



# Department of Health

## Request for Proposals

RFP No. 17846

### Behavioral Risk Factor Surveillance System (BRFSS)

Issued: May 4, 2018

**DESIGNATED CONTACT:**

Pursuant to State Finance Law §§ 139-j and 139-k, the Department of Health identifies the following designated contact to whom all communications attempting to influence the Department of Health's conduct or decision regarding this procurement must be made.

Elizabeth Wood  
Bureau of Contracts  
New York State Department of Health  
Corning Tower, Room 2827  
Albany, New York 12237  
Telephone: 518-474-7896  
Email Address: [elizabeth.wood@health.ny.gov](mailto:elizabeth.wood@health.ny.gov)

**PERMISSIBLE SUBJECT MATTER CONTACT:**

Pursuant to State Finance Law § 139-j(3)(a), the Department of Health identifies the following allowable contact for communications related to the submission of written proposals, written questions, pre-bid questions, and debriefings.

Ian Brissette  
New York State Department of Health  
Bureau of Chronic Disease Evaluation and Research  
1084 Corning Tower  
Albany, NY 12237-0679  
Telephone: 518-473-4414  
Email Address: [ian.brissette@health.ny.gov](mailto:ian.brissette@health.ny.gov)

Haven Battles  
New York State Department of Health  
Bureau of Chronic Disease Evaluation and Research  
1072 Corning Tower  
Albany, NY 12237-0679  
Telephone: 518-473-2425  
Email Address: [haven.battles@health.ny.gov](mailto:haven.battles@health.ny.gov)

**TABLE OF CONTENTS** *(Hyperlinked; click to go directly to desired topic.)*

1.0	CALENDAR OF EVENTS .....	2
2.0	OVERVIEW .....	2
2.1	Introductory Background .....	2
2.2	Important Information .....	3
2.3	Term of the Agreement .....	4
3.0	BIDDERS QUALIFICATIONS TO PROPOSE .....	5
3.1	Minimum Qualifications .....	5
3.2	Preferred Qualifications.....	5
4.0	SCOPE OF WORK .....	5
4.1	Tasks/Deliverables .....	5
4.2	Organizational and Staffing Requirements .....	9
4.3	Reporting .....	9
4.4	Security .....	10
4.5	Transition.....	10
5.0	ADMINISTRATIVE INFORMATION.....	11
5.1	Restricted Period.....	11
5.2	Questions .....	11
5.3	Right to Modify RFP .....	11
5.4	Payment .....	12
5.5	Minority & Woman-Owned Business Enterprise Requirements .....	13
5.6	Equal Employment Opportunity (EEO) Reporting.....	15
5.7	Sales and Compensating Use Tax Certification (Tax Law, § 5-a) .....	15
5.8	Workers' Compensation and Disability Benefits Certifications .....	16
5.9	Subcontracting .....	16
5.10	DOH's Reserved Rights .....	17
5.11	Freedom of Information Law ("FOIL") .....	17
5.12	Lobbying.....	18
5.13	State Finance Law Consultant Disclosure Provisions .....	18
5.14	Debriefing.....	19
5.15	Protest Procedures .....	19
5.16	Iran Divestment Act.....	19
5.17	Piggybacking.....	19
5.18	Encouraging Use of New York Businesses in Contract Performance .....	20
5.19	Diversity Practices Questionnaire .....	20
5.20	Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses.....	20
5.21	Intellectual Property .....	20
5.22	Vendor Assurance of No Conflict of Interest or Detrimental Effect .....	21
6.0	PROPOSAL CONTENT .....	21
6.1	Administrative Proposal .....	21
6.2	Technical Proposal.....	22
6.3	Cost Proposal.....	27
7.0	PROPOSAL SUBMISSION.....	28
7.1	No Bid Form .....	29
8.0	METHOD OF AWARD .....	29
8.1	General Information .....	29
8.2	Submission Review.....	30
8.3	Technical Evaluation .....	30
8.4	Cost Evaluation .....	30
8.5	Composite Score.....	30
8.7	Reference Checks.....	30
8.8	Best and Final Offers .....	30
8.9	Award Recommendation.....	31
	ATTACHMENTS .....	31

## 1.0 CALENDAR OF EVENTS

<b>RFP No.17846 – BEHAVIORAL RISK FACTOR SURVEILLANCE SYSTEM (BRFSS)</b>	
<b><u>EVENT</u></b>	<b><u>DATE</u></b>
Issuance of Request for Proposals	<b>May 4, 2018</b>
Deadline for Submission of Written Questions	<b>May 18, 2018 by 4:00 p.m. ET</b>
Responses to Written Questions Posted by DOH/HRI	<b>On or About June 4, 2018</b>
Deadline for Submission of Proposals	<b>June 19, 2018 by 4:00 p.m. ET</b>
<i>Anticipated</i> Contract Start Date	<b>November 1, 2018</b>

## 2.0 OVERVIEW

Through this Request for Proposals (“RFP”), the New York State (“NYS”, “State”) Department of Health (“DOH”) and Health Research, Inc. (HRI) are seeking competitive proposals from any company or organization which meets the Mandatory Requirements, as outlined in [Section 3.1](#), to provide services as further detailed in [Section 4.0](#) (Scope of Work). DOH and HRI intend to award one (1) state contract and one (1) HRI contract from this procurement.

The purpose of this request for proposals (RFP) is to select a contractor to assist DOH and HRI with conducting the NYS Behavioral Risk Factor Surveillance System (BRFSS) according to the standardized protocol developed by the Centers for Disease Control and Prevention (CDC) ([Attachment E](#), BRFSS Data Collection Protocol, Bidder’s Library). HRI is a not-for-profit corporation affiliated with DOH whose mission is to independently assist DOH and to build a healthier future for New York State and beyond through the delivery of funding and program support to further public health and research programs. It is the intent of DOH and HRI to enter into contracts with the one (1) bidder selected as a result of this RFP.

### 2.1 Introductory Background

The BRFSS is an annual phone survey conducted by all 50 states in the United States in coordination with the CDC. DOH/HRI has conducted the statewide BRFSS according to CDC protocol since 1985. The annual statewide telephone survey of adults is administered through DOH’s Bureau of Chronic Disease Evaluation and Research, Division of Chronic Disease Prevention. Data obtained from the BRFSS is vital and used by multiple DOH/HRI programs and partners around NYS for surveillance, planning, policy, and evaluation purposes. Information regarding the BRFSS, including the CDC protocol, may be found on the CDC website at <http://www.cdc.gov/brfss/> and for the NYS BRFSS on DOH website <http://www.health.ny.gov/statistics/brfss/>.

The BRFSS is supported by a cooperative agreement with the CDC and by State funding provided by DOH/HRI programs and other State agencies to support the inclusion of program-specific questions. As part of the BRFSS annual survey, a randomly selected sample of non-institutionalized adults (aged 18 years and older) is administered survey questions that assess modifiable risk behaviors and other factors contributing to the leading causes of morbidity and mortality in the population ([Attachment F](#),

BRFSS 2018 Questionnaire, Bidder's Library). The BRFSS was developed by the CDC to promote consistent data collection across states, while simultaneously affording flexibility to meet the annual information needs of the DOH and others. The BRFSS questionnaire includes a core set of questions used by all participating states within a given year. Individual states also have the ability to add CDC-developed optional questions of specific interest and can address their emerging public health issues through the use of state-added questions. States also have the option of conducting split surveys, fielding two (2) or more questionnaires consisting of a common core set of questions and a different mix of optional and state-added questions within a survey year. This allows states to obtain information on a greater variety of topics and, importantly, for a larger sample. DOH makes every effort to maximize BRFSS sample size with the resources available. Increasing sample size has the advantage of providing greater power and precision for reporting results with respect to gender, age, geography and the racial/ethnic composition of the population. In 2017, BRFSS completed approximately 11,700 interviews using a split questionnaire design. Approximately fifty percent of the interviews were cell phone interviews. NYS BRFSS surveys are conducted in both English and Spanish. Each year DOH determines the number of completed surveys to be attained based on available funding at least two (2) months prior to the start of data collection.

The CDC BRFSS methodology and protocol has also been applied to other DOH telephone surveys. Both the CDC and DOH/HRI have used the BRFSS survey as the basis for completing call back surveys with a portion of the sample completing the annual survey. Between 2006 and 2017 the NYS BRFSS incorporated an Asthma Call Back Survey (see [Attachment G](#) for 2018 Asthma Call Back Survey, Bidder's Library (ACBS) Guidelines and [Attachment H](#), Bidder's Library for the ACBS Child Questionnaire and [Attachment I](#), Bidder's Library for the Adult Questionnaires – both asked of the adult). It is anticipated that the Asthma Call Back Survey will be conducted each year as a component of the NYS BRFSS; therefore, this RFP includes criteria and scoring to assess the experience and ability of bidders to conduct a call back survey.

The CDC BRFSS methodology was also used for the 2003, 2009, 2013, 2016 and 2018 Expanded BRFSS projects for county and local-level BRFSS surveillance. In 2016, the Expanded (county-level) BRFSS collected approximately 35,000 complete surveys. Of the 35,000 completed surveys, 46% were cell phone interviews with 54% landline phone interviews. Information regarding the Expanded BRFSS projects may be found on DOH website <http://www.health.ny.gov/statistics/brfss/expanded/>. These surveys require using stratification, over-sampling, and other survey techniques to improve survey efficiency and reduce bias. They also require the application of statistical methods to weight the data to produce statistically valid population estimates. This RFP will serve as the basis of completing the scope of work for completing the annual BRFSS and the Expanded BRFSS survey that is expected to occur in 2021.

The 2019 NYS BRFSS will include both a landline and a cell phone data collection survey component which shall be administered in adherence to the CDC protocol within the contract period.

The CDC has encouraged states to pursue alternative formats for administering the BRFSS, including by mail, internet or smartphone application. This RFP includes criteria and scoring to assess the experience and ability of bidders to conduct the survey using alternative formats (i.e., other than landline or cell phone) should there be the need and funding available for these purposes within the contract period.

## **2.2 Important Information**

The bidder is required to review, and is requested to have legal counsel review, [Attachment 8](#), DOH Agreement, as the Bidder must be willing to enter into an Agreement substantially in accordance with the terms of Attachment E should the bidder be selected for contract award. Please note that this RFP and the awarded bidder's proposal will become part of the state contract as Appendix B and C, respectively.

It should be noted that Appendix A of [Attachment 8](#), "Standard Clauses for New York State Contracts", contains important information related to the state contract to be entered into as a result of this RFP and

will be incorporated, without change or amendment, into the state contract entered into between DOH and the successful Bidder. By submitting a response to the RFP, the Bidder agrees to comply with all the provisions of Appendix A.

Note, [Attachment A](#), the Bidder's Certifications Statements, (Bidder's Library) should be submitted and includes a statement that the bidder accepts, without any added conditions, qualifications or exceptions, the contract terms and conditions contained in this RFP including any exhibits and attachments. It also includes a statement that the bidder acknowledges that, should any alternative proposals or extraneous terms be submitted with the proposal, such alternate proposals or extraneous terms will not be evaluated by DOH/HRI.

Any qualifications or exceptions proposed by a bidder to this RFP should be submitted in writing using the process set forth in [Section 5.2](#) (Questions) prior to the deadline for submission of written questions indicated in [Section 1.0](#) (Calendar of Events). Any amendments DOH/HRI makes to the RFP as a result of questions and answers will be publicized on the DOH and HRI web sites.

## 2.3 Term of the Agreement

The contract term for both contracts is expected to be for a period of *5 years, 5 months* commencing on the date shown on the Calendar of Events in [Section 1.0](#), subject to the availability of sufficient funding, successful contractor performance, and approvals as noted below:

- **State Contract**

The State Contract agreement shall be effective upon approval of the New York State Attorney General (AG) and the NYS Office of the State Comptroller (OSC).

The anticipated contract period of this contract is a five (5) year, five (5) month period to commence as noted above.

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

- **HRI Contract**

The HRI contract resulting from the RFP shall be effective upon the approval of HRI.

The HRI contract will be renewed annually contingent upon performance of the required activities on schedule and within cost, adherence to CDC BRFSS and DOH protocols, and on-going availability of funds.

The amount of annual funding made available for the project will vary from year to year. The NYS BRFSS is financed through state, federal, and other funding sources. State BRFSS funds are administered under the terms of a state miscellaneous services contract. Federal and other funds to support the BRFSS will be administered under the terms of the HRI contract. Therefore, this RFP will be used to establish contracts with both DOH and HRI to conduct each year's statewide survey. The contractor will work with DOH to manage and track payment through both contracts.

### **3.0 BIDDERS QUALIFICATIONS TO PROPOSE**

#### **3.1 Minimum Qualifications**

NYSDOH/HRI will accept proposals from organizations with the following types and levels of experience as a prime contractor.

- Minimum of three (3) years of telephone based survey experience administering dual-path phone surveys of at least 100 questions in length; and
- Minimum of three (3) years of experience using Computer Assisted Telephone Interviewing (CATI) application software methodology for developing and administering telephone surveys in English and Spanish; and
- Must have a functional call center located and operating within the continental United States.

Experience acquired concurrently **is** considered acceptable.

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 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.

Failure to meet these Minimum Qualifications will result in a proposal being found non-responsive and eliminated from consideration.

#### **3.2 Preferred Qualifications**

Bidders that demonstrate experience with the following requirements are preferred:

- At least one (1) year of experience administering the BRFSS for a state or US Territory; and/or
- At least one (1) year of experience administering phone surveys requiring approximately 20,000 outgoing contacts (outgoing calls to distinct phone numbers) per month; and/or
- At least one (1) year of experience completing interviews for approximately 1,500 households/cell phones per month; and/or
- At least one (1) year of experience achieving Council of American Survey Research Organizations (CASRO) or American Association for Public Opinion Research (AAPOR) response rates of at least 25% for telephone surveys of at least 100 questions in length.

### **4.0 SCOPE OF WORK**

This Section describes the Survey Research services that are required to be provided by the selected bidder. The selected bidder must be able to provide all of these services throughout the contract term.

**PLEASE NOTE:** Bidders will be required to provide responses that address all of the requirements of this RFP as part of its Technical Proposal.

The terms “bidders”, “vendors” and “proposers” are also used interchangeably. For purposes of this RFP, the use of the terms “shall”, “must” and “will” are used interchangeably when describing the Contractor’s/Bidder’s duties.

#### **4.1 Tasks/Deliverables**

The contractor will be responsible for administering the BRFSS for New York State in accordance with CDC’s protocol and Section 4.0 scope of work. As described in [Section 5.4](#), payment will be based on the number of complete survey interviews administered and delivered. The contractor will perform the following

tasks/deliverables described below to deliver complete surveys for the Annual Statewide NYS BRFSS, NYS Expanded BRFSS and Asthma Call Back Surveys:

During the period from January 1 – December 31 of each survey year, the contractor will be conducting surveys.

During the period from November 1 through December 31, prior to each survey year, the contractor will be responsible for start-up activities in advance of the beginning of data collection in January for each survey year. It is anticipated that the contractor will conduct the 2019, 2020, 2022 and 2023 Annual BRFSS January through December of each year and will conduct the Expanded county-level BRFSS in survey year 2021.

During the period from January 1 through March 31 following each survey year, the contractor will be responsible for data cleaning and preparation and submission of the final data set to the DOH and the CDC.

Please see [Attachment J](#), State/HRI Contract Period and Activities (Bidder's Library).

#### **4.1.1 Annual Statewide NYS BRFSS**

The contractor will complete the following activities to conduct the annual Statewide NYS BRFSS according to the CDC protocols for landline and cell phone data collection beginning with the 2019 survey. The average telephone survey length is approximately 25 minutes, with approximately 140 questions including core, optional, and state-added modules for the annual NYS BRFSS. Typically, a larger number of additional questions are included, requiring the questions to be asked via split surveys. The goal number of interviews to be completed varies from year to year based on availability of funding, but typically is around 10,000 to 12,000 completed interviews in total. The proportion of interviews by cell phone and landline is set by the CDC, but is expected to include at least 45% completed by cell phone. The total goal number of interviews to be completed for DOH and HRI will be established in advance of the survey start date, to be determined.

The annual BRFSS (bid as Section A in [Attachment C](#) Cost Proposal), (Bidder's Library) is conducted by landline and cell phone. In Year 1 it is anticipated that approximately 45% of interviews will be completed via cell phone and approximately 55% of interviews completed via landline. A corresponding Asthma Call Back survey (see Section 4.1.19 Asthma Call Back Surveys and Attachment C Cost Proposal) also occurs annually, pending available funding, and is completed via cell phone (approximately 45%) and landline (approximately 55%).

A completed interview is defined according to the standards of the AAPOR and reflects an interview in which the selected respondent has been asked all questions up to and including the demographic questions which will be used for weighting.

The target number of interviews (estimated units) varies from year to year. In some years, a larger number of additional questions are needed, requiring additional questions to be asked in two (2) or more separate survey questionnaires to maintain an appropriate length of survey (survey splits). The completed interviews will be distributed according to a geographic stratification developed as part of the sampling plan in conjunction with DOH/HRI staff.

The contractor will complete the following tasks:

- 4.1.1.1 Maintain the current methodology for using list-assisted random digit dialing telephone survey procedures identified through CDC protocol to select a statewide probability sample of the non-institutionalized, civilian adult population aged 18 years and over.
- 4.1.1.2 Collaborate with CDC and New York State to develop a sampling plan that satisfies CDC requirements and New York State specifications, including oversampling of geographic regions or sub-populations, as needed. Sampling plans are finalized prior to each data collection year.

- 4.1.1.3 Program and test the survey questionnaire(s) using contractor supplied Computer Assisted Telephone Interviewing (CATI) application software methods in both English and Spanish.
- 4.1.1.4 Provide Spanish language translation for New York State-added questions previously not included in the BRFSS.
- 4.1.1.5 If requested by DOH/HRI, provide services to support development of questions that have not been included in the BRFSS or other phone surveys: including review by interviewers, cognitive testing, pretesting and writing interview prompts, developing coding for open-ended questions. Historically, these services have been requested twice in the past three (3) years.
- 4.1.1.6 Develop methods and procedures for administering the BRFSS by cell phone in accordance with the CDC guidelines for cell phone data collection included within this RFP.
- 4.1.1.7 If requested, and required by the CDC, develop methods and procedures to administer the BRFSS using alternative formats, including mail, web, cell phone app, redirected in-bound calls.
- 4.1.1.8 Collect questionnaire data in either English or Spanish from adult respondents by trained interviewers using CATI application software using the BRFSS protocols (Attachment E, Bidder's Library) for landline and cell phone data collection. Data collection will occur through single survey or split survey methods as requested by DOH/HRI during questionnaire development.
- 4.1.1.9 Employ widely recognized quality control indicators, disposition codes and response rate measures common to telephone survey methodologies as specified in the CDC BRFSS protocol.
- 4.1.1.10 Develop and implement procedures which minimize both sampling and non-sampling error while maximizing the sample size achievable with the funding available.
- 4.1.1.11 Perform ongoing monitoring of interviewers to ensure adherence with BRFSS protocol, ensure high response rates, promote accurate disposition coding and quality data, and, if needed, conduct timely correction of data errors identified by DOH/HRI or CDC staff.
- 4.1.1.12 As needed, make mid-year adjustments to the survey questionnaire and/or sampling plan and/or methods in response to emergent state or federal data collection requirements.
- 4.1.1.13 Maintain data management and storage procedures to enable secure data storage and transfer (see Section 4.6 Security).

#### **4.1.2 NYS Expanded BRFSS**

The contractor will conduct data collection and provide survey research services to produce representative data for each of the 62 counties as part of the Expanded (county-level) BRFSS. The additional survey to achieve representative county-level estimates will be integrated with New York's annual BRFSS and should be conducted in accordance with CDC protocols for BRFSS. The telephone survey length will take approximately 25 minutes, with approximately 140 questions. The goal number of complete interviews for an Expanded BRFSS is approximately 33,000 to 37,000 completed interviews. The required proportion of cell phone and landline interviews each year is determined by the CDC. The goal number of interviews to be completed per county will be established in advance of the survey start date, to be determined. The selected contractor will be responsible for providing survey research services in addition to those needed to administer the annual BRFSS as outlined above (Section 4.1.1.1 – 4.1.1.13).

The Expanded (county-level) BRFSS (Section B in [Attachment C](#) Cost Proposal) will be conducted via landline and cell phone in 2021. When the Expanded BRFSS is administered it replaces the Annual BRFSS so that for the Expanded BRFSS year Section B pricing (See [Attachment C](#) Cost Proposal) is in effect. A corresponding Asthma Call Back survey also occurs when the Expanded BRFSS is conducted (see Section 4.1.3 Asthma Call Back Surveys and [Attachment A](#) Cost Proposal).

A completed interview is defined according to the standards of the AAPOR and reflects an interview in which the selected respondent has been asked all questions up to and including the demographic questions which will be used for weighting.

The Expanded (county-level) BRFSS will require additional survey activities (sampling plan development, sample order and purchase, statistical weighting, development of documentation and technical reports). The completed interviews will be distributed according to a geographic stratification developed as part of the sampling plan in conjunction with DOH/HRI staff.

The contractor will also complete the following tasks:

- 4.1.2.1 Develop a stratified sampling plan to achieve representative estimates for each of the 62 counties in New York State. The sampling plan would build upon the sampling plan used for the annual BRFSS and oversample less populated counties to achieve a minimum sample of complete interviews (approximately 400) within each county.
- 4.1.2.2 Develop weights using iterative proportional fitting or other methods to enable valid county-level estimates to be generated for each of the 62 counties in New York State from data collected as part of the Expanded BRFSS.
- 4.1.2.3 Develop documentation describing the sampling plan and weights.

### **4.1.3 Asthma Call Back Surveys**

The selected contractor will be responsible for conducting all aspects of the Asthma Call Back Surveys (adult and child versions, both asked of the adult, [Attachment I](#) and of the child, [Attachment H](#)) (Bidder's Library) as a component of the 2019 - 2023 NYS BRFSS. The Asthma Call Back Survey length is approximately 20 minutes, with approximately 110 questions for each survey. Interviews are conducted with respondents to the annual NYS BRFSS who previously agreed to be called back. The surveys should be conducted in accordance with the detailed specifications provided in [Attachment G](#), 2018 Asthma Call Back Survey Guidelines (Bidder's Library). For the annual NYS BRFSS, the goal number of Asthma Call Back interviews to be completed varies from year to year based on available funding, but typically is around 250 to 350 completed interviews in total. In a year in which expanded county-level data collection occurs the expected number of interviews is 500 to 700. The proportion of interviews by cell phone is set by the CDC, but is expected to exceed 45%. The goal number of interviews to be completed will be established in advance of the survey start date, to be determined. As part of administration of the Asthma Call Back Surveys, the contractor will be responsible for:

- CATI programming to incorporate questions to allow for the administration of the Asthma Call Back in the questionnaire for the NY BRFSS and to administer the Asthma Call Back Survey (in English and Spanish) as specified by CDC and NYS.
- Developing methods to recruit eligible participants of the BRFSS to complete the Asthma Call Back Survey and administering the Asthma Call Back Survey in English and Spanish according to BRFSS guidelines.

## 4.2 Organizational and Staffing Requirements

The contractor will conduct recruitment, organization and training efforts that will provide for an adequate number of appropriately trained and qualified individuals to coordinate, manage and perform the tasks and deliverables outlined in Section 4.0. The contractor will ensure that the staffing needs of the program are met on an ongoing basis. The contractor will provide the following:

- 4.2.1 The contractor must have a call center located and operated within the continental United States. The call center must be appropriately equipped and have the capacity to handle call volume requirements described above in Section 4.1 for the Annual Statewide NYS BRFSS, NYS Expanded BRFSS and Asthma Call Back Surveys.
- 4.2.2 The contractor's call center must be equipped with appropriate CATI software.
- 4.2.3 The contractor must maintain software enabling remote monitoring of interviewers by NYS DOH/HRI staff.
- 4.2.4 The contractor must have equipment, staff and all applicable procedures to be able to store data securely, maintain the confidentiality of stored data, backup data and ensure against data loss (see Section 4.4 Security).
- 4.2.5 The contractor will maintain adequate staffing of the call center, including onsite project management, supervisors, interviewers (including Spanish speaking), and a senior statistician (10+ years with experience in complex sample designs and weighting methods). The project management, supervisors, interviewers and senior statistician competencies cannot be subcontracted except in an emergency with approval from DOH/HRI.
- 4.2.6 The contractor will provide all duties and services provided by the call center in the event the call center is not functional, such as during periods of excessive call volume, emergencies or equipment malfunction. In the event of such an occurrence, the contractor must obtain approval from DOH/HRI to proceed with an alternative method to complete the surveys and an alternative to the placement of staffing. The alternative method will only last for the duration of the period of excessive call volume, emergencies or equipment malfunction and will not permanently replace the call center as described in in 4.0.
- 4.2.7 The contractor must have the capacity to adjust staffing patterns within and between survey years to accommodate changes in sample size requirements and volume of survey collected as needed to complete the scope of work.

The contractor will submit resumes of staff hired under the terms of this contract for DOH/HRI review prior to the start of work. The Department/HRI reserves the right to approve or disapprove the contractor's proposed staffing.

## 4.3 Reporting

The contractor must provide routine data submissions and the submission of reports. The timeliness and quality of these data and report submissions will be used to evaluate performance. Specifically, the contractor must:

- 4.3.1 Produce clean monthly data files and a final year-end data file for both BRFSS and Asthma Call Back, and submit them to the CDC and DOH/HRI according to the timeline provided by the CDC and CDC BRFSS specifications in the BRFSS Data Collection Protocol, Disposition Table ([Attachment E](#), Bidder's Library).
- 4.3.2 Submit quarterly data quality assurance reports to DOH/HRI. The data quality reports should

include information about the demographics of survey participants (gender, age, race/ethnicity and region) in comparison to the characteristics of the New York State population. Quarterly data quality reports should also include summary information about disposition coding and standard quality measures: eligibility factor, eligible household respondents, resolution rate, cooperation rate, interview completion rate, refusal rate, CASRO rate, overall response rate.

- 4.3.3 For the year in which the expanded, county-level data collection occurs, submit documentation describing the sampling plan and development of weights for producing county-level estimates.

#### **4.4 Security**

The selected Contractor shall comply with all privacy and security policies and procedures of the Department (<https://its.ny.gov/eiso/policies/security>) and applicable state and federal law and administrative guidance with respect to the performance of this contract.

The Contractor is expected to provide secure and confidential backup, storage and transmission for hard copy and electronically stored information. Under no circumstances will any records be released to any person, agency, or organization without specific written permission of the DOH/HRI. The Contractor is obligated to ensure any Subcontractor hired by Contractor who stores, processes, analyzes or transmits data on behalf of Contractor has the appropriate Security requirements in place. If any breach or suspected breach of the data or confidentiality occurs, whether the breach occurred with the Contractor or Subcontractor, DOH/HRI must be notified immediately.

The contractor is required to maintain and provide to the Department upon request their data confidentiality plans and procedures for meeting security requirements as they relate to the deliverables and services within this RFP, including all plans as they relate to subcontractor work where applicable.

The contractor will develop and maintain adequate fully trained staff to respond to all stakeholder inquiries while protecting confidentiality and maintaining the security and integrity of all systems. Staff must be trained to understand and observe requirements related to confidentiality and operating guidelines for functions included in this RFP.

The Contractor will comply fully with all current and future updates of the security procedures of the DOH/HRI, as well as with all applicable State and federal requirements, in performance of this contract.

#### **4.5 Transition**

The transition represents a period when the current audit activities performed by the Contractor must be turned over to the Department, another Department agent or successor Contractor during or at the end of the contract.

The contractor shall provide technical and business process support as necessary and required by the Department to transition and assume contract requirements to the Department or another Department agent of the BRFSS Survey services should that be required during or at the end of the contract.

The contractor shall manage and maintain the appropriate number of staff to meet all requirements listed in the RFP during the transition. All reporting and record requirements, security standards, and performance standards are still in effect during the transition period.

The contractor is required to develop a work plan and timeline to securely and smoothly transfer any data and records generated from the inception of the Contract through the end of the contract to the Department or another Department agent should that be required during or upon expiration of its contract. The plan and documentation must be submitted to the Department no later than four (4) months before the last day of its contract with the Department of Health or upon request of the Department.

## 5.0 ADMINISTRATIVE INFORMATION

The following administrative information will apply to this RFP. Failure to comply fully with this information may result in disqualification of your proposal.

### 5.1 Restricted Period

“Restricted period” means the period of time commencing with the earliest written notice, advertisement, or solicitation of a Request for Proposals (“RFP”), Invitation for Bids (“IFB”), or solicitation of proposals, or any other method for soliciting a response from Bidders intending to result in a procurement contract with DOH and ending with the final contract award and approval by DOH and, where applicable, final contract approval by the Office of the State Comptroller.

This prohibition applies to any oral, written, or electronic communication under circumstances where a reasonable person would infer that the communication was intended to influence this procurement. Violation of any of the requirements described in this Section may be grounds for a determination that the bidder is non-responsible and therefore ineligible for this contract award. Two violations within four years of the rules against impermissible contacts during the “restricted period” may result in the violator being debarred from participating in DOH/HRI procurements for a period of four years.

Pursuant to State Finance Law §§ 139-j and 139-k, the Department of Health identifies a designated contact on face page of this RFP to whom all communications attempting to influence this procurement must be made.

### 5.2 Questions

There will be an opportunity available for submission of written questions and requests for clarification with regard to this RFP. All questions and requests for clarification of this RFP should cite the particular RFP Section and paragraph number where applicable and must be submitted via email to: [bcder@health.ny.gov](mailto:bcder@health.ny.gov). It is the bidder’s responsibility to ensure that email containing written questions and/or requests for clarification is received at the above address no later than the Deadline for Submission of Written Questions as specified in [Section 1.0](#) (Calendar of Events). Questions received after the deadline may **not** be answered. Modifications to this RFP shall be made by issuance of amendments and/or addenda.

### 5.3 Right to Modify RFP

DOH/HRI reserves the right to modify any part of this RFP, including but not limited to, the date and time by which proposals must be submitted and received by DOH/HRI, at any time prior to the Deadline for Submission of Proposals listed in [Section 1.0](#) (Calendar of Events). Modifications to this RFP shall be made by issuance of amendments and/or addenda.

Prior to the Deadline for Submission of Proposals, any such clarifications or modifications as deemed necessary by DOH/HRI will be posted to the DOH and HRI websites.

If the bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Bidder shall immediately notify DOH/HRI of such error in writing at [bcder@health.ny.gov](mailto:bcder@health.ny.gov) and request clarification or modification of the document.

If, prior to the Deadline for Submission of Proposals, a bidder fails to notify DOH/HRI of a known error or an error that reasonably should have been known, the bidder shall assume the risk of proposing. If awarded the contract, the bidder shall not be entitled to additional compensation by reason of the error or its correction.

## 5.4 Payment

The amount of annual funding made available for the project will vary from year to year. The NYS BRFSS is financed through state, federal, and other funding sources. State BRFSS funds are administered under the terms of a state miscellaneous services contract (state contract). Federal and other funds to support the BRFSS will be administered under the terms of the HRI contract. Therefore, this RFP will be used to establish contracts with both DOH and HRI to conduct each year's statewide survey. The contractor will work with DOH/HRI to manage and track payment through both contracts.

### 5.4.1. For State Contract Only

The contractor shall submit invoices and/or vouchers to the State's designated payment office:

Preferred Method: Email a .pdf copy of your signed voucher to the BSC at: [AccountsPayable@ogs.ny.gov](mailto:AccountsPayable@ogs.ny.gov) and copy [Mycroft.Sowizral@health.ny.gov](mailto:Mycroft.Sowizral@health.ny.gov) and [Diana.McFarland@health.ny.gov](mailto:Diana.McFarland@health.ny.gov) with a subject field as follows:

Subject: **Unit ID: 3450263** <Contract # TBD>

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

**NYS Department of Health  
Unit ID 3450263  
c/o NYS OGS BSC Accounts Payable  
Building 5, 5th Floor  
1220 Washington Ave.  
Albany, NY 12226-1900**

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, in 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 518-474-6019. 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 the Office of the State Comptroller, 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 and/or vouchers by the State (NYS Department of Health) shall be made in accordance with Article XI-A of the New York State Finance Law. Payment terms will be:

Vouchers for the monthly payment of completed interviews per [Section 4.0](#) must be submitted as outlined in the RFP [Section 5.4](#) Payment,” which is shown above. Monthly data files submitted with the monthly claim for payment (voucher) must identify the completed interviews performed for the State for the period of the claim for payment.

A completed interview is defined according to the standards of the American Association for Public Opinion Research and reflects an interview in which the selected respondent has been asked all questions up to and including the demographic questions which will be used for weighting.

A targeted number of completed interviews for landline and cell phone is established by DOH/HRI prior to the start of the data collection for the year. The contractor will be paid the price bid per completed interview for each survey type and phone type up to the targeted number.

All applicable reports per section 4.3 Reporting should be submitted as requested to the BRFSS Coordinator below. Data files should be electronically submitted monthly to:

Mycroft Sowizral, BRFSS Coordinator  
[Mycroft.sowizral@health.ny.gov](mailto:Mycroft.sowizral@health.ny.gov)

There will be no advance of funding under this contract. The final voucher must be submitted within 30 days of the end of the contract period.

#### **5.4.2 For the HRI contract only**

Vouchers for the HRI contract should be submitted no later than 30 days after the period for which reimbursement is requested. The final voucher must be submitted within 30 days of the close of the budget period. Vouchers received after the 30 days may be processed at the discretion of HRI. All applicable reports per Section 4.3 Reporting and documentation of completion of each of the monthly sampling replicates and submission of quality assurance reports should accompany vouchers. Submit to:

Mycroft Sowizral, BRFSS Coordinator  
[Mycroft.sowizral@health.ny.gov](mailto:Mycroft.sowizral@health.ny.gov)  
and  
Diana McFarland  
[Diana.mcfarland@health.ny.gov](mailto:Diana.mcfarland@health.ny.gov)

### **5.5 Minority & Woman-Owned Business Enterprise Requirements**

Pursuant to New York State Executive Law Article 15-A, the New York State Department of Health (“DOH”) 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 DOH 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 DOH 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, DOH hereby establishes an overall goal of **30%** for MWBE participation, **15%** for Minority-Owned Business Enterprises (“MBE”) participation and **15%** for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs and outreach efforts to certified MWBE firms). 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 DOH may withhold payment pending receipt of the required MWBE documentation. For guidance on how DOH will determine “good faith efforts,” refer to 5 NYCRR §142.8.

The directory of New York State Certified MWBEs can be viewed at: <https://ny.newnycontracts.com>. The directory is found in the upper right- hand side of the webpage under “Search for Certified Firms” and accessed by clicking on the link entitled “MWBE Directory”. Engaging with firms found in the directory with like product(s) and/or service(s) is strongly encouraged and all communication efforts and responses should be well documented.

By submitting a bid, a bidder agrees to complete an MWBE Utilization Plan ([Attachment 5](#), Form #1) of this RFP. DOH will review the submitted MWBE Utilization Plan. If the plan is not accepted, DOH may issue a notice of deficiency. 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. DOH may disqualify a Bidder as being non-responsive 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 (if applicable); or
- d) If DOH determines that the Bidder has failed to document good-faith efforts;

The Contractor will be required to 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 DOH, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a Contractor’s Quarterly M/WBE Contractor Compliance & Payment Report to DOH, 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.

If the Contractor is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding will constitute a breach of Contract and DOH 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.

New York State certified Minority- and Women-Owned Businesses (M/WBE) may request that their firm’s contact information be included on a list of M/WBE firms interested in serving as a subcontractor for this procurement. The listing will be publicly posted on the Department’s website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its NYS M/WBE certification to [diana.mcfarland@health.ny.gov](mailto:diana.mcfarland@health.ny.gov) before the Deadline for Questions as specified in [Section 1.0](#) (Calendar of Events). Nothing prohibits an M/WBE Vendor from proposing as a prime contractor.

**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.**

## **5.6 Equal Employment Opportunity (EEO) Reporting**

By submission of a bid in response to this solicitation, the Bidder agrees with all of the terms and conditions of [Attachment 8](#) Appendix A including Clause 12 - Equal Employment Opportunities for Minorities and Women. Additionally, the successful bidder will be required to certify they have an acceptable EEO (Equal Employment Opportunity) policy statement in accordance with Section III of Appendix M in [Attachment 8](#).

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.

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, 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.

To ensure compliance with this Section, the Bidder should submit with the bid or proposal an Equal Employment Opportunity Staffing Plan ([Attachment 5](#), Form #4) identifying the anticipated work force to be utilized on the Contract. Additionally, the Bidder should submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement ([Attachment 5](#), Form # 5), to DOH with their bid or proposal.

## **5.7 Sales and Compensating Use Tax Certification (Tax Law, § 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 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 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 an offerer meeting the registration requirements but who is not so registered in accordance with the law.

The successful Bidder must file a properly completed Form ST-220-CA with the Department of Health and Form ST-220-TD with the DTF. These requirements must be met before a contract may take effect. Further information can be found at the New York State Department of Taxation and Finance's website, available through this link: <http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf>.

Forms are available through these links:

- 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)
- 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)

## 5.8 Workers' Compensation and Disability Benefits Certifications

Sections 57 and 220 of the New York State Workers' Compensation Law (WCL) provide that DOH shall not enter into any contract unless proof of workers' compensation and disability benefits insurance coverage is produced. Prior to entering into a contract with DOH, successful Bidders will be required to verify for DOH, on forms authorized by the New York State Workers' Compensation Board, the fact that they are properly insured or are otherwise in compliance with the insurance provisions of the WCL. The forms to be used to show compliance with the WCL are listed below. Any questions relating to either workers' compensation or disability benefits coverage should be directed to the State of New York Workers' Compensation Board, Bureau of Compliance at (518) 486-6307. Failure to provide verification of either of these types of insurance coverage by the time contracts are ready to be executed will be grounds for disqualification of an otherwise successful Proposal.

The successful Bidder must submit the following documentation to the Department within 10 calendar days of notification of award.

ONE of the following forms as Workers' Compensation documentation:

A. Proof of Workers' Compensation Coverage:

1. **Form C-105.2** – Certificate of Workers' Compensation Insurance issued by private insurance carrier (or Form U-26.3 issued by the State Insurance Fund); or
2. **Form SI-12** – Certificate of Workers' Compensation Self-Insurance (or Form GSI-105.2 Certificate of Participation in Workers' Compensation Group Self-Insurance); or
3. **Form CE-200** – Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage.

B. Proof of Disability Benefits Coverage:

ONE of the following forms as Disability documentation:

1. **Form DB-120.1** – Certificate of Disability Benefits Insurance; or
2. **Form DB-155** – Certificate of Disability Benefits Self-Insurance; or
3. **Form CE-200** – Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage.

Further information is available at the Workers' Compensation Board's website, which can be accessed through this link: <http://www.wcb.ny.gov>.

## 5.9 Subcontracting

Bidder's may propose the use of a subcontractor. The Contractor shall obtain prior written approval from NYSDOH before entering into an agreement for services to be provided by a subcontractor. The Contractor is solely responsible for assuring that the requirements of the RFP are met. The prime contractor should have, onsite, the following staffing: Project management, supervisors, and senior

statistician. These competencies cannot be subcontracted. All subcontracts shall contain provisions specifying that the work performed by the subcontractor must be in accordance with the terms of the prime contract, and that the subcontractor specifically agrees to be bound by the confidentiality provisions set forth in the agreement between DOH and the Contractor. DOH reserves the right to request removal of any bidder's staff or subcontractor's staff if, in DOH's discretion, such staff is not performing in accordance with the Agreement. Subcontractors whose contracts are valued at or above \$100,000 will be required to submit the Vendor Responsibility Questionnaire upon selection of the prime contractor.

Subcontracting is not allowed for project management, supervisors, interviewers and senior statistician as outlined in Section 4.2.5.

## 5.10 DOH/HRI Reserved Rights

The Department of Health/Health Research, Inc. reserves the right to:

1. Reject any or all proposals received in response to the RFP;
2. Withdraw the RFP at any time, at the agency's sole discretion;
3. Make an award under the RFP in whole or in part;
4. Disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP;
5. Seek clarifications and revisions of proposals;
6. 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;
7. Prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available;
8. Prior to the bid opening, direct bidders to submit proposal modifications addressing subsequent RFP amendments;
9. Change any of the scheduled dates;
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders;
11. Waive any requirements that are not material;
12. Negotiate with the successful bidder within the scope of the RFP in the best interests of the state;
13. Conduct contract negotiations with the next responsible bidder, should the Department be unsuccessful in negotiating with the selected bidder;
14. Utilize any and all ideas submitted in the proposals received;
15. Every offer shall be firm and not revocable for a period of three hundred and sixty-five days from the bid opening, to the extent not inconsistent with section 2-205 of the uniform commercial code. Subsequent to such three hundred and sixty-five days, any offer is subject to withdrawal communicated in a writing signed by the offerer; and,
16. 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 an offerer's proposal and/or to determine an offerer's compliance with the requirements of the solicitation.

## 5.11 Freedom of Information Law ("FOIL")

All proposals may be disclosed or used by DOH to the extent permitted by law. DOH may disclose a proposal to any person for the purpose of assisting in evaluating the proposal or for any other lawful purpose. All proposals will become State agency records, which will be available to the public in accordance with the Freedom of Information Law. **Any portion of the proposal that a Bidder believes constitutes proprietary information entitled to confidential handling, as an exception to the Freedom of Information Law, must be clearly and specifically designated in the proposal as directed in [Section 6.1 \(D\)](#) of the RFP.** If DOH agrees with the proprietary claim, the designated portion of the proposal will be withheld from public disclosure. Blanket assertions of proprietary material will not

be accepted, and failure to specifically designate proprietary material may be deemed a waiver of any right to confidential handling of such material.

## **5.12 Lobbying**

Chapter 1 of the Laws of 2005, as amended by Chapter 596 of the Laws of 2005, made significant changes as it pertains to development of procurement contracts with governmental entities. The changes included:

- a) made 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;
- b) required 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;
- c) required 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;
- d) authorized the New York State Commission on Public Integrity, (now New York State Joint Commission on Public Ethics), to impose fines and penalties against persons/organizations engaging in impermissible contacts about a governmental procurement and provides for the debarment of repeat violators;
- e) directed the Office of General Services to disclose and maintain a list of non-responsible bidders pursuant to this new law and those who have been debarred and publish such list on its website;
- f) required the timely disclosure of accurate and complete information from offerers with respect to determinations of non-responsibility and debarment; (Bidders responding to this RFP should submit a completed and signed [Attachment 1](#), "Prior Non-Responsibility Determination".)
- g) increased the monetary threshold which triggers a lobbyist's obligations under the Lobbying Act from \$2,000 to \$5,000; and
- h) established the Advisory Council on Procurement Lobbying.

Subsequently, Chapter 14 of the Laws of 2007 amended the Lobbying Act of the Legislative Law, particularly as it related to specific aspects of procurements as follows: (i) prohibiting lobbyists from entering into retainer agreements on the outcome of government grant making or other agreement involving public funding; and (ii) reporting lobbying efforts for grants, loans and other disbursements of public funds over \$15,000.

The most notable, however, was the increased penalties provided under Section 20 of Chapter 14 of the Laws of 2007, which replaced old penalty provisions and the addition of a suspension option for lobbyists engaged in repeated violations. Further amendments to the Lobbying Act were made in Chapter 4 of the Laws of 2010.

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

## **5.13 State Finance Law Consultant Disclosure Provisions**

In accordance with New York State Finance Law Section 163(4)(g), State agencies must require all contractors, including subcontractors, that provide consulting services for State purposes pursuant to a contract to submit an annual employment report for each such contract.

The successful bidder 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.

The successful winning bidder 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.us/agencies/forms/ac3271s.doc> and  
<http://www.osc.state.ny.us/agencies/forms/ac3272s.doc>.

## **5.14 Debriefing**

Once an award has been made, bidders may request a debriefing of their proposal. 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 proposals. Requests must be received no later than fifteen (15) business days from date of award or non-award announcement.

## **5.15 Protest Procedures**

In the event unsuccessful bidders wish to protest the award resulting from this RFP, bidders should follow the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in Chapter XI Section 17 of the Guide to Financial Operations (GFO). Available on-line at:  
<http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>

## **5.16 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 (currently found at this address: <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 DOH receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, DOH 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 DOH 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. DOH 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.

## **5.17 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.

### **5.18 Encouraging Use of New York Businesses in Contract Performance**

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. All bidders should complete [Attachment 6](#), Encouraging Use of New York Businesses in Contract Performance, to indicate their intent to use/not use New York Businesses in the performance of this contract.

### **5.19 Diversity Practices Questionnaire**

Diversity practices are the efforts of contractors to include New York State-certified Minority and Women-owned Business Enterprises ("MWBES") in their business practices. Diversity practices may include past, present, or future actions and policies, and include activities of contractors on contracts with private entities and governmental units other than the State of New York. Assessing the diversity practices of contractors enables contractors to engage in meaningful, capacity-building collaborations with MWBEs. The Diversity Practices Questionnaire is [Attachment D](#), Bidder's Library.

### **5.20 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses**

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"), thereby further integrating such businesses into New York State's economy. DOH recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of DOH contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders/Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, DOH conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/veterans/>

Bidders are encouraged to contact the Office of General Services' Division of Service-Disabled Veteran's Business Development at 518-474-2015 or [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss methods of maximizing participation by SDVOBs on the Contract.

### **5.21 Intellectual Property**

Any work product created pursuant to this agreement and any subcontract shall become the sole and exclusive property of the New York State Department of Health/Health Research, Inc., which shall have all rights of ownership and authorship in such work product.

## 5.22 Vendor Assurance of No Conflict of Interest or Detrimental Effect

All bidders responding to this solicitation should submit [Attachment 4](#) to attest that their performance of the services outlined in this IFB does not create a conflict of interest and that the bidder will not act in any manner that is detrimental to any other State project on which they are rendering services.

## 6.0 PROPOSAL CONTENT

The following includes the requested format and information to be provided by each Bidder. Bidders responding to this RFP should satisfy all requirements stated in this RFP. All Bidders are requested to submit complete Administrative and Technical Proposals, and are required to submit a complete Cost proposal. A proposal that is incomplete in any material respect may be rejected.

To expedite review of the proposals, Bidders are requested to submit proposals in separate Administrative, Technical, and Cost packages inclusive of all materials as summarized in Attachment B, Proposal Documents (Bidder's Library). This separation of information will facilitate the review of the material requested. No information beyond that specifically requested is required, and Bidders are requested to keep their submissions to the shortest length consistent with making a complete presentation of qualifications. Evaluations of the Administrative, Technical, and Cost Proposals received in response to this RFP will be conducted separately. Bidders are therefore cautioned not to include any Cost Proposal information in the Technical Proposal documents.

**DOH will not be responsible for expenses incurred in preparing and submitting the Administrative, Technical, or Cost Proposals.**

### 6.1 Administrative Proposal

The Administrative Proposal should contain all items listed below. A proposal that is incomplete in any material respect may be eliminated from consideration. The information requested should be provided in the prescribed format. Responses that do not follow the prescribed format may be eliminated from consideration. All responses to the RFP may be subject to verification for accuracy. Please provide the forms in the same order in which they are requested.

A. M/WBE Forms

Submit completed Form #1 and/or Form #2, Form #4 and Form #5 as directed in [Attachment 5](#), "Guide to New York State DOH M/WBE RFP Required Forms."

B. Bidder's Disclosure of Prior Non-Responsibility Determinations

Submit a completed and signed [Attachment 1](#), "Prior Non-Responsibility Determination."

C. Vendor Responsibility Questionnaire

Complete, certify, and file a New York State Vendor Responsibility Questionnaire. DOH recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions at <http://www.osc.state.ny.us/vendrep/infovrsystem.htm> or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the

OSC Help Desk at 866-370-4672 or 518-408-4672 or by email at [ciohelpdesk@osc.state.ny.us](mailto:ciohelpdesk@osc.state.ny.us).

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website, [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep), or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form. Bidder's should complete and submit the Vendor Responsibility Attestation, [Attachment 3](#).

D. Freedom of Information Law – Proposal Redactions

Bidders must clearly and specifically identify any portion of the proposal that a Bidder believes constitutes proprietary information entitled to confidential handling as an exception to the Freedom of Information Law. See [Section 5.11](#), (Freedom of Information Law).

E. Bidder's Certified Statements

Submit [Attachment A](#), "Bidder's Certified Statements", (Bidder's Library) which includes information regarding the Bidder. Attachment A must be signed by an individual authorized to bind the Bidder contractually. Please indicate the title or position that the signer holds with the Bidder. DOH reserves the right to reject a proposal that contains an incomplete or unsigned Attachment A or no Attachment A.

- Bidder attests in [Attachment A](#), Bidder's Certified Statements that they have a functional call center located and operating within the continental United States. Bidder provides the address of the call center.

**Proposal cannot be reviewed until the above attestation is completed and signed.**

F. Encouraging Use of New York Businesses in Contract Performance

Submit [Attachment 6](#), "Encouraging Use of New York State Businesses" in Contract Performance to indicate which New York Businesses you will use in the performance of the contract.

G. References

Provide references using [Attachment 9](#), (References) for three (3) organizations that can confirm the work described within the technical proposal. Provide firm names, addresses, contact names, telephone numbers, and email addresses.

H. Vendor Assurance of No Conflict of Interest or Detrimental Effect

Submit [Attachment 4](#), Vendor's Assurance of No Conflict of Interest or Detrimental Effect, which includes information regarding the Bidder, members, shareholders, parents, affiliates or subcontractors. [Attachment 4](#) must be signed by an individual authorized to bind the Bidder contractually.

## 6.2 Technical Proposal

The purpose of the technical proposal is to demonstrate the qualifications, competence and capacity of the Bidder to perform the survey research services requested in this RFP in [Section 4.0](#) Scope of Work. Bidder should respond to each element below based upon the scope of work.

A Technical Proposal that is incomplete in any material respect may be eliminated from consideration. The following outlines the requested information to be provided, in the following order, by Bidders. The

information requested should be provided in the prescribed format. Responses that do not follow the prescribed format may be eliminated from consideration. All responses to the RFP may be subject to verification for accuracy.

While additional data may be presented, the following should be included. Please provide the information in the same order in which it is requested. Your proposal should contain sufficient information to assure DOH of its accuracy. Failure to follow these instructions may result in disqualification.

Pricing information contained in the Cost Proposal must not be included in the Technical Proposal documents.

A. Title Page

Submit a Title Page providing the RFP subject and number; the Bidder's name and address, the name, address, telephone number, and email address of the Bidder's contact person; and the date of the Proposal.

B. Table of Contents

The Table of Contents should clearly identify all material (by section and page number) included in the proposal.

C. Documentation of Bidder's Qualifications Responsive to [Section 3.0](#) of RFP

C1. Minimum Qualifications

Bidder MUST submit documentation of how they meet the requirements outlined in [Section 3.1](#), Bidder's Minimum Qualifications to Propose:

- A description of how the bidding organization meets the minimum of three (3) years of telephone based survey experience administering dual-path surveys of at least 100 questions in length; and
- A description of how the bidding organization meets the minimum of three (3) years of experience using Computer Assisted Telephone Interviewing (CATI) application software methodology for developing and administering telephone surveys in English and Spanish; and

Experience acquired concurrently is considered acceptable.

C2. Preferred Qualifications

Bidder should submit documentation demonstrating their experience with the following outlined in [Section 3.2](#), Preferred Qualifications:

- At least one (1) year of experience administering the BRFSS for a state or US Territory; and/or
- At least one (1) year of experience administering phone surveys requiring approximately 20,000 outgoing contacts (outgoing calls to distinct phone numbers) per month; and/or
- At least one (1) year of experience completing interviews for approximately 1,500 households/cell phones per month; and/or
- At least one (1) year of experience achieving Council of American Survey Research Organization (CASRO) or American Association for Public Opinion Research (AAPOR) response rates of at least 25% for telephone surveys of at least 100 questions in length.

D. Technical Proposal Narrative

The technical proposal should provide a complete description of the bidder's capabilities to perform the services required by this RFP and Section 4.0 Scope of Work. Bidders should provide a narrative as outlined below:

1. Technical Capacity and Experience

D.1.1 Describe your organization's experience, administering the BRFSS according to CDC protocol and achieving the annual targets for complete landline and cell phone telephone interviews described in Section 4.1.1 and 4.1.2. If the bidder does not have experience with BRFSS, please describe related experience with surveys of similar scope and size.

D.1.2 Describe your organization's experience using list-assisted random digit dialing telephone survey procedures following CDC BRFSS protocol to select a statewide probability sample representative of the non-institutionalized, civilian adult population aged 18 years and older. If the bidder does not have experience with BRFSS, please describe related experience with surveys of similar scope and size.

D.1.3 Describe your organization's experience collaborating with funders to develop sampling plans that over sample geographic regions, or sub-populations.

D.1.4 Describe your organization's experience programming and testing CATI software in English and Spanish. Provide information about procedures for reviewing the CATI, adding interview notes, testing skip patterns and working with states to program new questions.

D.1.5 Describe your organization's capacity to provide Spanish translation to support the translation of state-added questions not previously included in the BRFSS. If relevant, describe your organization's experience providing these services to other states implementing the BRFSS. If the bidder does not have experience with BRFSS, please describe related experience with surveys of similar scope and size.

D.1.6 Describe your organization's experience testing new questions that have not been included in the BRFSS or other phone surveys, including review by interviewers, cognitive testing, pretesting, development of interview prompts and coding for open-ended questions.

D.1.7 Describe your organization's experience administering the BRFSS using CDC guidelines for cell phone data collection. Describe the methods and procedures your organization uses to ensure adherence to the CDC BRFSS protocol for cell phones. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.1.8 Describe your organization's capacity to administer the BRFSS using alternative data collection modes, including mail, web, cell phone app, redirected in-bound calling. If relevant, describe your organization's experience utilizing alternative methods to collect survey data for other state clients. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.1.9 Describe your organization's experience administering the BRFSS in English and Spanish using CATI application software. Document your organization's capacity conducting single survey and split surveys. Describe the procedures your organization uses to recruit and interview Spanish speaking respondents and help ensure the sample interviewed represents the population. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.1.10 Describe your organization's capacity to promote the appropriate use of disposition codes and ability to generate valid response rate measures common to telephone surveys as specified in the CDC BRFSS protocol. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.1.11 Describe the procedures your organization uses to minimize sampling and non-sampling error while maximizing the sample size achievable with the funding available.

D.1.12 Describe the procedures your organization uses to ensure interviewers adhere to the BRFSS protocol. Document the training and ongoing monitoring used to ensure high response rates, accurate disposition coding and clean, quality data. Describe procedures your organization has in place to make timely correction to data errors identified. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.1.13 Describe your organization's capacity to make mid-year adjustments to the survey questionnaire, and/or sampling plan, and/or methods in response to emergent state or federal data collection requirements. If relevant, document examples of making mid-year adjustments for other states administering the BRFSS.

D.1.14 Describe your organization's data management and storage procedures. Document your organization's capacity to maintain the confidentiality of security of stored data and ensure secure transfer. Section

D.1.15 Describe your organization's experience conducting the BRFSS in county (sub-state) geographic areas and achieving the annual targets for complete telephone interview described in Section 4.1.2. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.1.16 Document your organization's capacity to develop a stratified sampling plan for landline and cell phone to produce estimates for a geographic subpopulation and achieve target number of complete surveys for geographic areas. Please describe your experience developing sampling plans for counties, cities and other sub-state geographies.

D.1.17 Describe your organization's ability to develop weights using iterative proportional fitting or other methods to enable statistically valid estimates for geographic areas smaller than a state (e.g., county or city). Please document examples in which your organization provided these services for other clients.

D.1.18 Describe your organization's ability to develop documentation describing sampling plans and methodology used to develop weights for producing appropriate estimates.

D.1.19 Describe your organization's experience administering the Asthma Call Back Survey according to the protocol established by the CDC and specifications outlined in Section 4.1.3. Include in your description any procedures you plan to employ to ensure recruitment of eligible (English and Spanish speaking) participants and a high participation rate among eligible participants. If the bidder does not have experience with BRFSS Asthma Call Back Survey, please describe related experience with surveys of similar scope and size.

## 2. Organizational Capacity and Staffing

D.2.1 Provide a description of the recruitment, organization and training efforts that will provide for an adequate number of appropriately trained and qualified individuals to coordinate, manage and perform the tasks and deliverables outlined in Section 4.0. Include a description of how the bidder will ensure that the staffing needs of the program are met on an ongoing basis.

D.2.2 Provide a detailed description of equipment, call-center facilities and capacity to conduct the annual statewide and expanded BRFSS and asthma call back survey. Provide a detailed description of how the bidder plans to implement the scope of work for this RFP into the workflow of their currently operational call center. If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.2.3 Provide a description of the software your organization uses for CATI programming, survey administration and remote monitoring of telephone interviews.

D.2.4 Describe the technical capacities of equipment and software and appropriateness for meeting CDC requirements for BRFSS survey administration and remote monitoring. If the bidder does not have experience with BRFSS, please describe related experience with surveys of similar scope and size.

D.2.5 Provide a description of hardware, computer technical support and backup systems used to securely store and transfer data and prevent loss of data when systems fail. (Section 4.2.4. and Section 4.4 Security)

D.2.6 Provide a staffing plan to complete the activities and staffing requirements described in Section 4.2.5. Positions to be described include project management, supervisors, interviewers (including Spanish speaking), and a senior statistician (10+ years with experience in complex sample designs and weighting methods). These positions will be onsite at the call center. The project management, supervisors, interviewers and senior statistician competencies cannot be subcontracted except in an emergency situation with the approval of DOH. The staffing plan should include: descriptions of each position including the roles and responsibilities of each individual or group of individuals for carrying out the deliverables in this RFP, a description of the staff's functional responsibilities and how their functions relate to the successful completion of the contract deliverables; the expected number of staff needed to provide a full complement of staff; an organizational structure, including an organizational chart, that documents the ratio of supervisors to agents typically maintained within the organization and the turnover ratio of interviewers.

**Resumes are not required to be submitted with this proposal and will not be evaluated.**

D.2.7 Provide a description of how the bidder will provide all duties and services by the call center in the event the call center is not functional, such as during periods of excessive call volume, emergencies or equipment malfunction and how they will obtain approval from DOH to proceed with an alternative method to complete the surveys and an alternative to the placement of staffing. Note: The alternative method will only last for the duration of the period of excessive call volume, emergencies or equipment malfunction and will not permanently replace the call center as described in Sections 4.0, 4.2., and 4.2.5.

D.2.8 Provide a description demonstrating your organization's capacity to adjust staffing patterns within and between survey years to accommodate changes in sample size requirements and volume of survey collected. The description should include procedures and practices for recruiting and training new personnel and retaining staff at various levels of the organization involved in survey administration.

### 3. Reporting

D.3.1 Describe your organization's experience producing final products associated with the BRFSS, including monthly and annual datasets and disposition tables as described in the BRFSS Data Collection Protocol, Disposition Table ([Attachment E](#)). If the bidder does not have experience with BRFSS, describe related experience with surveys of similar scope and size.

D.3.2 Describe your capacity to produce quarterly data quality assurance reports as specified in Section 4.3.2.

D.3.3 Describe your organizations ability to develop documentation describing sampling plans and methodology used to develop and test the validity of weights for producing appropriate population estimates.

4. Security

D.4.1 Describe how your organization plans to provide the security described in Section 4.4.

5. Transition

D.5.1 Describe how your organization plans to provide the transition described in Section 4.5.

6. Diversity Practices Questionnaire

D.6.1 Submit [Attachment D](#) Diversity Practices Questionnaire (bidder's Library). The Department has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of respondents of this procurement is practical, feasible, and appropriate. Accordingly, respondents to this procurement should include as part of their response to this procurement, Attachment D, "Diversity Practices Questionnaire". **Responses will be formally evaluated and scored.**

### 6.3 Cost Proposal

Submit a completed and signed [Attachment C – Cost Proposal](#) (Bidder's Library). The Cost Proposal shall comply with the format and content requirements as detailed in this document and in Attachment C. Failure to comply with the format and content requirements may result in disqualification.

The bid price is to cover the cost of furnishing all of the said services, including but not limited to materials, equipment, profit and labor to the satisfaction of DOH and the performance of all work set forth in said specifications.

1. Annual BRFSS, [Attachment C, Section A:](#)

The target number of interviews (estimated units) varies from year to year. In some years, a larger number of additional questions are needed, requiring additional questions to be asked in two (2) or more separate survey questionnaires to maintain an appropriate length of survey (survey splits). The completed interviews will be distributed according to a geographic stratification developed as part of the sampling plan in conjunction with DOH staff. Bidders must submit Attachment C, Cost Proposal Section A unit prices for the four (4) survey types and 4 years (2019, 2020, 2022, 2023). Please provide a unit price for:

- Per completed interview price for annual BRFSS landline interviews;
- Per completed interview price for annual BRFSS cell phone interviews;
- Per completed interview price for annual BRFSS Asthma Call Back landline interviews;
- Per completed interview price for annual BRFSS Asthma Call Back cell phone interviews.

2. Expanded BRFSS, [Attachment C, Section B:](#)

The Expanded (county-level) BRFSS to be conducted in 2021 and will require additional survey activities (sampling plan development, sample order and purchase, statistical weighting, development of documentation and technical reports). The completed interviews will be distributed according to a geographic stratification developed as part of the sampling plan in conjunction with DOH staff. Bidders must submit Attachment C, Cost Proposal Section B unit prices for the Expanded BRFSS for the 4 (4) survey types for one (1) year (2021):

- Per completed interview price for Expanded county-level BRFSS landline interviews;
- Per completed interview price for Expanded county-level BRFSS cell phone interviews;
- Per completed interview price for Expanded county-level BRFSS Asthma Call Back landline

- interviews;
- Per completed interview price for Expanded county-level BRFSS Asthma Call Back cell phone interviews.

## 7.0 PROPOSAL SUBMISSION

A proposal consists of three distinct parts: (1) the Administrative Proposal, (2) the Technical Proposal, and (3) the Cost Proposal. The table below outlines the requested format and volume for submission of each part. Proposals should be submitted in all formats as prescribed below.

	<b>Electronic Submission</b>	<b>Paper Submission</b>
<b>Administrative Proposal</b>	3 dedicated flash drives or CDs labeled “Administrative Proposal” containing a standard searchable PDF file with copy/read permissions only.	4 Originals 6 Copies
<b>Technical Proposal</b>	3 dedicated flash drives or CDs labeled “Technical Proposal” containing a standard searchable PDF file with copy/read permissions only.	4 Originals 6 Copies
<b>Cost Proposal</b>	3 dedicated flash drives or CDs labeled “Cost Proposal” containing standard searchable PDF file(s) with copy/read permissions only.	4 Originals 6 Copies

1. All hard copy proposal materials should be printed on 8.5” x 11” white paper (two-sided) and **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 should be used. The Technical Proposal materials should be presented separate from the sealed Cost Proposal. The sealed Cost Proposal should also be presented in separate three-ring binder(s);
2. Where signatures are required, the proposals designated as originals should have a handwritten signature and be signed in blue ink.
3. DOH 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 DOH to evaluate proposals fairly and completely, proposals should follow the format described in this RFP to provide all requested information. 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;
4. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation team; and
5. In the event that a discrepancy is found between the electronic and hardcopy proposal, the original hardcopy will prevail.

**The proposal must be received by DOH, no later than the Deadline for Submission of Proposals specified in [Section 1.0](#), (Calendar of Events). Late bids will not be considered.**

Proposals should be submitted in three (3) separate, clearly labeled packages: (1) Administrative Proposal, (2) Technical Proposal and (3) Cost Proposal, prepared in accordance with the instructions stated in this RFP. Mark the outside envelope of each proposal as “RFP#17846” (Behavioral Risk Factor Surveillance System (BRFSS)) – (Administrative) (Technical) or (Cost) Proposal submitted by (Bidder’s name)”. The three sealed proposals may be combined into one mailing, if desired.

Proposals must be submitted, by U.S. Mail, by courier/delivery service (e.g., FedEx, UPS, etc.) or by hand as noted below, in a sealed package to:

Department of Health RFP # 17846  
Attention: Bureau of Chronic Disease Evaluation and Research, Ian Brissette,  
Bureau Director  
Empire State Plaza  
Corning Tower Building, Room 1084  
Albany, NY 12237-0679

It is the bidders' responsibility to see that bids are delivered prior to the bid due date and time. Late bids due to delay by the carrier or not received by the Department before the time/date specified in the Calendar of Events [Section 1.0](#) will not be considered.

NOTE: You should request a receipt containing the time and date received and the signature of the receiver for all hand-deliveries and ask that this information also be written on the package(s).

Submission of proposals in a manner other than as described in these instructions (e.g., fax, electronic transmission) will not be accepted.

## **7.1 No Bid Form**

Bidders choosing not to bid are requested to complete the No-Bid form [Attachment 2](#).

## **8.0 METHOD OF AWARD**

### **8.1 General Information**

DOH/HRI will evaluate each proposal based on the "Best Value" concept. This means that the proposal that best "optimizes quality, cost, and efficiency among responsive and responsible offerers" shall be selected for award (State Finance Law, Article 11, §163(1)(j)).

DOH/HRI at its sole discretion, will determine which proposal(s) best satisfies its requirements. DOH/HRI reserves all rights with respect to the award. All proposals deemed to be responsive to the requirements of this procurement will be evaluated and scored for technical qualities and cost. Proposals failing to meet the requirements of this document may be eliminated from consideration. The evaluation process will include separate technical and cost evaluations, and the result of each evaluation shall remain confidential until both evaluations have been completed and a selection of the winning proposal is made.

The evaluation process will be conducted in a comprehensive and impartial manner, as set forth herein, by an Evaluation Committee. The Technical Proposal and compliance with other RFP requirements (other than the Cost Proposal) will be weighted **70%** of a proposal's total score and the information contained in the Cost Proposal will be weighted **30%** of a proposal's total score.

Bidders may be requested by DOH/HRI to clarify the contents of their proposals. Other than to provide such information as may be requested by DOH/HRI, no Bidder will be allowed to alter its proposal or add information after the Deadline for Submission of Proposals listed in [Section 1.0](#) (Calendar of Events).

In the event of a tie, the determining factors for award, in descending order, will be: (1) lowest cost and (2) proposed percentage of MWBE participation.

Bidder must maintain an active registration in the System for Award Management (SAM) at SAM.gov, have no exclusions or delinquent federal debt.

## 8.2 Submission Review

DOH/HRI will examine all proposals that are received in a proper and timely manner to determine if they meet the proposal submission requirements, as described in [Section 6.0](#) (Proposal Content) and [Section 7.0](#) (Proposal Submission), and include the proper documentation, including all documentation requested for the Administrative Proposal, as stated in this RFP. Proposals that are materially deficient in meeting the submission requirements or have omitted material documents, in the sole opinion of DOH/HRI, may be rejected.

## 8.3 Technical Evaluation

The evaluation process will be conducted in a comprehensive and impartial manner. A Technical Evaluation Committee comprised of program staff of DOH and HRI will review and evaluate all proposals.

Proposals will undergo a preliminary evaluation to verify Minimum Qualifications to Propose ([Section 3.0](#)).

The Technical Evaluation Committee members will independently score each Technical Proposal that meets the submission requirements of this RFP. The individual Committee Member scores will be averaged to calculate the Technical Score for each responsive Bidder.

The technical evaluation is **70% (up to 70 points)** of the final score.

## 8.4 Cost Evaluation

The Cost Evaluation Committee will examine the Cost Proposal documents. The Cost Proposals will be opened and reviewed for responsiveness to cost requirements. If a cost proposal is found to be non-responsive, that proposal may not receive a cost score and may be eliminated from consideration.

The Cost Proposals will be scored based on a maximum cost score of 30 points. The maximum cost score will be allocated to the proposal with the lowest all-inclusive not-to-exceed maximum price. All other responsive proposals will receive a proportionate score based on the relation of their Cost Proposal to the proposals offered at the lowest final cost, using this formula:

$$C = (A/B) * 30\%$$

A is Total price of lowest cost proposal;  
B is Total price of cost proposal being scored; and  
C is the Cost score.

The cost evaluation is **30% (up to 30 points)** of the final score.

## 8.5 Composite Score

A composite score will be calculated by DOH/HRI by adding the Technical Proposal points and the Cost points awarded. Finalists will be determined based on composite scores.

## 8.7 Reference Checks

The Bidder should submit references using [Attachment 9](#) (References). At the discretion of the Evaluation Committee, references may be checked at any point during the process to verify bidder qualifications to propose ([Section 3.0](#)).

## 8.8 Best and Final Offers

DOH/HRI reserves the right to request best and final offers. In the event DOH/HRI exercises this right, all bidders that submitted a proposal that are susceptible to award will be asked to provide a best and final offer.

Bidders will be informed that should they choose not to submit a best and final offer, the offer submitted with their proposal will be construed as their best and final offer.

## 8.9 Award Recommendation

The Evaluation Committee will submit a recommendation for award to the Finalist with the highest composite score whose experience and qualifications have been verified.

The Department will notify the awarded Bidder and Bidders not awarded. The awarded Bidder will enter into a written Agreement substantially in accordance with the terms of [Attachment 8](#), DOH Agreement, to provide the required services as specified in this RFP. The resultant contract shall not be binding until fully executed and approved by the New York State Office of the Attorney General and the Office of the State Comptroller.

## 9.0 TERMS AND CONDITIONS OF HRI CONTRACT

The selected contractor will be required to sign the Consultant Agreement ([Attachment K](#) in Bidder's Library) and agree to the General Terms and Conditions outlined in Appendix A to the Consultant Agreement ([Attachment K](#)).

## ATTACHMENTS

The following attachments are included in this RFP and are available via hyperlink or can be found at: <https://www.health.ny.gov/funding/forms/>

- 1 [Bidder's Disclosure of Prior Non-Responsibility Determination](#)
- 2 [No-Bid Form](#)
- 3 [Vendor Responsibility Attestation](#)
- 4 [Vendor Assurance of No Conflict of Interest or Detrimental Effect](#)
- 5 [Guide to New York State DOH M/WBE Required Forms & Forms](#)
- 6 [Encouraging Use of New York Businesses in Contract Performance](#)
- 8 [DOH Agreement](#) (Sample Contract)
- 9 [References](#)

The following attachments are included in this RFP via the Bidder's Library:

- A [Bidder's Certified Statements](#)
- B [Proposal Document Checklist](#)
- C [Cost Proposal](#)
- D [Diversity Practices Questionnaire](#)
- E [BRFSS Data Collection Protocol](#)
- F [BRFSS 2018 Questionnaire](#)
- G [2018 ACBS Guidelines](#)
- H [ACBS Child Questionnaire](#)
- I [ACBS Adult Questionnaire](#)
- J [State/HRI Contract Period and Activities](#)
- K [General Terms and Conditions for Health Research, Inc. Contracts](#)