

**All Payer Database Project: Data Warehouse and Data Analytics
Request for Proposals (RFP) Number 15809**

**Amendment #5
(Resulting from Round 2 Question and Answers)**

1. In addition to existing Project Management requirements, including transition of custom software products and source code (RFP main document, Section III. B. 2., Project Management, Contract Transition, PM-43 through PM-49), NYSDOH may elect, at its own cost, to place custom software source code and documentation in an escrow account. If exercised, the Contractor must produce required documentation and help facilitate placement in escrow.
2. To clarify and highlight Appendix F licensing provisions (RFP Attachment 12, Appendix F, Section 2. b. i. 2.), if/when the Contractor utilizes existing software products in the APD solutions, the State should be granted a minimum of a non-exclusive, perpetual license to use, execute, reproduce, display, perform, adapt and distribute the existing software product. If adaptation of software is prohibited or limited by the standard license agreement for the existing software, the Contractor must advise the State as part of their proposal that adaptation will violate existing agreements or statutes, and must demonstrate such to the State's satisfaction. Per this language, Bidders should clearly state in their proposal where such a situation exists, and should provide detailed information on the specific software in question, and the limitations of the existing software product's standard license agreement.
3. Attachment 8, Price Proposal Workbook has been revised and reposted. Revisions include unlocking the "Software Itemization" tab so that bidders can insert add rows as needed, and correcting the instructions on the "Pricing Summary" tab (cell A24) to read "Enter Monthly Fixed Ongoing Support Prices in Rows 12-14."