of Long Term Care is responsible for the oversight of the managed long term care program. The Division of Operations is responsible for fee for service (FFS) program management and operations. The Division of Health Reform and Health Insurance Exchange Integration is responsible for streamlining and improving access to the continuum of public and commercial health insurance coverage. The Division of Systems is responsible for the oversight of the Medicaid Management Information System (eMedNY) contract, the Medicaid Data Warehouse (MDW) contract, and technical support of the development of the Health Benefits Exchange (HBE).

OQPS was established in May 2012 with the core mission to improve the health, quality of care, and patient safety for New York State residents. The OQPS mission is carried out by three bureaus. The



Bureau of Health Informatics (BHI) supports the OQPS objectives of improving data timeliness, accuracy, integrity and accessibility, inclusive of the Statewide Planning and Research Cooperative System (SPARCS), the management and continued development of the OHIP Data Mart and the development of the All Payer Database (APD). The Bureau of Outcomes Research (BOR) provides healthcare analysis, research, and evaluation support to the OQPS and the NYSDOH. The BOR is responsible for developing and implementing analytical and policy projects and activities in a number of priority areas, including: asthma, cancer, preventable hospitalizations, readmissions, complications, surgical outcomes, perinatal health and birth outcomes, medication management, and behavioral health. The Bureau of Quality Measurement and Improvement (BQMI) oversees the collection of quality performance data from managed care organizations and improvement activities using those data; assists the OQPS Medical Director with all aspects of the NYSDOH's Patient Centered Medical Home (PCMH) initiatives; maintains the Quality Strategy within the NYSDOH's 1115 waiver(s) with CMS as well as the administration of the External Quality Review Organization (EQRO) contract; and is responsible for multiple measurement, public reporting, and evaluation activities.

### **C. New York State Office of Information Technology Services (ITS) Overview**

New York State Office of Information Technology Services (ITS) was established in November, 2012 to provide centralized IT services to the State and its governmental entities with the awareness that our citizens are reliant on those services. ITS sets statewide technology policy for all state government agencies and monitors all large technology expenditures in the state, seeking efficiencies, lower costs and innovative solutions.

For this project, ITS and in particular the ITS Health Cluster, will provide oversight for security policies, project management reporting, and technical architecture.

### **D. Project Background**

The OHIP Data Mart was developed in the 1990's to facilitate the analysis of Medicaid data and meet the needs of NYSDOH. In 2005 the eMedNY Data Warehouse was implemented and the OHIP Data Mart took on more specialized functions to support projects such as the Medicaid Redesign Team (MRT) performance analytics, quality reporting, rate setting processes, drug rebate application, Health Homes analysis, and Medicare analytics for Dual Eligibles. Many of these functions have required the addition of data from sources or systems outside the Medicaid system. A prime example is the receipt and processing of Medicare data from the Centers for Medicare and Medicaid Services (CMS) to support analysis of the Medicaid/Medicare dual eligible population.

The OHIP Data Mart has demonstrated the ability to be flexible and responsive to the evolving needs of NYSDOH. It serves as a research and development environment for the receipt, processing and analysis of new data sources as well as analytics that may be transferred to the MDW. Currently, it supports analysis and reporting for many program areas within NYSDOH, Office of the Medicaid Inspector General (OMIG), and the Attorney General's Office. There are several applications that have been developed and are maintained using the OHIP Data Mart. In particular, the Drug Rebate application is crucial to the NYSDOH. It creates the drug rebate invoices for pharmaceutical companies, facilitates the collection of the drug rebate payments and tracks payments received from pharmaceutical companies.

Currently, OHIP Data Mart technical services support, as outlined in this RFP, is provided by a Contractor who works under the direction of the NYSDOH's Project Manager.

### **E. Project Purpose**

The purpose of this procurement is to obtain the services of a qualified Contractor to provide technical



services support for the OHIP Data Mart analytics and applications. The effective and efficient operation of the OHIP Data Mart requires knowledgeable and experienced technical services support staff who are able to work in a high stress environment with rapidly changing priorities.

This project will provide technical services support to ensure that the OHIP Data Mart will continue to function in a reliable and effective manner.

## F. Eligibility

Vendors must have experience as the prime contractor for both: a minimum of sixty (60) months providing technical services support for a healthcare data warehouse (or data mart) **and** forty-eight (48) months providing technical services support for a data warehouse (or data mart) that contains Medicaid data.

For the purposes of this RFP, a prime contractor is defined as one who has the contract with the owner of a project or job, and has the full responsibility for its completion. A prime contractor undertakes to perform a complete contract, and may employ (and manage) one or more subcontractors to carry out specific parts of the contract.

## G. Scope of Work Summary

The NYSDOH seeks a Contractor to provide technical services support for the OHIP Data Mart analytics and applications.

The Contractor for the OHIP Data Mart will perform the required activities under the term of the base contract for five years beginning May 1, 2014 through April 30, 2019 with options for three one-year extensions and six one-month extensions beyond this date.

The Contractor will work under the direction of NYSDOH staff and perform the activities related to the deliverables and requirements of this RFP.

Successful bidders must address a series of requirements to support the OHIP Data Mart analytics and applications. Categories of requirements and associated RFP sections include:

- Section IV: Project Management and Staffing Requirements
- Section V: Business Requirements
- Section VI: Technical Services Requirements
- Section VII: Service Level Agreement Requirements
- Section VIII: Testing Requirements
- Section IX: Security Requirements
- Section X: Proposal Requirements
- Section XI: Administrative Requirements

## H. Organization of the Request for Proposal (RFP)

#	RFP Section	Description
I	Overview	Provides an overview of the NYSDOH, OQPS and OHIP and a summary of the scope of work for the OHIP Data Mart Technical Services Support Project.



#	RFP Section	Description
<b>II</b>	<b>OHIP Data Mart Analytics and Applications Projects and Environment</b>	Provides a description of the OHIP Data Mart analytics, applications and environment.
<b>III</b>	<b>Project Approach</b>	Outlines approach to the project.
<b>IV</b>	<b>Project Management and Staffing Requirements</b>	Outlines the project management approach to the project and Staffing Requirements.
<b>V</b>	<b>Business Requirements</b>	Lists the business requirements associated with each OHIP Data Mart functional areas.
<b>VI</b>	<b>Technical Services Support Requirements</b>	Lists the technical services support requirements associated with Data Acquisition; Data Delivery; Applications, Business Intelligence and Analytics; Metadata; and Database Administration & Data Model.
<b>VII</b>	<b>Service Level Agreement Requirements</b>	Details the service level agreements (SLAs) which must be met by the selected Contractor.
<b>VIII</b>	<b>Testing Requirements</b>	Lists requirements relative to testing.
<b>IX</b>	<b>Security Requirements</b>	Lists requirements relative to security.
<b>X</b>	<b>Proposal Requirements</b>	States the general requirements, format and content of the proposal submitted.
<b>XI</b>	<b>Administrative Requirements</b>	Contains the administrative provisions that govern this procurement.
	<b>Appendices and Attachments</b>	Provides forms, documents and reference material that required for Bidders to submit fully responsive proposals.



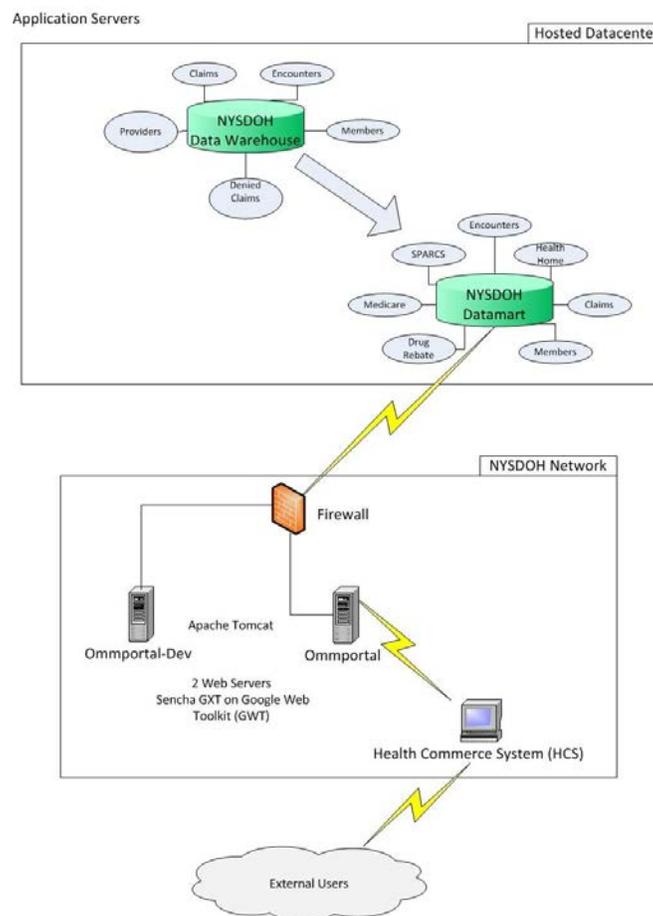
## II. OHIP Data Mart Analytics and Applications Projects and Environment

### A. Overview of the Current Projects and Environment

This section is provided for informational purposes only. The requirements for this project are specified in other sections of this RFP including: Section IV: Project Management and Staffing Requirements; Section V: Business Requirements; Section VI: Technical Services Requirements; Section VII: Service Level Agreement Requirements; Section X: Testing Requirements; and Section XI: Security Requirements.

The OHIP Data Mart was implemented in 1998 and is designed to serve as a data repository to support analytical reporting and applications for the NYSDOH, the Office of the Medicaid Inspector General (OMIG), and the Office of the Attorney General. In addition to its use as a data mart supporting analytics and ad hoc user queries, the OHIP Data Mart support the following projects: Medicaid Quality Measures and Performance Analytics; Health Homes Quality Measures and Performance Analytics; Medicaid Redesign Team (MRT) Performance Analytics; Medicare Analytics for Dual Eligible Members; Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD); Patient Centered Medical Homes (PCMH); Medicaid Claims History and the Medicaid Drug Rebate Application.

Exhibit II-1: Current OHIP Data Mart Architecture provides a high-level overview of the current data mart.





## **B. Medicaid Quality Measures and Performance Analytics**

The OHIP Data Mart is used by the NYSDOH to evaluate the Medicaid, Family Health Plus and Child Health Plus programs. For example, the Quality Assurance Reporting Requirements (QARR) is the foundation for quality measurement within the Medicaid Managed Care and Managed Long Term Care programs. QARR consists of measures from the National Committee for Quality Assurance's (NCQA) Healthcare Effectiveness Data and Information Set (HEDIS®) and New York State-specific measures. Managed care organizations submit data annually, which focuses on health outcome and process measures, and includes clinical data relating to prenatal care, preventive care, acute and chronic illnesses, mental health and substance abuse for children and adults in Medicaid/CHP.

To help ensure the integrity, reliability, and validity of the QARR data, data analysts use Medicaid claims and encounter data to validate and enhance QARR data submitted by managed care organizations. Other QARR-related activities include: matching Medicaid claims and encounters of births with Vital Statistics' birth files to monitor birth trends among low-income women; matching hospital discharge data with Medicaid data to identify potentially preventable hospitalizations and preventable readmissions; matching of health plan submitted care management data to Medicaid claims and encounters to examine pre and post health care utilization; and linking quality of care data with Medicaid eligibility data to measure disparities in care for selected attributes, such as, race/ethnicity, age and gender.

In addition, OQPS is expanding quality measurement capabilities to include new provider types, delivery settings and member populations to assure that quality care is provided to all Medicaid members regardless of payer, site of care, provider type or member characteristic. To increase quality measurement capabilities to non-managed care members, it is necessary to use claims and encounter data to calculate the measures. As a requirement of the Affordable Care Act, Centers for Medicare & Medicaid Services (CMS) will be requiring all states to begin mandatory reporting of all Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) core set measures and Adult Medicaid Quality Core set measures in 2014. These measures are designed to be inclusive of all Medicaid enrollees (managed care, fee-for-service, and Child Health Plus).

The OHIP Data Mart supports a variety of data extracts that are provided to various stakeholders including eMedNY and the Office of the Medicaid Inspector General (OMIG). The data delivery processes are developed and maintained to insure that the stakeholders receive data that they require on a schedule that supports their requirements. Requests for data extracts for external stakeholders that contain protected health information are reviewed through a NYSDOH approval process by the NYSDOH Privacy Coordinator.

## **C. Medicaid Drug Rebate Application**

The Medicaid Drug Rebate Application supports both the Federal Omnibus Budget Reconciliation Act (OBRA) Drug Rebate and Supplemental Rebate programs. It is comprised of three components: Analysis of Utilization Data; Medicaid Drug Rebate Invoicing; and the Medicaid Drug Rebate (MDR) System.

The Analysis of Utilization Data includes: extracting claim data for both Medicaid Fee for Service (FFS) and Medicaid managed care organizations (MCO); performing statistical analysis to identify outlier claims and other issues with the quarterly rebate amounts; submission of findings to the NYSDOH for review; providing pre-invoicing analytical reports for FFS pharmacy, MCO pharmacy and J-code data to NYSDOH pharmacists for analysis; and performing 340B FFS/MCO Claim Submission analysis to gauge provider compliance and internal operational use.

Medicaid Drug Rebate Invoicing includes: managing the CMS Drug Rebate and labeler data; managing



measurement units and excluded drugs/supplies; generating pre-invoicing rebate projections; posting invoicing rebate statistics; producing and electronically billing OBRA quarterly rebate; and distributing final invoice files for uploading into the Medicaid Drug Rebate (MDR) System and final invoice to Contractor for manufacturing mailing.

The MDR System manages the drug rebate process and maintains the recording and accounting for Drug Rebate payments received by the NYSDOH. It includes, but is not limited to: maintaining a process that is able to track rebate accounts receivable and collection activity for the NYSDOH; providing the capability to transmit electronic invoicing records to manufacturers and receive electronic payment records system and EFT; maintaining and tracking information related to dispute resolution activities; managing labeler information; managing financial information received from the Office of the State Comptroller (OSC); producing reports such as the 64.9R report for Medicaid's liability to CMS; and providing OBRA Rebate information to stakeholders.

Over the term of this contract, the Medicaid Drug Rebate Application will likely be transitioned to a selected Drug Rebate vendor. The transition will include the identification of system development requirements, the transfer of historical rebate invoice and reconciliation data, quality assurance testing and a defined period of parallel processing. In the event that these services are no longer required under this contract, a contract amendment between the Contractor and the Department will be completed.

#### **D. Health Homes Applications, Quality Measures and Performance Analytics**

The Health Home program is a care management program whereby all of an individual's caregivers communicate with one another so that all of a patient's needs are addressed in a comprehensive manner. This is done primarily through a "care manager" who oversees and provides access to all of the services an individual needs to assure that they receive everything necessary to stay healthy, out of the emergency room and out of the hospital. Health records are shared among providers so that services are not duplicated or neglected. Health Home services are provided through a network of providers, health plans and community-based organizations.

Health Home related information is exchanged through the Health Home Member Tracking System Portal. The purpose of the Health Home Member Tracking System is to facilitate communication between NYSDOH, Health Homes and managed care organizations (MCO) involved in providing Health Home services. NYSDOH is working with Health Homes and MCOs to incorporate additional functionality in the Health Home Member Tracking System.

The OHIP Data Mart has multiple Health Homes Components which include Health Homes applications and analytics. The Health Homes applications are used to assign and manage member Health Homes assignments based on data received from the Health Homes and Medicaid managed care organization (MCO). The Health Homes and MCOs have 24/7 access to the Health Home applications and assignment files.

The NYSDOH uses the OHIP Data Mart to develop and monitor Health Homes quality measures and performance. This includes the development and testing of models, measures and other reporting. Data Mart users perform analytics using SAS and other analytical tools.

Over the term of this contract the Health Homes applications will be transitioned to the selected Medicaid Administrative Services (MAS) vendor. The transition will include the identification of system development requirements, the transfer of historical Health Home assignment data, quality assurance testing and a defined period of parallel processing. In the event that these services are no longer



required under this contract, a contract amendment between the Contractor and the Department will be completed.

### **E. Medicaid Redesign Team Performance Analytics**

The Medicaid Redesign Task Force has undertaken a series of reform activities to facilitate the provision of high quality health care in the most efficient and effective manner for Medicaid enrollees. It has established performance measures to evaluate the progress of these initiatives. The evaluation involves monitoring quality measures and health indicators to determine whether care has improved, remained consistent or has not been unintentionally negatively impacted by changes stemming from these initiatives. Employing the construct of the triple aims to define quality, the indicators included in the evaluation will reflect the goals of: 1) improving care, 2) improving health and 3) reducing costs.

The OHIP Data Mart is used to produce performance analytics that support the monitoring of MRT initiatives. For example, it was used to pull eligibility and expenditure data for premium development on all populations/benefits moving from FFS to Managed Care; prescription claim and expenditure data for premium development on the pharmacy "carve in" from FFS to Managed Care; and expenditure data for premium development on benefit limits resulting from MRT initiatives.

### **F. Medicare Data Delivery and Analytics for Dual Eligible Members**

The OHIP Data Mart is now receiving Medicare data for Dual Eligible Members from CMS. This data will be used to match members and claims across Medicare and Medicaid. This allows the NYSDOH to analyze integrated data for these members.

In addition, the OHIP Data Mart provides extracts of the data received from CMS to eMedNY for use in the processing of Medicare Crossover claims. This includes Part A (Inpatient), Part B (Outpatient), and Part D (Pharmacy) claims. The data are received, processed and delivered from CMS to eMedNY daily.

### **G. Medicaid Claims History & Client Data Reports (CDR)**

The OHIP Data Mart is the repository for Medicaid claims history from October 1996 through March 2005. These data support the analysis of historic Medicaid Claims data and the production of Client Data Reports which contain all claims information for a member or provider. It also provides evidentiary documents for grand jury and court cases, liens and recoveries, data for national litigation, and information to respond to internal and external audits. There is a custom reporting application which produces Client Data Reports.

These data are not currently available in the Medicaid Data Warehouse (MDW). A project is currently underway which will move this history into the MDW. The transition will include the identification of system development requirements, the transfer of historical Medicaid claims data, quality assurance testing and a defined period of parallel processing. In the event that these services are no longer required under this contract, a contract amendment between the Contractor and the Department will be completed.

### **H. Patient Centered Medical Home**

Patient Centered Medical Home (PCMH) status is a recognition awarded by the National Committee for Quality Assurance (NCQA) to medical practices and clinics that meet standards related to high-quality primary care. The NYSDOH reimburses practices that have achieved the NCQA's PCMH recognition at a higher rate by providing an "add on" for eligible fee-for-service visits and by providing an enhanced capitation payment to Medicaid managed care organizations who in turn distribute those funds to PCMH



providers in their networks.

NCQA sends the NYSDOH a monthly file which lists recognized providers and practices. Additionally, the NYSDOH collects similar information from a group of providers in the Adirondack region who are participating in a PCMH demonstration project. These files are then loaded into the OHIP Data Mart as a full replacement to derive the amount of PCMH 'add-on' to be paid to a provider or practice for eligible claims. A similar file is posted to the Health Commerce System (HCS) where managed care plans access it and use it to identify providers eligible for increased amounts. A concatenation of all monthly files is also saved as a table on the OHIP Data Mart, along with several other analytical derivations of the file.

On a quarterly basis, the NYSDOH uses these files to assess growth in PCMH recognized providers, changes in the number of providers recognized at each level, changes in the number of Medicaid Managed Care (MMC) and Child Health Plus (CHP) enrollees assigned to recognized providers, and the amount spent by the State on PCMH programs. This enables the NYSDOH to identify PCMH providers in quality and utilization data, allowing for evaluations of MMC enrollees assigned to PCMHs compared to those not assigned to PCMHs. Cost comparisons between these groups is also conducted. Practices occasionally contact the NYSDOH to describe payment problems, and the files saved on the OHIP Data Mart are used to troubleshoot.

## **I. Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD)**

The Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD) initiative provides financial incentives to Medicaid beneficiaries who participate in prevention programs and demonstrate changes in health risk and outcomes, including the adoption of healthy behaviors. The MIPCD targets four areas: 1) prevention of diabetes; 2) diabetes management; 3) smoking cessation; and, 4) hypertension. The NYSDOH is conducting this statewide initiative to examine and evaluate its effectiveness.

NYSDOH will be receiving data files from 19 health plans and Medicaid claims data on at least a weekly basis. Outcomes are evaluated using data from the OHIP Data Mart and will be analyzed and reported to CMS on a quarterly basis to satisfy CMS Minimum Data Set reporting requirements.

## **J. Overview of the Current Technical Environment**

The OHIP Data Mart contains over fifteen (15) terabytes (TB) of data which is currently housed in an Oracle database that is served by an IBM Corporation (IBM) multi-node server. The core of the OHIP Data Mart is the claims/encounter subject area. The claims/encounters and reference data are received as extracts from the MDW. The claims/encounter subject area data are supported and enriched by data from a variety MDW tables and a number of external sources, including: State Education Department (SED) License; Member Medicaid Management Information System (MMIS); Reference data (e.g., diagnosis, rate, drug, and procedure codes and descriptions); Medicare claims (Dual Eligible); and Medicare Part D Enrollment (data New York State receives from the CMS to support this prescription drug plan).

There are six (6) major components of the current OHIP Data Mart, which are discussed below. Additional technical information for the OHIP Data Mart can be found in the Procurement Library. The OHIP Data Mart components include:

1. Extract, Transform and Load;
2. Business Intelligence and Reporting;
3. Data Delivery;
4. Data Model;
5. Infrastructure; and
6. Security.



## **1. Extract, Transform and Load (ETL)**

The following sections describe the major ETL processes that are performed by the OHIP Data Mart. In addition, there are several other data sources which require ETL process on varying schedules. Information about all the ETL processes including the source, volume and frequency can be found in the Procurement Library.

### **a. Medicaid/Child Health Plus (CHP) Claims, Encounter, Eligibility and Reference Data**

The OHIP Data Mart is loaded monthly. It pulls weekly extracts from the MDW in a flat file format. Additional sources are gathered and placed in the staging area for the monthly load. Each month all extracts are transformed and moved into the production environment.

The total monthly load volume is approximately 71,000,000 claims and encounter transactions. This will vary by month since the number of transactions processed by the eMedNY system is affected by the processing of retro-rate adjustments which re-priced previously adjudicated claims. Details on the additional reference data loaded monthly can be found in the Procurement Library.

### **b. Medicare**

The Medicare claims history is received multiple ways. It is received as monthly transactions which reflect the claims processed by Medicare for that month. It is also received annually as netted final results. Currently the annual netted final results are being loaded in the OHIP Data Mart. In order to receive the Medicare claims from CMS, the OHIP Data Mart generates a finder file containing identifying information for the dual eligible members and sends that file to CMS.

The total annual load volume is approximately 4,000,000 transactions.

### **c. Statewide Planning and Research Cooperative System (SPARCS)**

The SPARCS transactions are replaced on a monthly basis. They are received from the SPARCS Data Release Unit.

The total monthly load transaction volume is approximately 2,000,000.

## **2. Business Intelligence and Reporting**

The data within the OHIP Data Mart can be accessed either through web portal applications or by direct access.

### **a. Web Portal Applications**

Web portal applications provide access to the OHIP Data Mart through a Health Commerce System account for approximately 500 users. Web portal applications include: Member and Provider Client Detail Reports; Drug Rebate Application; and Health Home Applications.

### **b. Direct Access**

Direct access to the OHIP Data Mart is provided for authorized users using role based security (table level) to support ad hoc analytics on the Medicaid program. There are approximately 150 direct access users, but the database is configured to accommodate approximately 250 concurrent users.



### **3. Data Delivery**

The OHIP Data Mart extracts and delivers data to multiple entities. The following sections describe the major data delivery extracts that are created by the OHIP Data Mart. In addition, there are several ad hoc data delivery extracts that must be performed on varying schedules. Information about all the data delivery extracts including the receiving entity, content, volume and frequency can be found in the Procurement Library.

#### **a. Medicaid Data Warehouse (MDW)**

The OHIP Data Mart extracts and delivers data to the MDW. Example extracts include: the Managed Care Contract; Rate Hourly Equivalent; HIV/AIDS Special Population Identification tables; Drug Rebate Platform tables; and Clinical Risk Group table.

#### **b. eMedNY**

The OHIP Data Mart extracts and delivers data to eMedNY. Example extracts include: the Medicare Crossover inpatient, outpatient and pharmacy claims; and Statewide and Adirondack Medical Home provider certification tables.

#### **c. Research Organizations and Health Plans**

The OHIP Data Mart extracts and delivers data to a variety of research organizations and Medicaid managed care organizations. Medicaid managed care organizations receive claims reflecting either fee for service time periods or carved out services for members enrolled in their Health Plan. Research organizations receive ad hoc extracts subject to application and approval from the NYSDOH's Privacy Coordinator.

### **4. Data Model**

Information related to the OHIP Data Mart data models can be found in the technical documentation within the Procurement Library.

- a. Tools used for Logical design include:
  - OHIP Data Mart: Oracle Designer; and
  - Web portal: Google Web Toolkit.
- b. Tools used for Physical design include:
  - OHIP Data Mart: DDL scripts, Oracle Designer; Oracle Enterprise Manager and Toad; and
  - Web portal: Google Web Toolkit.

### **5. Infrastructure**

The hosting and operational support of the OHIP Data Mart database infrastructure is included in the current Medicaid Data Warehouse (MDW) Replacement/OHIP Data Mart Operational Support Project contract. That contract provides the infrastructure hardware/OS and network to support the requirements of the production, test, development, failover, backup/recovery and disaster recovery environments.

Detailed information related to the OHIP Data Mart infrastructure can be found in the technical documentation within the Procurement Library.



### **III. Project Approach**

#### **A. Introduction**

The OHIP Data Mart Analytics and Application Technical Services Support Project will provide technical services support for the OHIP Data Mart analytics and applications. The effective and efficient operation of the OHIP Data Mart requires knowledgeable and experienced technical services support staff with extensive Medicaid experience that are able to work in a high stress environment with rapidly changing priorities.

This section of the RFP will provide a general understanding of what is expected during the project. Attachment 1 Mandatory Requirements Traceability Matrix provides a comprehensive listing of all OHIP Data Mart Analytics and Application Technical Services Support Project requirements. The Contractor will perform the required technical services support, change management and maintenance activities for the OHIP Data Mart.

Upon contract execution, the Contractor will assemble its core project staff at the primary project site in preparation for conducting the project tasks. An integrated project team will be assembled, consisting of the Contractor core project staff and the NYSDOH staff designated for the project, as well as any Contractor assistance deemed necessary and appropriate.

The Contractor core project staff will review the documentation provided in the Procurement Library, and any other relevant documentation, to become familiar with the scope of the project. The NYSDOH will work closely with Contractor staff and will provide several orientation sessions to familiarize them with the NYSDOH's organization and programs. However, the Contractor has full responsibility for the successful completion of the project.

A project kick-off meeting will be held to formally announce Project Initiation. This meeting will focus specifically on the responsibilities of the Contractor and working relationships and interactions among the Contractor and the NYSDOH staff.

#### **B. Overview of Technical Services Support Management Deliverables**

The Contractor must provide technical services support for the OHIP Data Mart including: the design, develop and implementation of data models; data acquisition, data access and data delivery modules, database tables, programs, extract, transform and load (ETL) code, reports, and all other artifacts necessary to support the OHIP Data Mart analytics and applications.

##### **1. Project Management Deliverables**

- a. Assemble a project team of core and development staff;
- b. Produce the necessary project planning documents. These documents include but are not limited to:
  - Project Plan and Project Schedule with a work breakdown structure (WBS);
  - Staffing Plan;
  - Configuration Management Plan; and
  - Security, Privacy and Confidentiality Plan.

All documents listed above must be reviewed and approved by the NYSDOH.



## **2. Extract, Transform and Load; Business Intelligence and Reporting; Data Delivery; Data Model; Metadata; Infrastructure; and Security Deliverables**

Deliverables include, but are not limited to:

- a. Maintain databases;
- b. Maintain the existing ETL processes
- c. Use the existing data sources to populate the OHIP Data Mart;
- d. Maintain the existing OHIP Applications;
- e. Maintain OHIP business intelligence solution and reports;
- f. Maintain OHIP data delivery extracts;
- g. Maintain OHIP Data Mart data models;
- h. Maintain OHIP Data Mart metadata;
- i. Operate the OHIP Analytics and Applications with minimal disruption;
- j. Operate the OHIP Web Servers and perform business continuity activities;
- k. Implement the Security Requirements defined in this RFP;
- l. Implement the Testing Requirements defined in this RFP;
- m. Perform activities within the service levels defined in this RFP;
- n. Be proactive with regard to the performance of the OHIP Data Mart; and
- o. Employ a competent staff that becomes an extension of the NYSDOH staff.

### **C. System Change Management**

The Contractor will be responsible for modifying the OHIP Data Mart throughout the term of the contract. System Change Management is the process whereby core system enhancements, as determined by the NYSDOH (or by the Contractor, with the NYSDOH approval) are made. This may include, but not be limited to, additional functions or requirements resulting in changes to existing file structures, data sets or processing logic of the OHIP Data Mart.

All approved Change System Requests will result in the establishment of deliverable based projects.

The NYSDOH will initiate modifications to the system through the submission of a Change System Request (CSR) form. The Contractor will respond, in writing, to the requests submitted by the NYSDOH within five (5) business days of receipt. The response shall consist of an acknowledgment of the request and a preliminary assessment of the effort (e.g., number of hours) required for completing the modification.

System Change Management Projects may fall into one of three major categories:

- 1. Small System Change Management Projects:** These represent small projects (under five-hundred (500) hours) that may not require the application of detailed project management methodology.
- 2. All Other System Change Management Projects:** These are projects that are estimated to take five-hundred (500) or more staff hours to complete. These tasks require the application of detailed project management methodology, including status reporting; or



**3. Architectural and/or Services Extensions:** as deemed necessary by the NYSDOH.

**D. Summary of Documentation Deliverables**

This section presents a listing of all documentation deliverables that may be required to be submitted by the Contractor, organized by System Development Lifecycle phase.

**OHIP Data Mart Technical Services Support Project Documentation Deliverables**

<b>System Development Lifecycle Phase</b>	<b>Deliverable</b>
Requirements Definition and Analysis	Requirements Definition Document (RDD)
	OHIP Conceptual Data Model
	Requirements Traceability Matrix
Design	OHIP Logical/Physical Data Model
	OHIP Technical Design Document (TDD)
	ITS Architectural Design Document (ADD)
Construction	OHIP Unit Tested Code
	Associated Documentation
Test	OHIP Development Test Plan
	OHIP User Acceptance Test Plan
	OHIP Test Scripts, Cases and Results
Implementation	OHIP User Documentation
	OHIP Operations Manual
	OHIP As-Delivered System Documentation
	OHIP Data Mart Operations Manual



## **IV. Project Management and Staffing Requirements**

### **A. Project Management**

#### **1. Project Management Overview**

Project Management is defined as the communication mechanisms, controls, tasks and procedures that the Contractor will use to manage all the tasks identified in the RFP. It is the discipline that employs the Contractor's knowledge, skills and abilities to achieve project goals.

The overall success of the project will depend on the development of a close working relationship including ongoing communications at all levels between the Contractor and the NYSDOH. The NYSDOH requires the Contractor to use the NYSDOH's Project Management Methodology templates. The Contractor will work at the direction of the NYSDOH's Project Management staff and produce project management related documentation as requested.

The following are examples of documentation for the Project Management lifecycle that may be requested by the NYSDOH's Project Manager. These documents will be developed by the Contractor based on the NYSDOH's Project Management Templates in collaboration with the NYSDOH's Project Management staff for review and approval by the NYSDOH's Project Manager.

- Project Plan and Project Schedule;
- Staffing Plan;
- Configuration Management Plan;
- Security, Privacy and Confidentiality Plan;
- Functional Requirements Documents;
- Project Design Documents;
- Technical Design Documents (including but not limited to: process flows; data models; data dictionary; application, data and technical environments);
- Test Plans;
- Operations Manuals and Documentation; and
- User Documentation

#### **2. Change Control Management**

The Change Control Management process ensures the integrity of the OHIP Data Mart by preventing the implementation of all processes, data, hardware, and software until the validity of the change has been verified through the NYSDOH with input from ITS. The process to be used will be identified by the NYSDOH and followed by the Contractor

#### **3. Scope Management**

The Contractor will be required to take a proactive approach to managing scope. As the Contractor evaluates requests for additional functionality, the Contractor must provide to the NYSDOH, as part of its analysis, the impact the change will have on the resources already committed and the deliverables already scheduled. The Contractor should expect changes to NYS governance processes during the life of this contract and will be expected to adapt to these changes. If the Contractor determines these changes represent a considerable burden, the Contractor may document the concerns to NYSDOH, which will review with the Contractor to determine how to address these requirements.

If a change is approved by the NYSDOH, the Contractor must provide any recommendations for any additional hardware, software or other improvements that would be necessary to implement the change. For example, this might be additional storage/processing capability for the OHIP Data Mart



or a recommendation for a separate platform (a sub-mart) that receives a feed from the OHIP Data Mart or interacts directly with the OHIP Data Mart to provide the needed functionality. Any material change in the technical architecture of the system will be reviewed and approved by NYSDOH and ITS. The NYSDOH will provide the Contractor with the Scope Management process that it will use to manage scope.

#### **4. Status Reporting Requirements**

Status reporting ensures that the NYSDOH and the Contractor have a common understanding of project progress. It identifies any roadblocks to success and enables these to be circumvented before they negatively impact the project. Status reporting includes Contractor submission of the following:

- a. Weekly Status reports including descriptions of:
  - Activities completed in the preceding period;
  - Activities planned for the next period;
  - Issues resolved or requiring resolution;
  - Risks and associated mitigation plans; and
  - Actual project progress (schedule and budget) against planned, with explanation of any variances and associated mitigation plans.
- b. Monthly status reports which provide a brief summary of weekly reports;
- c. Monthly project dashboard to be submitted to the ITS Enterprise Project Management Office; and
- d. Quarterly status reports which provide a brief summary of monthly reports.

#### **5. Meeting Requirements**

##### **General Meeting Requirements**

- a. The Contractor staff must be available to the NYSDOH at the NYSDOH offices as requested for any meetings that may arise as a result of the project tasks associated with this RFP; and
- b. The Contractor will be responsible for recording and timely distribution of minutes for all meetings it will attend.

##### **Status Meetings Requirements**

The Contractor must:

- a. Attend a weekly status meeting with the NYSDOH to describe at a minimum:
  - Project status;
  - OHIP Data Mart performance issues;
  - OHIP Data Mart availability;
  - Discontinuity of service incidents and their resolutions;
  - Identified error trends; and
  - Maintenance plans and priorities.
- b. Prepare the agenda for the weekly status meeting and disseminate it to the NYSDOH three (3) business days prior to the status meeting; and
- c. Take minutes for the weekly status meeting and disseminate them to the NYSDOH two (2) business days following the status meeting.

#### **B. Staffing Requirements**

The NYSDOH recognizes that a highly skilled staff with a breadth and depth of data warehouse



knowledge, skills and experience is essential for the successful operation and maintenance of the OHIP Data Mart. However, strong technical skills alone are not enough to guarantee that the OHIP Data Mart will be a success. The NYSDOH realizes that the Contractor staff must also have an extensive background in Medicaid claims and encounter data.

The Contractor staff will work closely with NYSDOH during the contract and under the direction of designated NYSDOH Project Management staff. The Contractor staff will provide subject matter expertise to the NYSDOH's program staff and to the OHIP Data Mart users. The NYSDOH requires that staff work at the primary project site in the Albany, NY. The primary project site may change over the term of the contract, but will be within the New York Capital Region. This will enable direct interaction with the NYSDOH, OHIP Data Mart users, and the MDW Contractor.

The staffing requirements in the RFP have been developed to ensure that all bidders understand the NYSDOH's expectations for the project staff in terms of qualifications, roles and responsibilities, staffing contract constraints, and payment mechanisms.

### **1. Classifications of Contractor Staff**

The NYSDOH has defined two classifications of Contractor staff:

#### **a. Core Staff**

Core staff consists of the technical leadership responsible for the oversight of operation, maintenance and enhancement of the OHIP Data Mart. The core staff includes the senior technical staff that has experience in and fully understands the activities required to securely implement all aspects of the solution including data warehouse designs from the specifications into the physical database, ETL programs, queries, applications, and reports. The core staff roles provide technical leadership to the developers.

#### **b. Development Staff**

Development staff consists of the technical staff responsible for the construction, implementation, operation, maintenance and enhancement of the OHIP Data Mart. Development staff are the technical builders who securely implement all aspects of the solution including data warehouse designs from the specifications into the physical database, ETL programs, queries, applications and reports.

### **2. OHIP Data Mart Staff Roles, Qualifications, and Responsibilities**

The typical data warehouse project encompasses a large variety of roles. Many of these roles involve overlapping skill sets. The Contractor may assign a staff resource to cover multiple roles when they are deemed to be part-time in nature. When the Contractor proposes to have one individual fill more than one role, the Contractor must submit to the NYSDOH their current resume and the rationale for this assignment. However, none of the core staff positions may be shared across multiple staff. The NYSDOH retains the right to approve or disapprove the Contractor's proposed staffing. The Contractor must fill each role with individuals having at least the minimum skills and experience for the relevant role(s), as provided in the Attachment 2 Staffing Qualifications.

### **3. Proposal Requirements**

**The proposal must include the following:**

- a. Detailed staffing plans for the project which specify the staffing to be committed by the Contractor to this contract and details concerning the consolidation of multiple roles to be filled by a single staff member in its proposal;



- b. Quantify in the staffing plan the FTE allocation of each and every individual team member, whether core staff or development staff proposed to perform activities under this contract;
- c. Identify, in the staffing plan, all development staff along with the experience level and skill set required for each;
- d. Identify, in the staffing plan, all subcontractors and their respective role(s);
- e. Resumes of person performing the following core staff roles:
  - i. Technical Architect;
  - ii. Data and Metadata Architect;
  - iii. ETL and Data Delivery Architect;
  - iv. Application Architect;
  - v. Business Intelligence Architect; and
  - vi. Security Officer.
- f. Staff Experience Summaries for each person performing the core staff roles that demonstrate that they have the minimum experience requirements outlined in Attachment 2 Staffing Qualifications.
- g. Three (3) references for each of the core staff listed in its proposal. All references must be supplied by individuals external to the Bidder or subcontractor organizations. The purpose is to provide the NYSDOH the ability to verify the information contained in the proposal by the Bidder.

### **C. System Change Management Project Pricing Approach**

The NYSDOH considers system maintenance and system changes to be part of the technical support responsibilities of the Data Mart. As such the NYSDOH expects that while some staff will perform primarily these roles and functions, and are budgeted in the fixed administrative cost, they may also provide support for system change projects. Since the system change projects will require additional staffing, the roles found in Attachment 4 represent potential roles for those projects require equivalent skills and experience. The NYSDOH is requiring the following pricing approach be used when addressing System Change Management projects:

1. The NYSDOH will require the Contractor to support deliverable based projects to change the system in each year of the contract through the annual provision of 8,000 hours of work performed by System Change Management staff and also detailed in Attachment 4 Pricing Schedules. The annual System Change Management pricing and budgets must be developed in these schedules using this 8,000 annual allotment of hours;
2. The 8,000 annual allotment of hours is to be used only for time the System Change Management staff spend directly on the NYSDOH approved projects. All other System Change Management staff time (e.g., vacation, sick leave, training, etc.) shall not be applied against this allotment of hours;
3. Tracking and reporting of hours spent on individual system change projects is mandatory. Time spent by staff resources working on a system change project will be paid monthly based upon the NYSDOH approved timesheets for that project and the appropriate hourly rates from Attachment 4 Pricing Schedules;
4. Some activities performed by Contractor staff will be considered system maintenance (e.g., web server and CMS Direct Connect operating system patching) and as such those activities are to be considered and budgeted as part of the annual fixed administrative fee regardless of whether the staff performing the task is budgeted under the fixed administration fee or the system change management project pricing; and



5. If during the operations of the OHIP Data Mart, the NYSDOH determines that the system change project workload and associated project deadlines necessitate additional Contractor staff resources, the NYSDOH may develop a contract amendment to acquire the additional staff. The daily rates (for Fixed Administrative Fee staff) and hourly rates (for System Change Management Price staff) provided in Attachment 4 Pricing Schedules that are appropriate to the staff roles being requested and the contract year will be used for pricing the additional staffing component of the contract amendment.

## **D. System Change Management Project Estimation**

The Contractor must describe its standard estimation methodology that will be used for all project estimates throughout the Contract term. This methodology will be reviewed and approved by the NYSDOH. This methodology must:

- Be based on an objective analytical foundation;
- Be based upon quantitative measures (e.g., number of sources, number of objects, transformation, Standard Lines of Code, function points, etc.) to ensure objective estimates;
- Include a definition and description of the types and number of system components (e.g., code, screens, reports, interfaces, documentation) to be added or changed, the complexity level associated with the component add or change, the hours assigned, and the associated rationale or assumptions that support the hours assigned;
- Include a labor skill mix for the project;
- Include a description of the basis for the estimates presented; and
- Provide for prompt completion of the estimation process for each System Change Management project.

Any tools used by the Contractor to establish project estimates must be made available to the NYSDOH for its use. The Contractor must provide training for staff identified by the NYSDOH.

During execution of the project, the Contractor must measure performance according to the project plan and manage changes to the project plan and schedule as requested by the NYSDOH. When tasks are complete, the Contractor must seek verbal acceptance from the NYSDOH for each task, and formal acceptance of each deliverable.

All projects must include a Project Schedule with duration estimates for each task in the WBS; the sequence of tasks, including identification of the critical path; and the method to be used by the Contractor to control time spent on the project.

As the Contractor evaluates system change project requests for additional functionality, the Contractor must provide to the NYSDOH, as part of its analysis, recommendations for any additional hardware and/or software components, and other technical infrastructure and services necessary to implement the project. Any material change in the technical architecture of the system will be reviewed and approved by NYSDOH and ITS. The NYSDOH will not be obligated to approve any of these requests.

### **Proposal Requirement:**

**Describe in your proposal the estimation methodology that will be used for all project estimates.**



## V. Business Requirements

### A. Overview

The NYSDOH is the single State agency responsible for the administration of the New York State Medicaid Program under Title XIX of the Social Security Act. The primary purpose of the Medicaid Program is to make covered health and medical services available to eligible individuals. As the single State agency, the NYSDOH promulgates all necessary regulations and guidelines for Program administration, develops professional standards for the Program, develops rates and fees for medical services, evaluates programs and conducts or contracts with outside organizations to perform utilization review and performance measurement.

The NYSDOH is required to maintain a Medicaid State Plan that is consistent with provisions of Federal law and regulations. Administrative functions include development of Program policy, determination of member eligibility, utilization review, detection of possible fraud and abuse, and supervision of the fiscal agent and all its functions.

The administration of the Medicaid Program involves ongoing fiscal, programmatic and quality of care oversight and review. In addition, OQPS is charged with several activities involving complex manipulation of Medicaid data that, when completed, generate significant revenue for the state such as, pharmacy rebate activities, calculating Medicaid federal share or Federal Medical Assistance Percentages (FMAP) and delivering data sets to various stakeholders including eMedNY and the OMIG.

One of the primary tasks of the OQPS is to quickly generate targeted Medicaid-related information and data, in a manner conforming to Health Insurance Portability and Accountability Act (HIPAA) requirements, to meet the needs of the many and varied users, and to conduct in-house research and analyses aimed at insuring the availability and quality of health care for Medicaid eligibles. The data and analyses are used to identify and explore potential health care issues, spot trends in utilization, detect fraudulent billing and provide fiscal and other data to persons involved in the administration of the Medicaid program. Medicaid data activities include providing datasets and performing in-house analyses incorporating member demographics (age group, county of fiscal responsibility, aid category, Medicare status, gender, etc.) and provider variables (category of service, specialty, provider county, etc.), and service related variables (diagnosis, procedure, rate code, service date, etc.) with quantitative measures of utilization (claims, encounters, dollars paid, member counts, etc.).

The purpose of this section is to describe the business requirements of the OHIP Data Mart analytics and applications that will require technical support.

### B. Medicaid Quality Measures and Performance Analytics

The NYSDOH requires technical services support for Medicaid Quality Measures and Performance Analytics.

The Contractor must perform the required business activities, including but not limited to:

#### 1. Maintenance and Support Activities

- a. Maintain Data Models, Data Cubes and Related Schemas;
- b. Maintain ETL Scripts and Programs;
- c. Perform Database Administration activities;
- d. Act as Technical Support Liaison to internal and external stakeholders in regard to data on the OHIP Data Mart;
- e. Perform quality assurance activities;
- f. Provide analytic support to Data Mart users;



- g. Develop and maintain OHIP Data Mart Applications; and
- h. Develop and maintain OHIP Data Mart database.

## **2. Support for Program Analysis**

- a. Perform Research and Design Activities
  - Develop and test new functionality to improve performance for analytics
  - Develop prototype Master Patient Indexes
  - Investigate Medicare data to enhance Medicaid analysis
  - Research new types of health care data or changes to medical coding
  - Incorporate external data sets for research and evaluation of the Medicaid program
  - Research and implement ICD-9 to ICD-10 crosswalk solution
- b. Maintain Data Delivery Extract Processes
  - Deliver data extracts required for claims processing to eMedNY
  - Deliver data extracts to the OMIG
  - Deliver data extracts to external stakeholders as approved by the NYSDOH Privacy Coordinator
- c. Maintain Groupers
  - Clinical Risk Groupers (CRG)
  - Diagnosis Related Grouper (DRG)
  - Ambulatory Payment Grouper (APG)
  - Medicaid Managed Care Operating Report Grouper (MMCOR)
  - Potentially Preventable Readmissions Grouper (PPR)
  - Potentially Preventable Complications Grouper (PPC)
  - Prevention Quality Indicator Grouper (PQI)

### **Proposal Requirement:**

**Describe in your proposal how you will support the programs and business requirements equivalent to the Medicaid Quality Measures and Performance Analytics business requirements listed above and in Attachment 1.**

## **C. Medicaid Drug Rebate Application**

The NYSDOH requires technical services support for the Medicaid Drug Rebate Application in the following areas:

The Contractor must perform the required business activities, including but not limited to:

### **1. Retrieve and Analyze Quarterly Utilization Data for Federal OBRA Rebate Programs**

- a. Participating retail pharmacy utilization for OBRA Rebate Program to include utilization of physician administered drugs (J-Code drugs) using the Healthcare Common Procedure Coding System (HCPCS) with mandated National Drug Code (NDC) numbers, in both the Medicaid Fee-For-Service (FFS) program and the Medicaid managed care organization (MCO) benefit. Must interface with the NYSDOH and any agent(s) of the NYSDOH to collect the utilization data needed to invoice the OBRA rebate program including J-code drug utilization under the OBRA rebate program;
- b. Extracting claim data for both FFS and MCO and performing statistical analysis to identify outlier claims and other issues with the quarterly rebate amounts and submit findings to the NYSDOH for review;



- c. Providing pre-invoicing analytical reports for FFS pharmacy, MCO pharmacy and j-code data to state pharmacists for analysis;
- d. Extracting and saving claims data into specific state formatted data bases for State personnel to utilize for various data analysis;
- e. Performing 340B FFS/MCO Claim Submission analysis to gauge provider compliance and internal operational use; and
- f. Retrieving the 340B provider exclusion list from the HRSA website.

## **2. Maintain and Support Medicaid Drug Rebate (MDR) System**

- a. Maintain and support MDR application functions;
- b. Uploading FMG Batch files (AC909);
- c. Adding paid but not invoiced NDCs to the MDR System due to system error or manufacturer error;
- d. Uploading quarterly invoicing information into MDR System for payments and Upfront Dispute Resolutions;
- e. Fixing any systematic issues within the MDR system, so users can process payments smoothly;
- f. Adding/Deleting user names from MDR System;
- g. Uploading drug labeler contact information from CMS file;
- h. Uploading the OSC Deposit Date from State records;
- i. Providing the capability to transmit electronic invoicing records to manufacturers in multi-format, receive electronic payment records into the NYSDOH's MDR system and EFT;
- j. Producing 64.9R reports on a quarterly basis for Medicaid's liability to CMS;
- k. Maintaining the MDR's current management reporting functions;
- l. Performing ad-hoc reports upon request;
- m. Maintaining, recording and accounting for rebate payments received by the NYSDOH into the current MDR system;
- n. Maintaining, supporting and tracking dispute resolution activities of the NYSDOH;
- o. Maintaining a process that is able to track rebate accounts receivable and collection activity for the NYSDOH;
- p. Accurately applying data entry/electronic submittal payments to outstanding rebate invoices;
- q. Processing corrective transactions for payments that have been inappropriately deposited as drug rebate payments;
- r. Updates payor name corrections in MDR System that were entered erroneously on FMG file;
- s. Updates check amount corrections in MDR System that were entered erroneously on FMG file;
- t. Maintain quarterly UROA rate this is used to produce 64.9R Report; and
- u. Provides OBRA Rebate information to Stakeholders per audit request.

## **3. Perform Invoice Services**

- a. Receiving and timely downloading quarterly URA/UROA/product data/ Manufacturer Contact Information from CMS for the NYSDOH;
- b. Supporting and monitoring the processing of listings of labelers with rebate agreements as required by the NYSDOH;
- c. Reviewing and recommending automated conversions to resolve inconsistencies in measurement units between CMS and NYSDOH drug reference data;
- d. Excluding specified drugs and supplies from rebate information processing based on NYSDOH criteria;
- e. Generating pre-invoicing rebate projections and post invoicing rebate statistics;
- f. Updating the Medicaid Drug Rebate Invoice Template upon request;



- g. Alerting drug rebate staff to data deficiencies in the quarterly CMS rebate file;
- h. Producing and electronically billing OBRA quarterly rebate invoices in the CMS format within CMS/State approved deadlines for the NYSDOH and transmitting the appropriate files and related back-up including mailing labels to state personnel and any other Contractors as directed by the State;
- i. Suppressing corrupt MCO encounter data from inclusion into the MCO Medicaid drug rebate invoices;
- j. Correcting invoicing errors;
- k. Sending final invoice file for uploading data into the MDR System;
- l. Sending final invoice to Contractor for manufacturing mailing;
- m. Loading current and past Medicaid drug rebate invoices onto a State designated data drive;
- n. Generating resubmission invoices as needed;
- o. Responding to invoice data inquiries from various stakeholders upon request;
- p. Maintaining the electronic claim records in a data base that will assist the State and the manufacturer in verifying the utilization information utilized in the quarterly invoice rebating. Providing state personnel the ability to run queries from this data base;
- q. Selecting and analyzing data to calculate Federal/State/County allocation percentages;
- r. Transmitting and monitoring the secure transmission of the CMS quarterly State Drug utilization Data File and provide reports and/or files required to meet Federal reporting requirements; and
- s. Providing dispute resolution staff with an active labeler code list.

**4. Perform Services for NYS Supplemental Rebate Programs (PDL/Diabetic/State Direct Contracting)**

- a. Transmitting enrollment counts as needed to State Contractors for purposes of rebates;
- b. Reviewing and recommending automated conversions to resolve inconsistencies in measurement units between CMS and NYSDOH drug reference data;
- c. Providing current supplemental rebate-eligible NDC file to State dispute resolution staff;
- d. Identification of PDL drugs and Diabetic supplies from claim utilization for rebate processing based on NYSDOH criteria;
- e. Supporting and monitoring the processing of listings of labelers with rebate agreements as required by the NYSDOH;
- f. Interfacing with the NYSDOH and any agent(s) of the NYSDOH to collect and provide the utilization data for each program (eligible NDC utilization file in state specified format) needed to invoice supplemental rebates; and
- g. Provides Supplemental rebate information to Stakeholders per audit request.

**5. Transmitting and Receiving Secure Files**

- a. Transmitting and receiving secure files to/from other State Contractors, CMS and other governmental agencies as directed by state personnel; and
- b. Securely maintaining confidentiality and integrity of all NYSDOH data.

**6. Transition Planning**

Developing and executing a plan to transition the State's rebate system including parallel testing so that OBRA and Supplemental rebates are not put at risk. This includes the migration of current and historical data files for the following;

**OBRA Rebate – Medicaid Drug Rebate Program**

FFS (Fee for Service)	1999Q2 - present
MCO (Managed Care Organization)	2011Q4 – present



**Accounts Receivables:** Transfer of all open accounts receivable amounts by labeler, quarter and NDC

**Payment Detail - Batch listing:** Check Log List by Batch; Check Log Information; Check Detail; NDC payment receipt detail (receipt information/ROSI/PQA); Check Detail Exceptions; ROSI / PQA Exceptions

**Utilization data:** Claim level details; Quarterly Utilization Summary

**Disputes resolution:** All open and closed disputes

**Invoices:** Quarterly Drug Rebate Invoices by labeler, quarter and NDC; Invoice Total for Quarter

**CMS Related Items:** Unit Rebate Amount (quarterly invoicing data) tapes provided by CMS; Unit Rebate Offset Amount (quarterly UROA) tapes provided by CMS effective 2010Q1; CMS 64-9R report to CMS effective 2010Q1.

**Proposal Requirement:**

Describe in your proposal how you will support the programs and business requirements equivalent to the Medicaid Drug Rebate Application business requirements listed above and in Attachment 1.

**D. Health Homes Applications, Quality Measures and Performance Analytics**

The NYSDOH requires technical services support for the Health Homes Quality Measures and Performance Analytics.

The Contractor must perform the required business activities, including but not limited to:

**1. Perform Health Homes Operation and Maintenance**

- a. Act as technical representative to third party organizations that interact with the Health Home system;
- b. Submit patient tracking files to the Portal;
- c. Support 24/7 access to Health Home assignment files;
- d. Support the submission of billing files;
- e. Support Health Homes and MCOs access to: all accepted Health Homes records; acuity information for Health Homes members and member lookup function that indicates a member's Health Home enrollment status, the Care Management Agency(ies) (CMAs) the member has seen within the last six months, as well as information on the member's last five dates of service;
- f. Support the development of a feedback loop for MCOs; and
- g. Design and develop all structures and methods in Java to support the Health Home system.

**Proposal Requirement:**

Describe in your proposal how you will support the programs and business requirements equivalent to those listed for Health Homes Applications, Quality Measures and Performance Analytics business requirements listed above and in Attachment 1.

**E. Medicaid Redesign Team Performance Analytics**

The NYSDOH requires technical services support for the Medicaid Redesign Team Quality Measures and Performance Analytics.

The Contractor must perform the required business activities, including but not limited to:



## **1. Maintenance and Support Activities**

- a. Maintain MRT Data Models, Data Cubes and Related Schemas;
- b. Maintain ETL Scripts and Programs;
- c. Act as Technical Support Liaison to MRT internal and external stakeholders in regard to data on the OHIP Data Mart;
- d. Perform quality assurance activities;
- e. Provide analytic support to Data Mart users; and
- f. Develop and maintain OHIP Data Mart Applications.

## **2. Support for Program Analysis**

- a. Develop and test new functionality to improve performance for analytics.

### **Proposal Requirement:**

**Describe in your proposal how you will support the programs and business requirements equivalent to the Medicaid Redesign Team Performance Analytics business requirements listed above and in Attachment 1.**

## **F. Medicare Data Delivery and Analytics for Dual Eligible Members**

The NYSDOH requires technical services support for the Medicare Data Delivery and Analytics for Dual Eligible Members.

The Contractor must perform the required business activities, including but not limited to:

### **1. Maintenance and Support Activities**

- a. Maintain Medicare Data Models, Data Cubes and Related Schemas;
- b. Maintain ETL Scripts and Programs;
- c. Act as Technical Support Liaison to CMS, internal and external stakeholders in regard to Medicare data on the OHIP Data Mart;
- d. Perform quality assurance activities;
- e. Provide analytic support to Data Mart users;
- f. Develop and maintain link between Medicare and Medicaid members to facilitate the analysis of claims; and
- g. Maintain data capture and delivery processes to provide Medicare crossover claims data to eMedNY.

### **Proposal Requirement:**

**Describe in your proposal how you will support the programs and business requirements equivalent to the Medicare Data Delivery and Analytics for Dual Eligible Members business requirements listed above and in Attachment 1.**

## **G. Medicaid Claims History & Client Data Reports (CDR)**

The NYSDOH requires technical services support for the Medicaid Claims History & Client Data Reports (CDR).

The Contractor must perform the required business activities, including but not limited to:

### **1. Maintenance and Support Activities**

- a. Maintain the scripts related to the Historic Medicaid Claims schema;
- b. Act as liaison to the MDW in regard to Historic Medicaid data on the data mart;
- c. Answer data questions for staff; and



d. Provide optimization and support for analytics.

## **2. Transition Planning**

- a. Develop and execute a plan to move the Historic Medicaid Claims data to the MDW; and
- b. Work with MDW staff on the Evolution Project that will transition the data to the MDW.

### **Proposal Requirement:**

**Describe in your proposal how you will support the programs and business requirements equivalent to the Medicaid Claims History & Client Data Reports (CDR) business requirements listed above and in Attachment 1.**

## **H. Patient Centered Medical Home (PCMH)**

The NYSDOH requires technical services support for the Patient Centered Medical Home (PCMH).

The Contractor must perform the required business activities, including but not limited to:

### **1. Maintenance and Support Activities**

- a. Maintain PCMH Data Models, Data Cubes and Related Schemas;
- b. Maintain ETL Scripts and Programs;
- c. Act as Technical Support Liaison to eMedNY, NCQA and internal stakeholders in regard to PCMH data on the OHIP Data Mart;
- d. Perform quality assurance activities;
- e. Provide analytic support to Data Mart users; and
- f. Maintain data capture and delivery processes to provide PCMH data to eMedNY and participating MCOs.

### **Proposal Requirement:**

**Describe in your proposal how you will support the programs and business requirements equivalent to the Patient Centered Medical Home (PCMH) business requirements listed above and in Attachment 1.**

## **I. Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD)**

The NYSDOH requires technical services support for the Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD).

The Contractor must perform the required business activities, including but not limited to:

### **1. Maintenance and Support Activities**

- g. Maintain MICPD Data Models, Data Cubes and Related Schemas;
- h. Maintain ETL Scripts and Programs;
- i. Act as Technical Support Liaison to internal and external stakeholders in regard to MIPCD data on the OHIP Data Mart;
- j. Perform quality assurance activities; and
- k. Provide analytic support to Data Mart users.

### **Proposal Requirement:**

**Describe in your proposal how you will support the programs and business requirements equivalent to those listed for the Medicaid Incentives for the Prevention of Chronic Diseases (MIPCD) business requirements listed above and in Attachment 1.**



## **VI. Technical Services Support Requirements**

### **A. Overview**

The Contractor must provide technical services support for the OHIP Data Mart Analytics and Applications including: the design, develop and implement of data models; data acquisition, data access and data delivery modules, database tables, programs, extract, transform and load (ETL) code, reports, and all other artifacts necessary to support the analytics and applications.

The specific technical services support requirements that must be met are presented in this section.

### **B. OHIP Data Acquisition Support Requirements**

The Contractor must perform the required technical support activities, including but not limited to:

1. Perform data acquisition tasks across the full system development lifecycle from requirements analysis through construction, testing and implementation.
2. Maintain existing data acquisition processes and related code.
3. Monitor and evaluate the data acquisition processes making recommendations for improvements as required to insure that they are operating efficiently.
4. Collaborate with program, technical, budget, administration and audit staff to reduce program costs, increase federal and other special revenue funding, respond to mandated audit/internal control needs, enhance business process automation and participate with special projects as required by NYSDOH management.
5. Meet with appropriate staff (management, computer resource and technical staff, developers, users, etc.) to develop specific and detailed plans for handling any changes in data sources, formats of extracted data, data transformation rules, data loading routines or the logical and physical storage of data. Develop estimates for any new projects for review as system change project requests.
6. Function as an Oracle expert to provide information about Oracle products, including existing products, planned patches and upgrades, product de-support, new products under development or testing and new directions in Oracle technology; make recommendations for and assist in purchasing and licensing Oracle products; and interface with Oracle support and for advising OHIP on known bugs and for investigating probable bugs and finding workarounds and alternatives.
7. Document business processes (including off-line/manual) in a standardized manner and provide technical staff with data transformation recommendations to prioritize and fully automate business operations.
8. Conduct research with administrators in other states and business entities to implement best practices approaches to Medicaid business processes.
9. Develop Oracle stored procedures and packages, functions, jobs, and other objects and code to support and enable applications.
10. Work with management, application developers and other staff to ensure that HIPAA, HITECH and other applicable standards are met with respect to data acquisition including testing for application and system vulnerabilities; and implementing procedures and technical safeguards.
11. Perform programming activities for the OHIP Data Mart. Activities may include SQL and PL/SQL programming; JAVA programming; and system administration tasks.
12. Perform daily backups of any software it developed as part of this project.

#### **Proposal Requirement:**



**Describe in your proposal how you will support the OHIP Data Acquisition Support technical requirements listed above and in Attachment 1.**

### **C. OHIP Data Delivery Support Requirements**

The Contractor must perform the required technical support activities, including but not limited to:

1. Perform data delivery tasks across the full system development lifecycle from requirements analysis through construction, testing and implementation including the use of applicable ITS standards.
2. Maintain existing data delivery processes and related code.
3. Monitor and evaluate the data delivery processes making recommendations for improvements as required to insure that they are operating efficiently.
4. Collaborate with program, technical, budget, administration and audit staff to reduce program costs, increase federal and other special revenue funding, respond to mandated audit/internal control needs, enhance business process automation and participate with special projects as required by NYSDOH management.
5. Function as an Oracle expert to provide information about Oracle products, including existing products, planned patches and upgrades, product de-support, new products under development or testing and new directions in Oracle technology; making recommendations for and assist in purchasing and licensing Oracle products; and interfacing with Oracle support and for advising OHIP on known bugs and for investigating probable bugs and finding workarounds and alternatives.
6. Perform programming activities for the OHIP Data Mart. Activities may include SQL and PL/SQL programming; JAVA programming; and system administration tasks.
7. Develop Oracle stored procedures and packages, functions, jobs, and other objects and code to support and enable applications.
8. Document business processes (including off-line/manual) in a standardized manner and provide technical staff with recommendations to prioritize and fully automate business operations.
9. Work with management, application developers and other staff to ensure that HIPAA, HITECH and other applicable standards are met with respect to testing for application and system vulnerabilities; implementing procedures and technical safeguards; and the use of applicable ITS SDLC standards.
10. Meet with appropriate staff (management, developers, users, etc.) to assist in developing plans for new data delivery functions or the modification of the capabilities of existing data delivery solutions. Develop estimates for any new projects for review as system change project requests.
11. Perform daily backups of any software developed as part of this project.

#### **Proposal Requirement:**

**Describe in your proposal how you will support the OHIP Data Delivery Support technical requirements listed above and in Attachment 1.**

### **D. OHIP Applications, Business Intelligence and Analytic Support Requirements**

The Contractor must perform the required technical support activities, including but not limited to:

1. Perform business intelligence and analytic support tasks across the full system development lifecycle from requirements analysis through construction, testing and implementation.
2. Maintain existing business intelligence and analytic solutions and related code.
3. Monitor and evaluate the business intelligence and analytic solutions making recommendations



- for improvements as required to insure that they are meeting the needs of the users.
4. Develop web applications including, but not limited to, dynamic pages, content areas, forms, reports, and lists of values for the application capabilities of the Data Mart.
  5. Collaborate with program, technical, budget, administration and audit staff to reduce program costs, increase federal and other special revenue funding, respond to mandated audit/internal control needs, enhance business process automation and participate with special projects as required by NYSDOH management.
  6. Function as an Oracle expert to provide information about Oracle products, including existing products, planned patches and upgrades, product de-support, new products under development or testing and new directions in Oracle technology; making recommendations for and assist in purchasing and licensing Oracle products; and interfacing with Oracle support and for advising OHIP on known bugs and for investigating probable bugs and finding workarounds and alternatives.
  7. Serve as liaison for Division of the Budget (DOB), Office of the State Comptroller (OSC), Centers for Medicare and Medicaid Services (CMS), Office of the Inspector General (OIG), Office of the Medicaid Inspector General (OMIG) and other control agency authorities to ensure effective implementation of State and Federal statute and regulations including generating specialized ad-hoc reports and tracking enacted annual appropriations and cash management.
  8. Document business processes (including off-line/manual) in a standardized manner and provide technical staff with recommendations to prioritize and fully automate business operations.
  9. Work with NSYDOH and ITS management, application developers and other staff to ensure that HIPAA, HITECH, ITS and other applicable standards are met with respect to testing for system vulnerabilities and implementing procedures and technical safeguards.
  10. Conduct research with administrators in other states and business entities to implement best practices approaches to Medicaid business processes.
  11. Review reports to identify unused reports or reporting requirements and provide recommendations for simplifying processes wherever practical.
  12. Meet with appropriate NYSDOH and ITS staff (management, developers, users, etc.) to assist in developing plans for new website applications, extension of the capabilities of existing applications and ensuring the security of confidential data. Develop estimates for any new projects for review as system change project requests.
  13. Develop Oracle stored procedures and packages, functions, jobs, and other objects and code to support and enable applications.
  14. Work with management, application developers and other staff to ensure that applicable confidentiality, integrity and availability standards are met with respect to testing for system vulnerabilities and implementing procedures and technical safeguards.
  15. Perform programming activities for the OHIP Data Mart. Activities may include SQL and PL/SQL programming; web development using JAVA or a J2EE platform; and system administration tasks.
  16. In the event that the web portal server is transitioned to ITS, make necessary modifications to migrate the applications from the current platform to a Redhat Linux and Oracle WebLogic platform.
  17. Perform daily backups of any software developed as part of this project.
  18. Perform business continuity activities including, but not limited to, backup and recovery tasks for the web servers.

**Proposal Requirement:**

**Describe in your proposal how you will support the OHIP Applications, Business Intelligence and Analytic Support technical requirements listed above and in Attachment 1.**



## **E. OHIP Metadata Support Requirements**

The Contractor must perform the required technical support activities, including but not limited to:

1. Document metadata for data in the production environment;
2. Support the collection and publication of different types of metadata including: definitions (both business and technical definitions), and transformations (source to target mappings, business rules, domain values, etc.);
3. Support the generation, storage, searching, reporting, importing, exporting of ETL generated metadata, including source definitions, mappings, transformations, target definitions, data lineage (looking backward), and data dependency analysis (looking forward);
4. Participate in data governance activities; and
5. Publish metadata to the OHIP Data Mart Wiki or its successor.

### **Proposal Requirement:**

**Describe in your proposal how you will support the OHIP Metadata Support technical requirements listed above and in Attachment 1.**

## **F. OHIP Database Administration and Data Model Support Requirements**

The Contractor must perform the required technical support activities, including but not limited to:

1. Perform database administration tasks across the full system development lifecycle from requirements analysis through construction, testing and implementation.
2. Perform data modeling tasks across the full system development lifecycle from requirements analysis through construction, testing and implementation.
3. Work with MDW staff to monitor the business continuity processes and testing for the OHIP Data Mart.
4. Be responsible for monitoring and managing the database's integrity and availability, including system resources, identify actual and potential problem areas affecting timely access to accurate data by users and preparing recommendations for addressing or preventing the problems. This includes working with management, application developers, data extraction and analysis staff and users to ensure that any large tables or potentially resource intensive processes to be created by any of the latter are well designed and not problematic.
5. Function as an Oracle data management and analytics product expert to provide information about Oracle products, including existing products, planned patches and upgrades, product de-support, new products under development or testing and new directions in Oracle technology; making recommendations for and assist in purchasing and licensing Oracle products; and interfacing with Oracle support and for advising OHIP on known bugs and for investigating probable bugs and finding workarounds and alternatives.
6. Document business processes (including off-line/manual) in a standardized manner and provide technical staff with recommendations to prioritize and fully automate business operations.
7. Develop Oracle stored procedures and packages, functions, tables, views, triggers, jobs, database links and other objects and code to support and enable applications.
8. Develop and maintain the OHIP Data Mart conceptual, logical and physical data models.
9. Work with NYSDOH and ITS management, application developers and other staff to ensure that HIPAA, HITECH and other applicable state and federal standards are met with respect to testing for system vulnerabilities and implementing procedures and technical safeguards.



10. Meet with appropriate staff (management, developers, users, etc.) to assist in developing plans for new database projects. Develop estimates for any new projects for review as system change project requests.
11. Perform daily backups of any software developed as part of this project.

**Proposal Requirement:**

**Describe in your proposal how you will support the OHIP Database Administration and Data Model Support technical requirements listed above and in Attachment 1.**



## VII. Service Level Agreement Requirements

### A. Overview

Service level agreements (SLAs) play an important role in defining and managing the relationship between the Contractor and NYSDOH management for the OHIP Data Mart. SLAs define the NYSDOH’s service requirements and its expectations as to how the Contractor will meet these requirements.

Within this section the following areas and their associated SLAs are discussed:

- Staffing;
- Performance; and
- Problem Management.

### B. Staffing

Successful operation of the OHIP Data Mart relies on having sufficiently trained staff correctly allocated to support the required tasks and activities. NYSDOH realizes the important role of staffing the OHIP Data Mart and has identified the following staffing areas to be addressed by SLAs.

Staffing		
Requirement	Description	Specification
Experience	Data warehousing is an area that relies on specialized skill sets and experience of its practitioners for success. When assigning resources to staff Data Mart positions, the Contractor must provide resources that meet minimal staffing requirements for the applicable position as established by the NYSDOH.	See the Attachment 2 Staffing Qualifications for the requirements for each position.
Staffing Levels	It is important there are not disruptions of services to any Data Mart functions as a result of insufficient staffing.	The Data Mart staffing must meet the levels stated in the Contractor’s Project Staffing Plan.

1. The Contractor must meet the minimum staffing levels as stated in the Project Staff Requirements Plan for each calendar month;
2. The Contractor must submit a monthly staffing report to the NYSDOH listing actual levels versus proposed levels in the Project Staff Requirements Plan;
3. The NYSDOH reserves the right to audit the Contractor’s actual staffing levels versus the levels in the Project Staff Requirements Plan and assess an additional penalty of one (1) percent of the fixed monthly administrative fee when this reporting is found to be inaccurate;
4. The Contractor must provide a monthly summary of staffing by position each month for review by the NYSDOH to be used to determine that minimum monthly staffing levels have been met;
5. The NYSDOH may reduce the fixed monthly administrative fee to the Contractor for each day a core staff position is vacant during each calendar month, or part thereof, based on the daily rates



appropriate to the core staff positions and the contract year as provided in Attachment 4 Pricing Schedules; and

6. When a vacant core staff position is not filled within thirty (30) calendar days, The NYSDOH will reduce payment to the Contractor by the daily fixed rate price for each day and staff position that falls below the minimum staffing level for that position during the calendar month and, at its sole discretion, may assess the Contractor a penalty of up to one (1) percent of the fixed monthly administrative fee for each additional day the position remains vacated.

### C. Performance

Performance		
Requirement	Description	Specification
OHIP Data Mart Load Process	The load process is critical to the timely evaluation of the Medicaid Program.	The load process must be completed on a schedule approved by the NYSDOH.
OHIP Data Delivery Processes	The delivery of data to internal or external stakeholders is critical to the operation of the Medicaid program.	The data delivery processes must be completed on a schedule approved by the NYSDOH.
OHIP Data Mart and Applications Accessibility	The OHIP Data Mart and Applications are critical to the ongoing evaluation, cost-containment and management of the Medicaid program.	The OHIP Data Mart or Applications are not accessible during normal working hours because of an error or omission on the part of the Contractor.

1. The NYSDOH, at its sole discretion, may assess the Contractor a penalty of up to one (1) percent of the fixed monthly administrative for failure to complete the load process on the schedule approved by the NYSDOH.
2. The NYSDOH, at its sole discretion, may assess the Contractor a penalty of up to one (1) percent of the fixed monthly administrative for failure to complete any data delivery process on the schedule approved by the NYSDOH.
3. The NYSDOH, at its sole discretion, may assess the Contractor a penalty of up to one (1) percent of the fixed monthly administrative for failure to maintain accessibility to the OHIP Data Mart or its Applications.

### D. Problem Management

Problem management focuses on the NYSDOH’s expectations for the Contractor’s response to problems that occur with the normal operations and functions of the OHIP Data Mart. Problem management is driven by the level or severity assigned to each problem. The problem management process will be defined by NYSDOH and followed by the Contractor.

Resolution of the problems classified below is deemed to be part of the operational responsibilities of the Contractor for which it is paid through the fixed monthly administrative fee. Other than the fixed monthly administrative fee, the Contractor shall receive no additional remuneration from the State for the resolution of the problems set forth in this section.



All problems will be classified into one of five severity levels: Priority 1 / Catastrophic; Priority 2 / Severe; Priority 3 / Major; Priority 4 / Ordinary; or Priority 5 / Requests. The definitions and requirements for each level are presented in the following table.

<b>Problem Classification</b>		
<b>Severity Level / Description</b>	<b>Definitions</b>	<b>Requirement</b>
Priority 1 / Catastrophic	The ability to conduct analysis or service the customer has stopped, or there are data integrity problems. Examples: Database down, application down, data exposure resulting from system or implementation defect, etc.	<ul style="list-style-type: none"> <li>• The Contractor must pursue problem resolution on a 24/7 basis until resolved;</li> <li>• The Contractor designated problem manager must serve as the contact point for communications with designated NYSDOH staff; and</li> <li>• The Contractor designated problem manager will provide a status update to the designated NYSDOH staff on an hourly basis.</li> </ul>
Priority 2 / Severe	Service is seriously degraded but can continue its operation in production via a workaround or incremental resource for a short period of time before analysis stops. A problem also will be considered severe if a commonly used feature often generates application errors; causes the software to freeze; locks up the computer on which the software is running; introduces significant risk to the data confidentiality, integrity or availability; or otherwise routinely does not work as intended. Classification of a problem as severe rather than catastrophic assumes the NYSDOH still can conduct business with the software. As with the catastrophic classification, the severe classification assumes there is no existing patch or acceptable workaround procedure for the problem. Examples: Extremely slow system performance, a piece of application functionality is down or produces erroneous results.	<ul style="list-style-type: none"> <li>• The Contractor must pursue problem resolution from 6 a.m. until midnight daily until the problem is resolved;</li> <li>• The Contractor designated problem manager must serve as the contact point for communications with the designated NYSDOH staff; and</li> <li>• The Contractor designated problem manager will provide a status update to the designated NYSDOH staff once every two (2) hours.</li> </ul>



Problem Classification		
Severity Level / Description	Definitions	Requirement
Priority 3 / Major	Service is lost by a single user or small number of users, affecting significant business functionality for that user or group of users. This will normally be addressed to problems effecting less than ten (10) percent of the user community. For problems or incidents where a workaround can be developed with a small amount of incremental resources or where there is an existing patch or acceptable workaround procedure for the problem.	<ul style="list-style-type: none"> <li>The Contractor must pursue problem resolution continually during regular NYSDOH business hours until the problem is resolved;</li> <li>The Contractor designated problem manager must serve as the contact point for communications with the designated NYSDOH staff; and</li> <li>The Contractor designated problem manager will provide a status update to the designated NYSDOH staff once every four (4) hours.</li> </ul>
Priority 4 / Ordinary	The underlying problem is a question on end use or configuration of the software. It also may be classified as ordinary when the problem does not materially restrict the NYSDOH's use of the software in its production environment, such as when a feature or combination of features generates minor or rare errors. Also, if any problem that otherwise should be classified as severe or major can be solved either by a known workaround or an existing patch, the problem may be treated as ordinary.	<ul style="list-style-type: none"> <li>The Contractor must pursue problem resolution continually during regular NYSDOH business hours until the problem is resolved; and</li> <li>The Contractor designated problem manager will provide a written summary and resolution to the designated NYSDOH staff when the problem is resolved.</li> </ul>
Priority 5 / Requests	Any call from single users or site groups that are requesting a new service or some clarification. Examples: Requesting a new user logon, access to a new view or table, or the meaning of a system message.	<ul style="list-style-type: none"> <li>The Contractor must address the request during regular NYSDOH business hours until the request is completed; and</li> <li>The Contractor designated problem manager will provide a written summary of the request status to the designated NYSDOH staff when the request is implemented through a weekly status report.</li> </ul>

Exhibit VII-1 details the response service levels, including the following components:

- Acknowledgement: The response from the problem manager documenting that a problem notification has been received and booked;
- Response Time: The amount of time between problem acknowledgment and when operations personnel begin work on the problem;
- Resolution Time: The amount of time elapsed from problem notification until the problem has



- been successfully resolved and the system is restored to full functionality; and
- Update Time: After the initial response, the update time represents the amount of time elapsed until the next status update with the designated NYSDOH staff.

**Exhibit VII-1: Response Service Levels**

<b>Response Times by Severity Level</b>				
<b>NYSDOH Classification Level</b>	<b>Acknowledgement</b>	<b>Response Time</b>	<b>Resolution Time</b>	<b>Minimum Status Reports</b>
Priority 1	15 minutes	15 minutes	24 hours	Hourly
Priority 2	15 minutes	30 minutes	2 calendar days	Every 2 hours
Priority 3	15 minutes	60 minutes	3 calendar days	Every 4 hours
Priority 4	15 minutes	1 calendar day	4 calendar days	When resolved
Priority 5	30 minutes	1 calendar day	5 calendar days	Weekly status

1. The NYSDOH, at its sole discretion, may assess the Contractor a monthly penalty for each late problem acknowledgement of up to one (1) percent of the fixed monthly administrative fee;
2. The NYSDOH, at its sole discretion, may assess the Contractor a monthly penalty for each late problem response of up to one (1) percent of the fixed monthly administrative fee;
3. The NYSDOH, at its sole discretion, may assess the Contractor a monthly penalty of up to one (1) percent of the fixed monthly administrative fee for each calendar day (close of business (COB) of regular business hours) late in problem resolution; and
4. The NYSDOH, at its sole discretion, may assess the Contractor a monthly penalty of up to one (1) percent of the fixed monthly administrative fee for each late status update time report.



## **VIII. Testing Requirements**

### **A. Overview**

Testing will play an integral part in the overall success of the OHIP Data Mart. Although every group within the data mart team bears responsibility for testing, the overarching responsibility for testing resides with the Contractor. Testing activities will include: production problem research and resolution; development testing; application vulnerability analysis and testing; validation of software vendor patches and fixes before promoting in production; testing the validation of edits and updates; support for system and user acceptance testing; testing changes to source data files with MDW and other data sources; business continuity testing in coordination with the MDW.

For the all development activities, a testing plan must be in place before technical design is complete. The Contractor will create test scenarios or use cases before construction including the anticipated outcome for each scenario. When structured data tests are run, the Contractor must present a report on the structured data test to the NYSDOH, including the anticipated and actual outcomes. The Contractor must include any scenarios submitted by the NYSDOH. All discrepancies must be identified and explained.

The development testing must include: Unit Testing, System Integration Testing, Regression Testing, Volume Testing, Parallel Testing, and User Acceptance Testing as appropriate to the project. The NYSDOH will review, modify and approve the testing plan to make sure all NYSDOH concerns are addressed.

### **B. Unit Tests**

Testing must include bench or unit tests to ensure that changes meet the intended purpose, do not cause unintended consequences, and do not cause system errors upon execution of changed programs.

### **C. System Integration Tests**

Integration testing is required to verify that any proposed changes being tested will be able to successfully interact with other existing system components. This testing must uncover any potential issues with the interfacing between system components.

### **D. Regression Tests**

Regression testing is required to verify that previous functionality has not been adversely impacted by the changes being tested.

### **E. Volume Tests**

The Contractor must aggressively test production based on estimates of transaction volume supplied by the NYSDOH.

### **F. Parallel Tests**

The Contractor must plan, support and execute parallel tests as required when functionality is transferred from the OHIP Data Mart to other solutions and when new functionality is transferred from other solutions to the OHIP Data Mart. The NYSDOH will determine the length of the parallel testing required to ensure that all functions are working properly.



## **G. User Acceptance Tests (UAT)**

System acceptance depends on a final, disciplined set of tests by NYSDOH for User Acceptance Testing. The Contractor will draft a design and schedule for User Acceptance Tests early in the development of project test plans.

## **H. Business Continuity Testing**

The Contractor must collaborate with the MDW staff on the OHIP Data Mart database business continuity testing. This testing will include:

1. Failover / Fallback functionality for the OHIP Data Mart. This testing must be scheduled monthly or at the discretion of the NYSDOH;
2. Back up / Recovery functionality for the OHIP and OHIP Data Mart. This testing must be scheduled quarterly or at the discretion of the NYSDOH; and
3. Business Continuity Plan for the OHIP Data Mart. This testing must be scheduled for every two years or at the discretion of the NYSDOH.

The Contractor is responsible for the OHIP Data Mart business continuity testing of the applications and web portal. This testing will include:

1. Back up / Recovery functionality for the OHIP Data Mart. This testing must be scheduled quarterly or at the discretion of the NYSDOH.

## **I. Software Patching and Fix Testing**

The Contractor is responsible for the validation of software vendor patches and fixes before promoting any software into the production environment.

### **Proposal Requirement:**

**Describe in your proposal how you will support the OHIP Data Mart testing for systems and business continuity functions described above and address their associated requirements listed in Attachment 1.**



## IX. Security Requirements

### A. Overview

The Contractor must comply fully with all security procedures of the NYSDOH, as well as, with all applicable State and Federal requirements, in performance of this contract. The Contractor must not, without written authorization from the NYSDOH, divulge to third parties any confidential information obtained by the Contractor or its agents, distributors, resellers, subcontractors, officers or employees in the course of performing contract work, including, but not limited to, security procedures, business operations information or commercial proprietary information in the possession of the NYSDOH, Protected Health Information (PHI) or other data.

To ensure confidentiality, the Contractor must take appropriate steps as to personnel, agents and subcontractor education in specific security requirements as applied to this contract, explaining its responsibilities in maintaining security, and reviewing all policies, processes and procedures that will be used for this project. The Contractor will be required to establish a Business Associates Agreement with NYSDOH and will be subject to HIPAA and HITECH requirements.

All activity covered by this RFP must be fully secured and protected by satisfactory security arrangements approved by the NYSDOH Privacy Officer, NYSDOH HIPAA Security Officer and ITS Health Cluster Security Officer (CISO). The Contractor must treat all information obtained through its performance under the contract as confidential information and will not use any information so obtained in any manner except as necessary for the proper discharge of its obligations and securing of its rights, or as otherwise provided. State or Federal officials, or representatives of these parties as authorized by State or Federal law or regulations, will have access to all confidential information in accordance with the requirements of State and Federal laws and regulations. The NYSDOH will have absolute authority to determine if, and when, any other party is allowed to access OHIP Data Mart information. Confidentiality is the concept that data only will be viewable by those who are explicitly permitted to view it.

### B. Security, Privacy and Confidentiality Plan

The Contractor must develop and use a Security, Privacy and Confidentiality Plan approved by the NYSDOH and ITS Information Security Officer to address potential security issues and the steps that the Contractor has taken to ensure these issues will not compromise the operation of the OHIP Data Mart. The plan must be an overarching plan for all levels of security, including but not limited to:

- Data Security;
- System Security;
- Application Security; and
- Network Security.

All provisions of the Security, Privacy and Confidentiality Plan must be compliant with all applicable Federal and New York State policies and standards including, but not limited to:

- New York State Office of Cyber Security and Critical Infrastructure Coordination, Cyber Security Policy P03-002, New York State Information Technology Policies, Standards and Guidelines (<http://www.dhses.state.ny.gov/osc/resources>), its successor(s) and supporting standards;
- New York State Information Technology Policies, Standards and Guidelines G07- 001, Identity



- and Access Management: Trust Model;
- Federal Information Security Management Act (FISMA) standards including National Institute of Standards and Technology (NIST) SP 800-53, 800-59 and 800-60;
  - National Institute of Standards and Technology SP 800-63 Electronic Authentication Guidance; and
  - The Certification Commission for Healthcare Information Technology Security Criteria for 2007 Certification of Inpatient EHRs and its successors.

The Security, Privacy and Confidentiality Plan must include a description of:

1. Any security tools, hardware and software the Contractor is using and how they integrate to form a comprehensive security architecture; and
2. The approach to monitoring attempted security violations and the actions that will be taken when attempts are made at violating security.

The Contractor must:

1. Deliver an initial Security, Privacy and Confidentiality Plan during the first thirty (30) calendar days of the project for NYSDOH CISO review and approval; and
2. Revise the Security, Privacy and Confidentiality Plan annually and submit for NYSDOH CISO review and approval.

**Proposal Requirement:**

**Describe in your proposal how you will support the general security requirements described above and address any associated requirements listed in Attachment 1.**

### **C. Data Security**

Data Security is the concept that data will only be viewable by those who are explicitly permitted to view or receive it. The security model that supports the OHIP Data Mart is one that is based upon security access roles. A role base access control method is one that groups resources (such as business activities, business functions, screens, etc.) into roles. Employees are then assigned roles based on their need to know information or their need to accomplish a particular business function.

The Contractor must:

1. Support a role based security system that has the flexibility to easily add or delete roles;
2. Support a solution that will make it easy for Security Administrators to add or remove individuals from established roles; and
3. Support a solution that prevents unauthorized access and safeguard the confidentiality of person/consumer data in compliance with State and Federal law, including the Affordable Care Act (ACA), Health Information Technology for Economic and Clinical Health (HITECH), Health Insurance Portability and Accountability Act (HIPAA), the New York State Personal Privacy Protection Law, and the data breach provisions of the New York State Technology Law.

**Proposal Requirement:**

**Describe in your proposal how you will support the data security requirements described above and address any associated requirements listed in Attachment 1.**

### **D. Application Security**

The Contractor must:



1. Apply a consistent security policy across all applications;
2. Ensure that applications are protected and free from security vulnerabilities; and
3. Restrict access based upon the user's assigned access.

**Proposal Requirement:**

**Describe in your proposal how you will support the application security requirements described above and address any associated requirements listed in Attachment 1.**

**E. Network Security**

The Contractor must:

1. NOT connect to the State's internal computer network without the prior, written consent of the State, which the State will reasonably provide if necessary or appropriate for the Contractor to provide support. As a condition of connecting to the State's computer network, the Contractor must secure its own connected systems in a manner consistent with the State's then-current security policies, which the State will provide to the Contractor on request.
2. Architect and manage all Systems related to these system in accordance with the NYSDOH Network Configuration policy and approval of ITS.



## **X. Proposal Requirements**

### **A. Introduction**

These instructions prescribe the format and content of the Bidder's Proposal and are designed to facilitate the submission of a proposal that is easy to understand and evaluate. Failure to adhere to these instructions may result in the disqualification of the Proposal.

For the purposes of this section, the terms bidder, and vendor may be used interchangeably and the terms bid, offer or proposal may be used interchangeably.

### **B. Proposal Requirements Overview**

The following sections include requirements that must be met by Bidders in the submission of their Request for Proposal (RFP) responses. Other proposal requirements that are specific to business, technical services support or other functional areas are identified independently as "Proposal Requirements" in Sections IV – IX. Attachment 1 Mandatory Requirements Traceability Matrix provides a comprehensive listing of all OHIP Data Mart Technical Services Support Project requirements.

#### **1. Bidder Experience Requirement**

- a. The Bidder shall submit evidence to the satisfaction of the NYSDOH that it possesses the necessary experience and qualifications to perform the services required. At a minimum the Bidder must have been the prime contractor for both: a minimum of sixty (60) months providing technical services support for a healthcare data warehouse (or data mart) **and** forty-eight (48) months providing technical services support for a data warehouse (or data mart) that contains Medicaid data.

#### **2. Reference Requirements**

- a. The Bidder should provide at least two (2) references external to the Bidder or subcontractor organizations. The purpose is to provide the NYSDOH the ability to verify the information contained in the Bidder's proposal.
- b. Each of the references provided should meet all of the criteria below. The reference criteria are as follows:
  - i. The services provided must have included technical services equivalent to those being requested in this RFP; and
  - ii. At least one reference must be for a project on which the Bidder was the prime contractor;
  - iii. At least one of the references must be for providing technical services support for a data warehouse (or data mart) that contains Medicaid data.
- c. The NYSDOH reserves the right to contact additional references (i.e., those known to the NYSDOH as clients of the Bidder but not listed by the Bidder as a reference).

### **C. Proposal Submission Instructions**

A Proposal consists of two distinct parts: (1) the Technical Proposal, and (2) the Price Proposal. The graphic below outlines the format and volume for submission of each part:



	DVD or CD ROM	Original	Copies
Technical Proposal	1 copy in Adobe PDF; 1 copy in MS Word 2007/2010	2 Original Hard Copy	10 Hard Copies
Price Proposal – Pricing Schedules	1 copy in Adobe PDF (complete); 1 MS Office copy consisting of: <ul style="list-style-type: none"> <li>• Narrative in MS Word 2007/2010; and</li> <li>• Worksheets in MS Excel 2007/2010</li> </ul>	2 Original Hard Copy	10 Hard Copies

1. The complete proposal must be received by the NYSDOH, no later than the time on the day specified on page i of this RFP and at the address specified in Section XI.I.1 Administrative Requirements Two-part Proposals of this RFP.
2. It is the bidders' responsibility to see that bids are delivered to the address specified in Section XI.I.1 Administrative Requirements Two-part Proposals of this RFP prior to the date and time of the bid due date. Late bids, for whatever reason, including delay by the carrier or not being received in the NYSDOH's mail room in time for transmission to the address specified in Section XI.I.1 Administrative Requirements Two-part Proposals of this RFP, will not be considered.
3. All proposal materials shall be printed on 8.5" x 11" white paper (two-sided), be clearly page numbered on the bottom of each page with appropriate header and footer information. A type size of eleven (11) points or larger shall be used. The Technical Proposal materials shall be presented in three-ring binder(s) separate from the sealed Price Proposal. The sealed Price Proposal shall also be presented in separate three-ring binder(s);
4. The Bidder must be as specific as possible in its responses to provide the NYSDOH with an adequate understanding of the intent of the proposal;
5. The NYSDOH discourages overly lengthy proposals. Therefore, marketing brochures, user manuals or other materials, beyond that sufficient to present a complete and effective proposal, are not desired. Elaborate artwork or expensive paper is not necessary or desired. In order for the NYSDOH to evaluate proposals fairly and completely, proposals should follow the format set out below to provide all requested information. The use of tabs to identify sections and/or subsections is required. The Bidder should not repeat information in more than one section of the proposal. If information in one section of the proposal is relevant to a discussion in another section, the Bidder should make specific reference to the other section rather than repeating the information; and
6. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation team.

Any questions concerning this RFP contract procurement should be directed to the parties listed in page ii of this document.

#### **D. Technical Proposal Contents**

The Technical Proposal shall consist of the following sections separated by tabs. Documents and



responses must be presented in this order:

Tab	Proposal Contents
1	Table of Contents
2	Transmittal Letter
3	Executive Summary and Introduction
4	Project Management and Staffing
5	Proposal Requirements
6	Corporate Organization, Experience, and Qualifications

**1. Table of Contents (TAB 1)**

A Table of Contents of the Technical Proposal shall be inserted in Tab 1. The Table of Contents will identify all sections (identified here as Tabs), all subsections contained therein, and the corresponding page numbers. The Table of Contents shall include all sections and subsections present under Tabs 1 through 9. The Table of Contents found at the beginning of this RFP provides a representative example of what is expected for the Technical Proposal Table of Contents.

**2. Transmittal Letter (TAB 2)**

An individual authorized to legally bind the Vendor must produce a signed Transmittal Letter in Tab 2. A photocopy of the Transmittal Letter shall be included in each copy of the Technical Proposal. The Transmittal Letter(s) will be evaluated as part of the screening for Proposal Mandatory Submittal Requirements and shall include:

- a. The complete name and address of the company and the name, mailing address, email address, fax number and telephone number for both the authorized signer and the person the NYSDOH should contact regarding the proposal;
- b. A statement indicating the legal structure of the entity submitting the offer;
- c. A statement that the Vendor accepts the contract terms and conditions contained in this RFP including attachments;
- d. A statement confirming that the Vendor has received and acknowledged all NYSDOH amendments to the RFP, as may be amended;
- e. A statement confirming that the Vendor is authorized to do business in New York State; and
- f. A statement that the Vendor does not qualify its proposal or include any exceptions from the RFP.
- g. A statement that the Vendor, as of the date of proposal submission, meets the requirements for vendor responsibility as set forth as Attachment 7 Vendor Responsibility Attestation, of the RFP, and that the Vendor will immediately advise the NYSDOH in the event changed circumstances render the Vendor unable to continue to meet those requirements;
- h. A statement that the Vendor will comply with the network security requirements in Section IX.E.
- i. If a proposal with subcontractors is submitted, the Vendor must provide, in an appendix to the Transmittal Letter, one subcontractor summary for each listed subcontractor that contains the following information:
  - i. Complete name of the subcontractor;
  - ii. Complete address of the subcontractor;
  - iii. Type of work the subcontractor will be performing;



- iv. Percentage of work the subcontractor will be providing;
- v. Evidence that the subcontractor is authorized to do business in the State of New York, and is authorized to provide the applicable goods or services in the State of New York;
- vi. A general description of the scope of work to be performed by the subcontractor; and
- vii. The subcontractor's assertion that it does not discriminate in its employment practices with regards to race, color, religion, age (except as provided by law), sex, marital status, political affiliation, national origin, or handicap.

### **3. Executive Summary and Introduction (TAB 3)**

Tab 3 shall be labeled Executive Summary and Introduction and must contain a narrative prepared by the Vendor that provides the NYSDOH with a collective understanding of the contents of the entire Proposal. The Executive Summary / Introduction should briefly summarize the strengths of the Vendor and the key features of its proposed approach to meet the requirements of the RFP and is limited to four (4) pages in length (any submitted text beyond this length will be disregarded by evaluators). The Executive Summary shall summarize the Vendor's proposed role as a partner with the NYSDOH and describe the major benefits offered by this proposal.

### **4. Project Management and Staffing Requirements (TAB 4)**

Tab 4 shall be labeled Project Management and Staffing Requirements. In this section, the Vendor must document its approach to requirements described in Section IV Project Management and Staffing Requirements by responding to each proposal requirement presented in that section. All project requirements are set forth in Attachment 1 Mandatory Requirements Traceability Matrix.

### **5. Proposal Requirements (TAB 5)**

Tab 5 shall be labeled Proposal Requirements. In this section, Vendors will document their approach to meeting the Business, Technical Services Support, Testing and Security of the RFP by responding to each requirement set forth in Sections V, VI, VIII, and IX and Attachment 1 Mandatory Requirements Traceability Matrix of the RFP.

The NYSDOH requires Vendors to use where possible a one-to-one match between the numbering utilized for sections in the RFP and the numbering of their corresponding responses in Tab 5.

Proposals must be fully responsive to the requirements; however Vendors are given wide latitude in the degree of detail they offer or the extent to which they reveal plans, designs, examples, processes, and procedures. Simply repeating a requirement statement may be considered nonresponsive.

### **6. Corporate Organization, Experience and Qualifications Requirements (TAB 6)**

Tab 6 shall be labeled Corporate Organization, Experience, and Qualifications.

#### **a. Corporate Organization**

In this section the Vendor must provide an organization chart of its company that is submitted with the proposal. If the company is a subsidiary of a parent company, the organization chart should be that of the subsidiary company. The chart should display the company's structure and the organizational placement of the oversight for the OHIP Data Mart Technical Services Support project. The Vendor must identify the level of the person who will be responsible for signing the contract and indicate the signing person's relationship with the company. The Proposal must document the legal structure of the company, including the date established and the state in which the company is registered, licensed, and incorporated, as applicable:

- i. Describe the history of the company;



- ii. Provide an organizational chart;
- iii. Describe the staff assigned to this project. Include the number of staff, their roles on this project, their expertise and experience in providing the services described in this RFP, and their tenure with the company; and
- iv. Identify any contractual terminations within the past five (5) years.

#### **b. Vendor's Experience Levels & Qualifications**

The Vendor must discuss all relevant Corporate Experience, including projects providing technical services support for a healthcare data warehouse or data mart; experience with a Medicaid data warehouse or data mart; and large scale data mart/data warehouse contracts that have included system design, development, implementation, and maintenance.

The Vendor must provide project summaries that meet the requirements of Section X.B.1 Proposal Requirements Overview - Experience, above. Vendors must provide the following items in the Project Summaries:

- i. Title of the project;
- ii. Name of customer's organization;
- iii. Customer reference, title, and current telephone number;
- iv. Start and end dates of the original contract;
- v. Total contract value (to the Vendor's organization; e.g., if Vendor was a subcontractor, specify subcontract dollar amount.);
- vi. Average staff hours in FTEs during operations; and
- vii. Brief description of scope of work (stress relevance to this contract).

#### **c. Letters of Reference**

The Vendor should provide Letters of Reference from at least two (2) current or previous customers and include a contact person, email address, and telephone and fax numbers for each reference.

### **E. Price Proposal Contents**

The Price Proposal must be separately bound and sealed and should contain the following tab:

#### **1. Pricing Schedules (TAB 1)**

Tab 1 shall contain the pricing schedules described in the following subsections. The pricing schedules are included in Attachment 4 Pricing Schedules.

##### **a. Pricing Schedule A - Total Evaluated Price**

Pricing Schedule A summarizes the price for all Contractor activities during the base contract period, including five (5) years of OHIP Technical Services Support and System Change Management projects. The Total Evaluated Price on this schedule should equal the sum of all other pricing schedule totals.

##### **b. Pricing Schedule B – Technical Services Support Price - Fixed Administrative Fee**



In Pricing Schedule B.1, the Vendor must specify a fixed annual price to provide Technical Services Support for the OHIP Data Mart for each year of the contract. This price will represent all fixed Contractor prices. It shall include all costs associated with fixed levels of personnel, and any other such costs.

In Pricing Schedules B.2, the Vendor must specify the daily rate per full time equivalent (FTE) for each staffing role required to provide Technical Services Support for the OHIP Data Mart for each year of the contract.

**c. Pricing Schedule C - System Change Management Project Staff Price**

In Pricing Schedules C.1 through C.5, the Vendor must specify the annual hourly rate for each of the system change project labor categories specified.

The rates proposed for each contract year shall remain fixed for the term of the contract. These rates shall also be used to develop price quotations for temporary use of additional resources or for permanent increases in the size of the system change management staff component.

**d. Minority and Women Owned Business Enterprise (M/WBE) Plan**

The Vendor must provide a Minority and Women Owned Business Enterprise Plan in accordance with the provisions of Section XI.Z.

**F. Method of Award**

The State of New York will perform a fair and comprehensive evaluation of the proposals received in response to this RFP in accordance with the New York State procurement law, guidelines and procedures, as well as policies and procedures approved by the NYSDOH. This section of this RFP describes the evaluation process that will be used to determine which Proposal provides the best value to the NYSDOH.

At the discretion of NYSDOH, all bids may be rejected.

In the event of a tie, the determining factor(s) for award, in descending order of importance, will be:

- Past experience
- Lowest cost
- Minority/Women-owned Business Enterprise (MWBE) utilization
- References

The evaluation process will ensure the selection of the best overall solution for the NYSDOH on a “best value” basis. Scoring will be split 75% for the Technical Evaluation and 25% for the Cost Evaluation. The evaluation process will include the following components:

- Establish Evaluation Committee;
- Evaluate Proposal Mandatory Requirements;
- Evaluate and Score Technical Proposals;
- Evaluate and Score Price Proposals;
- Technical and Price Proposals Combined;
- Proposal Ranking and Evaluation Committee Recommendation; and



- NYSDOH Contract Award Decision.

## **1. Scoring of Vendor Technical Proposals (75%)**

### **a. Evaluation Criteria and Assigned Point Totals**

The evaluation of the Vendor's technical approach will be based on the responses provided in the proposal. The highest scoring proposal will receive the full percentage. Information from the Price Proposal or the evaluation of the Price Proposal will not be available to the Technical Evaluation Committee during its evaluation.

Detailed evaluation criteria will not be disclosed to bidders.

The technical raw scores will be normalized as follows:

$$N = (A/B) * 75\% \text{ where:}$$

A is the score being evaluated;

B is the highest technical score; and N is the technical score.

## **2. Scoring of Vendor Price Proposals (25%)**

A separate committee will review and score the Price Proposals from all Vendors meeting the mandatory requirements.

The Price Proposal will be evaluated based on the sum of Technical Services Support Price over the life of the contract and the estimated System Change Management Price over the life of the contract based on the figures proposed in Attachment 4 Pricing Schedules.

## **3. Calculation of Scores**

The Price Proposal Evaluation Committee will award up to the full percentage available to the bidder with the lowest overall cost.

The financial raw scores will be normalized as follows:

$$C = (A/B)*25\%$$

A is Total Price of lowest Price Proposal;

B is Total Price of Price Proposal being scored; and,

C is the Price score.

## **4. Technical and Price Proposals Combined**

Technical and Price Proposal percentage will be combined to establish a score for each proposal. The proposals will then be ranked based on each Vendor's combined score. The ranking will be in descending order, with higher combined scores ranking above lower combined scores.

## **5. Notice of Intent to Award**

A Notice of Intent to Award for the contract will be sent by mail to all Vendors who have submitted a timely Proposal. The Notice of Intent to Award is subject to execution of a written contract, approval of the New York State Attorney General and the New York State Office of the State Comptroller, as well as Federal approval. Accordingly, the Notice will not constitute the formation of a contract between the NYSDOH and the apparent successful Vendor.

## **6. Acceptance Period**

If the apparent successful Vendor fails to timely negotiate and execute a contract, the NYSDOH (at



its sole discretion) may revoke the award and award the contract to the next highest ranked Vendor, or may withdraw the RFP.

The NYSDOH further reserves the right to cancel the award at any time prior to execution of a written contract or receiving Federal approval, whichever is later.

## **7. Federal Approvals**

If it is determined that the contract award is subject to Federal approval, the NYSDOH will make every effort to obtain timely Federal approval. The NYSDOH reserves the right to not award a contract if Federal approval is not obtained or the NYSDOH does not receive enhanced Federal Financial Participation (FFP).



## **XI. Administrative Requirements**

### **A. Issuing Agency**

This Request for Proposal (RFP) is a solicitation issued by the New York State Department of Health (the NYSDOH). The NYSDOH is responsible for the requirements specified herein and for the evaluation of all proposals.

### **B. Legal Basis**

The procurement process for this RFP will be conducted in accordance with the federal regulations contained in 42 CFR 434.10, 45 CFR 95.613, and 45 CFR 74, as amended, as well as applicable procurement policies and procedures established by the State of New York, including relevant provisions of the NYS Finance Law.

### **C. Inquiries**

All inquiries regarding this proposal must be submitted to the designated contacts listed on page ii of this document. Questions and answers, as well as any RFP updates and/or modifications, will be posted on the NYSDOH’s website at <http://www.health.ny.gov/funding/>.

There will not be a bidder’s conference in conjunction with this RFP.

Prospective bidders may submit questions concerning this RFP, in writing, to the permissible subject matter contact identified on page ii.

All questions pertaining to this RFP should be submitted in writing in the following format using electronic mail (e-mail) to the contact person specified on page ii by the date specified on page i. Requests for materials and information not in the Procurement Library should be sent as written questions using email to the contact specified on page ii.

Section	Document Reference or Requirement Number	Page Number	Question

Questions received by the NYSDOH after the final due date specified on page i may not be answered.

Following receipt of the submitted questions, NYSDOH staff will prepare written responses to all questions received. These responses will be made available on the NYSDOH’s website at <http://www.health.ny.gov/funding/>. To the extent practicable, questions will remain as written. However, the NYSDOH may consolidate and paraphrase questions received. Bidders should clearly understand that the only official answers or positions of the NYSDOH are those stated in writing and posted on the NYSDOH’s website.

### **D. RFP Issuance and Amendments**

Prior to its release, this RFP was reviewed and approved by the NYSDOH. Its contents represent the best available statement of the requirements and needs of involved stakeholders.

The NYSDOH reserves the right, prior to the proposal due date, to amend the RFP specifications to correct errors or oversights or to supply additional information as it becomes available. All written addenda to the RFP, along with the RFP itself, will become part of the contract.



Both the RFP and any subsequent amendments will be posted on the NYSDOH's website. Vendors are responsible for checking for updates to information on the website. Vendors should also visit <http://www.health.ny.gov/funding> regularly to see if there are any changes.

## **E. No Bid Form**

Vendors choosing not to bid are asked to complete the No-Bid Form included as Attachment 5, No-Bid Form. The No-Bid Form must be filled out in its entirety. Failure to respond to this bid invitation may result in your firm being removed from our mailing list for this service.

## **F. Certifications and Guarantees by the Vendor**

### **1. Vendor Responsibility Attestation**

New York State Procurement Law requires that State agencies award contracts only to responsible vendors. Attachment 7 Vendor Responsibility Attestation contains the "Vendor Responsibility Attestation" that all Vendors must complete and submit with the proposal.

### **2. State Taxation and Finance, Contractor Certification Form ST-220-CA and Form ST-220- TD**

The winning Vendor must complete and submit directly to the New York State Taxation and Finance, Contractor Certification Form ST-220-TD. The winning Vendor will also be required to complete and submit the Contractor Certification to Covered Agency Form ST220-CA that attests to the submission of the Form ST-220-TD.

### **3. State Consultant Services Form A and Form B**

Chapter 10 of the Laws of 2006 amended certain sections of State Finance Law and Civil Service Law to require disclosure of information regarding contracts for consulting services in New York State.

The winning Vendor for this procurement must complete a "State Consultant Services Form A, Contractor's Planned Employment from Contract Start Date through End of Contract Term" in order to be eligible for a contract.

Winning Vendor must also agree to complete a "State Consultant Services Contractor's Annual Employment Report Form B" for each State fiscal year included in the resulting contract. This report must be submitted annually to the NYSDOH, the Office of the State Comptroller, and Department of Civil Service.

## **G. Procurement Library**

The NYSDOH will provide a Procurement Library. Library documents are intended only as a resource as vendors prepare their responses. They provide a window into current system functionality and OHIP Data Mart technical support requirements.

If any materials, documentation, information, or data are discovered to be inaccurate or incomplete, such inaccuracy or incompleteness shall not constitute a basis for challenging the contract award, contract rejection, or renegotiation of any payment amount or rate either prior to or after contract award. All statistical information contained in the Procurement Library represents the best information available to the NYSDOH with regard to the current functioning at the time of RFP preparation.

Requirements specified in this RFP shall take precedence over any documentation in the Procurement Library if a conflict exists.



The following materials will be made available on NYSDOH website (<http://www.health.ny.gov/funding>). Should a vendor require the material on CD/DVD, they must request it from the subject matter expert designated for distribution on page ii of this RFP.

- NYSDOH Project Management Methodology and Templates

The following materials are voluminous and highly technical. Because of the nature of the materials, they will only be made available for online inspection upon vendor written request to the subject matter expert designated for distribution on page ii of this RFP for a Documentation Review Appointment. It should be noted that these materials cannot be copied or removed in any manner from NYSDOH.

- OHIP Data Mart Technical Documentation
- OHIP Data Mart Programming Code

Documentation Review Appointments will be arranged on a first come, first serve basis on the following dates and times. Each vendor will be allotted a single two (2) hour appointment.

Documentation Review Appointments	
Dates	Times
Tuesday, December 10 <sup>th</sup>	10:00 am to noon
	1:00pm to 3:00pm
	3:00pm to 5:00pm
Wednesday, December 11 <sup>th</sup>	10:00 am to noon
	1:00pm to 3:00pm
	3:00pm to 5:00pm
Thursday, December 12 <sup>th</sup>	10:00 am to noon
	1:00pm to 3:00pm
	3:00pm to 5:00pm

Requests for appointments must be made by calling the Office of Quality and Patient Safety at (518) 474-3189 and received by noon on Monday, December 9, 2013. Requests must include the vendor name, name(s) of those attending, date requested and expected time of arrival. The review appointments will take place in Corning Tower and the attendees should report to the office of the Subject Matter Expert (**NOTE: For entry into the Corning Tower, photo ID must be presented at the security desk.**) Reviews are limited to no more than two (2) individuals per vendor. Vendors will be notified in writing by email of date/time acceptance.

## H. Use of Electronic Mail

The NYSDOH will use the procurement website as the primary means of communication with vendors. However, where appropriate, the NYSDOH may use e-mail to transmit information (e.g., questions, RFP addenda) to prospective vendors and may also use the U.S. Postal Service to send originals.

Prospective vendors assume sole responsibility for ensuring that the NYSDOH actually receives (complete and in a timely manner) written questions, proposals, requests for copies of the RFP, and other inquiries from the prospective vendor in the delivery manner specified



## I. Submission of Proposals

By submitting a proposal in response to this RFP, each bidder (including the bidder's parent organization and proposed subcontractors, agents, and employees of the bidder) agrees and consents, without reservation, substitution, or limitation, to the terms of the RFP, including the requirements and procedures established accordingly. Alternate proposals or extraneous terms will not be evaluated.

The detailed requirements for submission of proposals are described in the following sections. Deviations from these requirements may render a proposal non-responsive.

### 1. Two-Part Proposals

Proposals should be submitted in two (2) separate, clearly labeled packages: a Technical Proposal and a Price Proposal, prepared in accordance with the requirements stated in this RFP.

Sealed proposals shall be delivered to the following address:

**Ms. Mary Beth Conroy  
New York State Department of Health  
Office of Quality and Patient Safety  
Bureau of Health Informatics  
Empire State Plaza  
Corning Tower, Room 878  
Albany, NY 12237**

Proposals must be physically received at this location on or before the time and date specified on page i of this document. Late proposals will not be evaluated.

Proposals should conform to the proposal submission requirements specified in Section X Proposal Requirements.

The outside cover of the separate, sealed package containing the Technical Proposal should be clearly marked:

New York State Department of Health  
RFP #:15358  
*OHIP Data Mart Analytics and Application Technical Services Support Project*  
Technical Proposal  
(Vendor Name)

The outside cover of the separate, sealed package containing the Price Proposal should be clearly marked:

New York State Department of Health  
RFP #:15358  
*OHIP Data Mart Analytics and Application Technical Services Support Project*  
Price Proposal  
(Vendor Name)

All proposals should clearly indicate the name, title, mailing address, daytime telephone number, and fax number of the bidder's authorized agent with the authority to bind the bidder to the provisions of the proposal and to answer official questions concerning the proposal.

### 2. Proposal Amendments and Rules for Withdrawal



Prior to the proposal due date, a submitted proposal may be withdrawn by submitting a written request for its withdrawal, signed by the bidder's authorized agent and providing an explanation for the action, to the contact designated on page ii. Return postage cost will be borne by the bidder.

Bidders are allowed to make amendments or corrections to their proposals at any time prior to the proposal due date, without penalty. To amend or correct a proposal, a Bidder shall request that its proposal be returned. Return postage cost will be borne by the Bidder. The revised proposal must be received by the NYSDOH prior to the proposal due date in order to be considered for evaluation.

### **3. Acceptance of Proposals**

The NYSDOH will accept receipt of all proposals properly submitted.

### **4. Proposal Life**

All proposals must be fully responsive to this RFP in order to be considered for contract award. The proposal must remain valid for 365 calendar days from the proposal due date.

### **5. Contract Signature Process**

When the Notice of Intent to Award has been issued, the NYSDOH will submit the contract to the selected bidder. If the NYSDOH and the bidder fail to reach a satisfactory agreement on the terms of the contract, the NYSDOH may enter into discussions with the bidder which submitted the next best proposal.

If required, when a satisfactory agreement is achieved, the contract will be presented to CMS for approval for Federal financial participation and to the appropriate State authorities for approval. Upon approval by CMS and the appropriate State authorities, the contract will be fully executed, subject to any additional modifications required by those authorities.

## **J. Reserved Rights**

The NYSDOH reserves the right to:

- a. Reject any or all proposals received in response to the RFP;
- b. Withdraw the RFP at any time, at the agency's sole discretion;
- c. Make an award under the RFP in whole or in part;
- d. Disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP;
- e. Seek clarifications of proposals;
- f. Use proposal information obtained through site visits, management interviews and the state's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the bidder in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFP;
- g. Prior to the **bid opening**, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available;
- h. Prior to the **bid opening**, direct vendors to submit proposal modifications addressing subsequent RFP amendments;
- i. Change any of the scheduled dates;
- j. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders;
- k. Waive any requirements that are not material;
- l. Negotiate with the successful bidder within the scope of the RFP in the best interests of the State;



- m. Conduct contract negotiations with the next responsible bidder, should the agency be unsuccessful in negotiating with the selected bidder;
- n. Utilize any and all ideas submitted in the proposals received;
- o. Unless otherwise specified in the solicitation, every proposal is firm and not revocable for a period of 365 calendar days from the proposal due date; and
- p. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a bidder's proposal and/or to determine a bidder's compliance with the requirements of the solicitation.

## **K. NYSDOH Responsibilities**

The following sections detail the NYSDOH's responsibilities, including:

- 1. Review and approval of all work products;
- 2. Providing direction and setting policy for all work accomplished;
- 3. Providing appropriate staff; and
- 4. Contract Auditing.

### **1. Review and Approval of All Work Products**

- a. The NYSDOH reserves the right to review and approve all aspects of the Contractor's work as it relates to this RFP;
- b. The NYSDOH will determine that the Contractor has addressed each requirement and will notify the Contractor when it has been determined that an RFP requirement has been satisfied in each deliverable;
- c. The NYSDOH reserves the right, at its sole discretion, to determine if the Contractor has successfully met or completed all requirements for a project milestone; and the NYSDOH reserves the right, at its sole discretion, to withhold payments based on a deliverable completion when the Contractor has failed to meet all of the requirements.
- d. The NYSDOH has sole responsibility of approving the addition of new System Change Management projects and setting the priority of System Change Management projects. The Contractor shall begin work on the System Management project after receiving the NYSDOH's approval in writing; and
- e. The NYSDOH will conduct a timely review of all materials submitted to the NYSDOH by the Contractor, returning comments within ten (10) business days unless otherwise agreed upon by the NYSDOH and the Contractor.

### **2. Providing Direction and Setting Policy for All Work Accomplished**

- a. The NYSDOH will provide policy and contract clarification as requested by the Contractor;
- b. The NYSDOH will notify the Contractor regarding changes in Federal, State and the NYSDOH requirements that affect the Contractor's performance with regard to the requirements in this RFP;
- c. The NYSDOH will establish policies and make administrative decisions concerning the requirements in this RFP;
- d. The NYSDOH will provide clarification to the Contractor regarding the NYSDOH's policies, regulations and other requirements that affect the OHIP Data Mart operations; and
- e. The NYSDOH will identify all Federal and State mandated reports for the Contractor's production and distribution including format, content, frequency of production, media, and distribution.

### **3. Providing Appropriate Staff Access for the Contractor to Meet Its Obligations**



- a. The NYSDOH will designate appropriate NYSDOH staff to be the primary contacts for the Contractor during the life of the contract; and
- b. The NYSDOH will provide access to the appropriate the NYSDOH staff to advise and answer Contractor questions.

#### **4. Auditing Responsibilities**

The goal of a project audit is to ensure that the Quality Assurance activities are being implemented and to determine whether quality standards are being met. The NYSDOH reserves the right to audit any or all aspects of the Contractor's performance.

- a. The NYSDOH will review, on an annual basis during the first quarter of the calendar year, at a minimum:
  - i. The OHIP Data Mart documentation to validate accuracy, completeness and timeliness;
  - ii. Security, Privacy and Confidentiality Plans and Procedures; and
  - iii. All software to determine that the Contractor has kept the software current with all patches, fixes and new versions published by the software vendor;
- b. In addition to the annual review, the NYSDOH reserves the right to review at any time without prior announcement any aspect of the Contractor's performance as it relates to the requirements in this RFP;
- c. The NYSDOH may execute audits, announced or otherwise, of performance reports generated by the Contractor with the system logs to verify the accuracy of the Contractor's generated performance reports; and
- d. The NYSDOH reserves the right to audit the Contractor's security measures without notice.

#### **L. Contractor Responsibilities**

The following sections detail the Contractor's general responsibilities, including:

1. All deliverables, materials or other submissions provided by the Contractor must meet the form and content requirements specified by the NYSDOH. Such deliverables or other materials shall be subject to the NYSDOH approval;
2. If the NYSDOH determines that a deliverable cannot be approved, the Contractor will have a cure period beginning with notice from the NYSDOH that the deliverable is not approved. The cure period will last for ten (10) business days from the notice of deliverable rejection;
3. The Contractor Work Plan also must provide sufficient time (a minimum of ten (10) business days) for the NYSDOH review and approval of each deliverable based on the scope of the deliverable;
4. The Contractor must deliver to the NYSDOH an electronic copy of all document deliverables and up to five (5) paper copies (as determined by the NYSDOH) on the date specified in NYSDOH-approved plans. The electronic copy must be in NYSDOH-approved format and medium
5. The Contractor must establish project management and reporting standards and communication protocols to be approved by the NYSDOH;
6. The Contractor must use the project estimation methodology specified in its proposal for all project estimates provided to the NYSDOH; and
7. The Contractor shall be responsible for full, current and detailed knowledge of, and compliance with, the requirements of New York State and federal law and the pertinent regulations and guidelines promulgated thereunder. The Contractor also shall be responsible for ascertaining all relevant requirements for OHIP Data Mart operations and bring same to the attention of the NYSDOH.



## M. Vendor-to-Vendor Relationships

1. The Contractor must participate in scheduled contract coordination meetings between the NYSDOH and the electronic Medicaid system of New York (eMedNY), the Medicaid Data Warehouse (MDW), the New York Health Benefit Exchange (NY HBE), WMS, Quality Assurance (QA) Contractors and any other applicable Contractors throughout the life of this contract.
2. The Contractor must cooperate with the successor Contractor while providing all required transition services. This will include meeting with the successor and devising work schedules that are agreeable for both the NYSDOH and the successor Contractor.
3. The Contractor must participate in joint development sessions with the NYSDOH and the eMedNY, MDW, NY HBE, and WMS Contractors during development tasks and activities to establish specific areas that require contract coordination efforts to be established.

## N. Payment

If awarded a contract, the Contractor shall submit complete and accurate invoices and/or vouchers, together with supporting documentation required by the contract, the State Agency and the State Comptroller, to the State's designated payment office in order to receive payment to one of the following addresses:

1. Preferred Method: Email a .pdf copy of your signed voucher to the BSC at:  
[DOHaccounts payable@ogs.ny.gov](mailto:DOHaccounts payable@ogs.ny.gov) with a subject field as follows:

Subject: **Unit ID: 99999 <<Contract #>>**

(Note: **do not** send a paper copy in addition to your emailed voucher.)

2. Alternate Method: Mail vouchers to BSC at the following U.S. postal address:

**NYS Department of Health  
Unit ID 3450433  
PO Box 2093  
Albany, NY 12220-0093**

Payment for invoices and/or vouchers submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, at the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email at [epayments@osc.state.ny.us](mailto:epayments@osc.state.ny.us) or by telephone at 518-457-7717 or 1-855-233-8363. The Contractor acknowledges that it will not receive payment on any invoices and/or vouchers submitted under this contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

In addition to the Electronic Payment Authorization Form, a Substitute Form W-9 must be on file with OSC, Bureau of Accounting Operations. Additional information and procedures for enrollment can be found at <http://www.osc.state.ny.us/epay>.

Completed W-9 forms should be submitted to the following address:

NYS Office of the State Comptroller  
Bureau of Accounting Operations Warrant & Payment Control Unit  
110 State Street, 9<sup>th</sup> Floor



Albany, NY 12236

Payment of such invoices by the State shall be made in accordance with Article XI-A of the NYS Finance Law and in accordance with the schedules and methods defined in this section and Attachment 4 Pricing Schedules.

Contractor payments will be reduced by the amount of any actual or liquidated damages as determined by the Project Manager in accordance with the provisions of the RFP. The allowed payment is described below.

### **1. Technical Services Support Payments: Fixed Administrative Fee**

The Contractor shall be paid the fixed administrative fee, as presented in Pricing Schedule A of the Contractor's proposal, for each applicable year of operations. This fee will be invoiced and paid in equal monthly installments.

**Contract Years 1 through 5** - The administrative fee includes the annual fixed amounts for Technical Services Support of the OHIP Data Mart.

### **2. System Change Management Project Pricing**

The Contractor shall be paid up to, but not in excess of, the system change management price, as presented in Pricing Schedule C of the Contractor's proposal, for each applicable year of operations. These monthly payments made by the NYSDOH will be variable and based on the actual hours spent by Contractor System Change Management staff working on NYSDOH approved projects that are not within the fixed administrative fee scope of this RFP and the hourly rates in Pricing Schedules C.1 through C.5 appropriate to the staff and contract year.

**Contract Years 1 through 5** - The System Change Management Price includes the cost of activities on NYSDOH approved projects as performed by designated System Change Management staff presented by the Contractor in Pricing Schedules C.1 through C.5 of its proposal.

### **3. Contract Extension Pricing**

Should the NYSDOH elect to extend the term of the contract, the pricing for each optional contract extension year will be subject to an annual price increase of the lesser of three percent (3%) or the percent increase in the National Consumer Price Index for All Urban Consumers (CPI-U) as published by the United States Bureau of Labor Statistics, Washington, D.C., 2012 for the twelve (12) month period ending three (3) calendar months prior to the end date of the last year of the contract, as may be amended. Should the contract be extended for any of the six one-month periods, monthly payments to the Contractor will be calculated using the same methodology and the same pricing for the last full year of the contract.

## **O. Limitation of Contractor Liability**

Contractor's liability for any claim, loss, or liability arising out of, or connected with the products or services provided, and whether based upon default or other liability such as breach of contract or warranty, negligence, misrepresentation, or otherwise, shall, unless otherwise set forth in the contract as being without limitation, in no case exceed damages in an amount equal to fifty percent (50%) of the contract value, excluding any amendments or extensions. Notwithstanding the foregoing, the Contractor remains liable, without monetary limitation, for direct damages for personal injury, death or damage to real property or tangible personal property or intellectual property attributable to the negligence or other tort of the Contractor, its officers, employees or agents.



## **P. Term of Contract**

This agreement shall be effective upon approval of the New York State Office of the State Comptroller.

The contract term shall be sixty (60) months commencing approximately January 1, 2014 through December 31, 2018 with options for three one-year extensions and six one-month extensions beyond this date. The State shall have the right to terminate this contract early for: (i) unavailability of funds; (ii) cause; or (iii) convenience.

This agreement may be canceled at any time by the NYSDOH after giving the contractor not less than thirty (30) days written notice that on or after a date therein specified this agreement shall be deemed terminated and canceled.

## **Q. Debriefing**

Once an award has been made, bidders may request a debriefing of their proposals in accordance with State Finance Law. Please note the debriefing will be limited only to the strengths and weaknesses of the bidder's proposal, and will not include any discussion of other bidders' proposals. Requests must be received no later than ten (10) business days from date of award or non-award.

## **R. Protest Procedures**

In the event unsuccessful bidders wish to protest the award resulting from this RFP, bidders should follow the protest procedures established by OSC. These procedures can be found on the OSC website at: [http://www.osc.state.ny.gov/agencies/gbull/g\\_232.htm](http://www.osc.state.ny.gov/agencies/gbull/g_232.htm).

## **S. Vendor Responsibility Questionnaire**

New York State Procurement Law requires that state agencies award contracts only to responsible vendors. Vendors are invited to file the required Vendor Responsibility Questionnaire online via the New York State VendRep System or may choose to complete and submit a paper questionnaire. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at [www.osc.state.ny.gov/vendrep](http://www.osc.state.ny.gov/vendrep) or go directly to the VendRep system online at <https://portal.osc.state.ny.us>. For direct VendRep System user assistance, the OSC Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at [helpdesk@osc.ny.gov](mailto:helpdesk@osc.ny.gov). Vendors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website [www.osc.state.ny.gov/vendrep](http://www.osc.state.ny.gov/vendrep) or may contact the Department of Health or the Office of the State Comptroller for a copy of the paper form. Bidders must also complete and submit the Vendor Responsibility Attestation (Attachment 7).

## **T. State Consultant Services Reporting**

Chapter 10 of the Laws of 2006 amended certain sections of State Finance Law and Civil Service Law to require disclosure of information regarding contracts for consulting services in New York State.

The winning bidders for procurements involving consultant services must complete a "State Consultant Services Form A, Contractor's Planned Employment From Contract Start Date through End of Contract Term" in order to be eligible for a contract.

Winning bidders must also agree to complete a "State Consultant Services Form B, Contractor's Annual Employment Report" for each state fiscal year included in the resulting contract. This report must be submitted annually to the Department of Health, the Office of the State Comptroller, and Department of Civil Service.



State Consultant Services Form A: Contractor's Planned Employment and Form B: Contractor's Annual Employment Report may be accessed electronically at: <http://www.osc.state.ny.gov/procurement/>.

## U. Lobbying Statute

Chapter 1 of the Laws of 2005, as amended by Chapter 596 of the Laws of 2005, provides, among other things, the following as pertains to development of procurement contracts with governmental entities:

1. Makes the lobbying law applicable to attempts to influence procurement contracts once the procurement process has been commenced by a state agency, unified court system, state legislature, public authority, certain industrial development agencies and local benefit corporations;
2. Requires the above mentioned governmental entities to record all contacts made by lobbyists and contractors about a governmental procurement so that the public knows who is contacting governmental entities about procurements;
3. Requires governmental entities to designate persons who generally may be the only staff contacted relative to the governmental procurement by that entity in a restricted period;
4. Authorizes the New York State Commission on Public Integrity to impose fines and penalties against persons/organizations engaging in impermissible contacts about a governmental procurement and provides for the debarment of repeat violators;
5. Directs the Office of General Services to disclose and maintain a list of non-responsible vendors pursuant to this new law and those who have been debarred and publish such list on its website;
6. Requires the timely disclosure of accurate and complete information from vendors with respect to determinations of non-responsibility and debarment;
7. Expands the definition of lobbying to include attempts to influence gubernatorial or local Executive Orders, Tribal-State Agreements, and procurement contracts;
8. Modifies the governance of the New York State Commission on Public Integrity
9. Provides that opinions of the Commission shall be binding only on the person to whom such opinion is rendered;
10. Increases the monetary threshold which triggers a lobbyist's obligations under the Lobbying Act from \$2,000 to \$5,000; and
11. Establishes the Advisory Council on Procurement Lobbying.

Generally speaking, two related aspects of procurements were amended: (i) activities by the business and lobbying community seeking procurement contracts (through amendments to the Legislative Law) and (ii) activities involving governmental agencies establishing procurement contracts (through amendments to the State Finance Law).

Additionally, a new section 1-t was added to the Legislative Law establishing an Advisory Council on Procurement Lobbying (Advisory Council). This Advisory Council is authorized to establish the following model guidelines regarding the restrictions on contacts during the procurement process for use by governmental entities (see Legislative Law §1-t (e) and State Finance Law §139-j). In an effort to facilitate compliance by governmental entities, the Advisory Council has prepared model forms and language that can be used to meet the obligations imposed by State Finance Law §139-k, Disclosure of Contacts and Responsibility of Offerers. Sections 139-j and 139-k are collectively referred to as "new State Finance Law."

It should be noted that while this Advisory Council is charged with the responsibility of providing advice to the Joint Commission on Public Ethics regarding procurement lobbying, the Commission retains full responsibility for the interpretation, administration and enforcement of the Lobbying Act established by Article 1-A of the Legislative Law (see Legislative Law §1-t (c) and §1-d). Accordingly, questions



regarding the registration and operation of the Lobbying Act should be directed to the Joint Commission on Public Ethics.

## **V. Accessibility of State Agency Web-Based Intranet and Internet Information and Applications**

Any Web-based Intranet and Internet information and applications development, or programming delivered pursuant to the contract or procurement will comply with NYS Office for Technology Policy P04-002, “Accessibility of New York State Web-based Intranet and Internet Information and Applications”, and NYS Mandatory Technology Standard S04-001, as such policy or standard may be amended, modified or superseded, which requires that state agency Web-based Intranet and Internet information and applications are accessible to persons with disabilities. Web content must conform to NYS Mandatory Technology Standard S04-00, as determined by quality assurance testing. Such quality assurance testing will be conducted by the NYSDOH, the Contractor or other third party acceptable to the NYSDOH. The results of such testing must be satisfactory to the NYSDOH before Web content will be considered a qualified deliverable.

## **W. Information Security Breach and Notification Act**

Section 208 of the State Technology Law (STL) and Section 899-aa of the General Business Law (GBL) require that State entities and persons or businesses conducting business in New York who own or license computerized data which includes private information including an individual’s unencrypted personal information plus one or more of the following: social security number, driver’s license number or non-driver ID, account number, credit or debit card number plus security code, access code or password which permits access to an individual’s financial account, must disclose to a New York resident when their private information was, or is reasonably believed to have been, acquired by a person without valid authorization. Notification of breach of that private information to all individuals affected or potentially affected must occur in the most expedient time possible without unreasonable delay, after measures are taken to determine the scope of the breach and to restore integrity; provided, however, that notification may be delayed if law enforcement determines that expedient notification would impede a criminal investigation. When notification is necessary, the State entity or person or business conducting business in New York must also notify the following New York State agencies: the Attorney General, the Office of Cyber Security Home and the Division of Consumer Protection. Information relative to the law and the notification process is available at: <http://www.dhSES.ny.gov/ocs/breach-notification/>.

## **X. Public Information**

Disclosure of information related to this procurement and the resulting contract shall be permitted consistent with the laws of the State of New York and specifically the Freedom of Information Law (FOIL) contained in Article 6 of the Public Officers Law. The State shall take reasonable steps to protect from public disclosure any of the records relating to this procurement that are exempt from disclosure. Information constituting trade secrets or critical infrastructure information for purposes of FOIL shall be clearly marked and identified as such by the Contractor upon submission. Determinations as to whether the materials or information may be withheld from disclosure will be made in accordance with FOIL at the time a request for such information is received by the State.

## **Y. New York State Tax Law Section 5-A**

Section 5-a of the Tax Law, as amended, effective April 26, 2006, requires certain contractors awarded state contracts for commodities, services and technology valued at more than \$100,000 to certify to the Department of Tax and Finance (DTF) that they are registered to collect New York State and local sales



and compensating use taxes. The law applies to contracts where the total amount of such contractors' sales delivered into New York State are in excess of \$300,000 for the four (4) quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and subcontractors whose sales delivered into New York State exceeded \$300,000 for the four (4) quarterly periods immediately preceding the quarterly period in which the certification is made.

This law imposes upon certain contractors the obligation to certify whether or not the contractor, its affiliates, and its subcontractors are required to register to collect state sales and compensating use tax and contractors must certify to DTF that each affiliate and subcontractor exceeding such sales threshold is registered with DTF to collect New York State and local sales and compensating use taxes. The law prohibits the State Comptroller, or other approving agencies, from approving a contract awarded to a offeror meeting the registration requirements but who is not so registered in accordance with the law.

Winning bidders must complete and submit directly to the New York State Tax and Finance (DTF), Contractor Certification Form ST-220-TD attached hereto. Unless the information upon which the ST-220-TD is based changes, this form only needs to be filed once with DTF. If the information changes for the contractor, its affiliate(s), or its subcontractor(s), a new form (ST-220-TD) must be filed with DTF.

Winning bidders must also complete and submit to the NYSDOH the form Contractor Certification to Covered Agency Form ST-220-CA attached hereto, certifying that the Contractor filed the ST-220-TD with DTF. Failure to make either of these filings may render an offeror non-responsive and non-responsible. Offerors shall take the necessary steps to provide properly certified forms within a timely manner to ensure compliance with the law.

Forms ST-220-TD and ST-220-CA may be accessed electronically at:

ST-220-TD: [http://www.tax.ny.gov/pdf/current\\_forms/st/st220td\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf)

ST-220-CA: [http://www.tax.ny.gov/pdf/current\\_forms/st/st220ca\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf)

## **Z. Piggybacking**

New York State Finance Law section 163(10)(e) (see also <http://www.ogs.ny.gov/purchase/snt/sflxi.asp>) allows the Commissioner of the NYS Office of General Services to consent to the use of this contract by other New York State Agencies, and other authorized purchasers, subject to conditions and the Contractor's consent.

## **AA. Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority and Women Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women**

### **NEW YORK STATE LAW**

Pursuant to New York State Executive Law Article 15-A, the New York State Department of Health recognizes its obligation to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of New York State Department of Health contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned



business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that New York State Department of Health establish goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

#### Business Participation Opportunities for MWBEs

For purposes of this solicitation, New York State Department of Health hereby establishes an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises (“MBE”) participation and 10% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that New York State Department of Health may withhold payment pending receipt of the required MWBE documentation. The directory of New York State Certified MWBEs can be viewed at: <http://www.esd.ny.gov/mwbe.html>.

For guidance on how New York State Department of Health will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and New York State Department of Health may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a bidder on the Contract (“Bidder”) agrees to submit the following documents and information as evidence of compliance with the foregoing:

- A. Bidders are required to submit a MWBE Utilization Plan on Form #1 with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to New York State Department of Health.
- B. New York State Department of Health will review the submitted MWBE Utilization Plan and advise the Bidder of New York State Department of Health acceptance or issue a notice of deficiency within 30 days of receipt. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to the [New York State Department of Health, Division of Finance and Rate Setting, Bureau of HCRA Operations and Financial Analysis, Corning Tower [OCP-810] Albany, NY 12237].
- C. A written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by New York State Department of Health to be inadequate, New York State Department of Health shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals on Form #2. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.
- D. New York State Department of Health may disqualify a Bidder as being nonresponsive under the



following circumstances:

- a) If a Bidder fails to submit a MWBE Utilization Plan;
- b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- c) If a Bidder fails to submit a request for waiver; or
- d) If New York State Department of Health determines that the Bidder has failed to document good faith efforts.

Contractors shall attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to New York State Department of Health, but must be made prior to the submission of a request for final payment on the Contract.

Contractors are required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report on Form #3 to the New York State Department of Health address, phone and fax information, by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

#### Equal Employment Opportunity Requirements

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of Appendix A including Clause 12 - Equal Employment Opportunities for Minorities and Women. The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor, shall undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Bidder further agrees, where applicable, to submit with the bid a staffing plan (Form #4) identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to the New York State Department of Health, a workforce utilization report identifying the workforce actually utilized on the Contract if known.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

**Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.**



## **BB. Iran Divestment Act**

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should the Department of Health receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the Department of Health will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the Department of Health shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the Contractor in default.

The Department of Health reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

## **CC. Appendices**

The following will be incorporated as appendices into any contract resulting from this Request for Proposal. This Request for Proposal will be included as an appendix of the contract

APPENDIX A – STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

APPENDIX B – REQUEST FOR PROPOSAL

APPENDIX C – PROPOSAL (The bidder’s proposal, if selected for award, including any Bid Forms and all proposal requirements.)

APPENDIX D – GENERAL SPECIFICATIONS

APPENDIX E – WORKERS COMPENSATION AND DISABILITY INSURANCE COVERAGE

APPENDIX G – NOTICES

APPENDIX H – DOH Health Insurance Portability and Accountability Act (HIPAA)

APPENDIX X – MODIFICATION AGREEMENT FORM (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

## **DD. Attachments**

ATTACHMENT 1 – MANDATORY REQUIREMENTS TRACEABILITY MATRIX

ATTACHMENT 2 – STAFFING QUALIFICATIONS

ATTACHMENT 3 – M/WBE PROCUREMENT FORMS

ATTACHMENT 4 – PRICING SCHEDULES

ATTACHMENT 5 – NO-BID FORM



ATTACHMENT 6 – LOBBYING FORM

ATTACHMENT 7 – VENDOR RESPONSIBILITY ATTESTATION

ATTACHMENT 8 – SAMPLE CONTRACT LANGUAGE WITH APPENDICES

ATTACHMENT 9 – SAMPLE STAFFING PLAN