

**State Surveillance Activities for Diagnostic and Treatment Centers**  
**RFP #17168**  
**Questions and Answers – June 14, 2017**

Question Number	RFP Reference	Questions	Answers
1.	RFP Section 2.1; Introductory Background, Program Overview, Pages 3-4	<p>Is there a current contractor for this Scope of Work?</p> <p>a. If so, who is it?</p> <p>b. If so, does it cover the same regions and volumes?</p> <p>c. If so, how long has that contract been in effect?</p> <p>d. What is the current worth of that contract?</p>	<p>Answer a: The current contractor is Island Peer Review Organization (IPRO).</p> <p>Answer b: The contract covers the same regions, but the volumes have been updated.</p> <p>Answer c: The contract has been in effect since October 1, 2011.</p> <p>Answer d: The current worth of the contract (including an extension to September 30, 2016) is \$5,000,000.</p>
2.	RFP Section 3.1, Minimum Qualifications, Page 5.	<p>The RFP states <i>“The bidder (prime contractor) cannot be a provider of health care services, a health care facility accrediting body or organization or trade association whose primary business includes representing any Article 28 licensed provider.”</i> If the bidder has a business relationship with healthcare providers whereby the bidder provides staffing (including clinicians) to healthcare providers (e.g., hospitals, nursing homes, etc.) and that staffing works for the bidder but is functioning as an integral part of the provider’s staff, is that bidder ineligible to bid on this RFP? In this instance, the bidder would be in a position to conduct survey activities that would assess the performance of their own staff who are working in a facility subject to a DTC survey.</p>	<p>Answer: See Amendment #3, A. Bidders Qualifications and revised Attachment A.</p> <p>Attachment L provides for the bidder to address conflict of interest.</p>

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3.	RFP Section 4.0; Scope of Work, Region 1, MARO NYC and MARO LI, paragraph 1, Pages 5-6	<p>Will the DOH provide a list of which DTCs in MARO have been surveyed in the last 5 years? This information is needed for budgeting.</p> <p>a. Does the current contractor maintain its own data base of these facilities, with associated information, that is apart from the ASPEN data base?</p> <p>b. If so, will this data base be turned over to the new contractor?</p>	<p>DOH will provide a list of the actual DTCs in MARO that have been surveyed in the past five years to the successful bidder, once selected. Bidders may access and download public datasets of Article 28 licensed facilities, including DTCs and DTC extension sites, at the Facilities and Services Tab on the Health Data New York website at <a href="https://healthdata.ny.gov">https://healthdata.ny.gov</a>.</p> <p>Answer a. and b.: The current contractor does not maintain its own database of facilities apart from the ASPEN database so there would be no database to turn over to the new contractor.</p>
4.	RFP Section 4.0 Scope of Work, Region 1, MARO NYC and MARO LI, paragraph 2, page 6; and Region 2, paragraph 2	<p>The RFP states that “Each survey is approximately 50 hours in length.”</p> <p>a. Is the 50-hour number inclusive of more than one surveyor?</p> <p>b. If so, how many surveyors participate in each survey?</p> <p>c. Does the 50-hour number include all preparatory and post-survey follow-up activities, such as review of information, preparation of Statements of Deficiencies, review of Plans of Correction, data entry, investigation of complaints, etc.?</p> <p>d. Does survey of each extension clinic take an additional 50 hours?</p> <p>e. If not, how many hours does a survey of an extension clinic take?</p>	<p>Answer a: It takes approximately 50 hours to perform an on-site survey. Example(s): one surveyor (RN) putting in approximately 50 hours; or two surveyors (RN’s) each putting in approximately 25 hours. The contractor will provide an adequate number of nurses to perform the required surveys of DTC’s and extension clinics.</p> <p>Answer b: See answer a.</p> <p>Answer c: Yes, the approximation of 50 hours includes all pre-and post-survey activities.</p> <p>Answer d: No, the survey of each extension clinic is included in the approximation of 50 survey hours for the entire survey.</p> <p>Answer e: See answer d.</p>

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5.	RFP Section 4.1.A, Scope of Work, Page 6	<p>The RFP states <i>“The contractor will perform 65 on-site routine surveys per year for DTCs covered by the Metropolitan Area Region ... and includes a 10% sample of any extension clinics operated by the DTC.”</i> Please confirm that the total of 65 includes both the DTCs that must be surveyed every five years and the 10% sample from extension clinics associated with those DTCs. That is, the 10% sample is not in addition to the 65 surveys per year. Please provide an estimate of what portion of the 65 annual surveys are for the extension clinics. We understand that the total number may change from year to year, but want to know the estimated proportion for the estimated 65.</p>	<p>Answer: Each DTC survey includes an assessment of the main site as well as an assessment of a 10% sample of any associated extension clinics. There are 65 on-site routine main site surveys per year and each main site survey includes a 10% sample of the associated extension clinics.</p> <p>See RFP Section 4.1.a, 4.1.b, Attachment C, Cost Proposal and Exhibit 3.</p>
6.	RFP Section 4.1.1, Scope of Work, Page 6.	<p>The RFP states <i>“The contractor will conduct on-site routine, periodic surveys as stated in Sections 4.1.a and 4.1.b, <b>and the investigation of complaint allegations</b>, if applicable, as described in this RFP and as directed by the Regional Office Hospital Program Director.”</i> (emphasis added.) The workload provided in the RFP appears to count only DTC surveys and not complaint investigations. While included in the scope of work, no information is provided on the numbers of complaints nor on the time required to investigate each one. Can the Department provide estimated workload for complaints as well as the time per complaint? How is this work accounted for in the cost proposal?</p>	<p>Answer: An assessment of how the DTC has addressed any patient complaints is included in a routine DTC survey and is accounted for in the estimate of 50 hours required to conduct the survey. Only minor complaints are held for review as part of the routine survey; any serious complaints would be investigated by State staff in a separate complaint survey that is not included in the scope of this contract.</p>

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7.	RFP Section 4.1.1, Scope of Work, Page 6.	The RFP states “ <i>Each survey includes: ... observation of patient care ...</i> ” The current survey elements do not include observation of patient care, only assessment of patient care through medical record review. Please confirm that direct observation of patient care is now part of the contractor’s survey responsibilities.	Answer: The observation of patient care is included in the contractor’s survey responsibilities.  Any assumptions regarding the scope of work of the current contract should not be made when submitting a proposal under RFP #17168.
8.	RFP Section 4.1.1; Scope of Work, Page 6	Will the Department provide a copy of the survey protocol and the forms that are required to be completed while onsite, as it has done in prior RFPs?	Answer: The survey protocol and forms are confidential. DOH will provide the survey protocol and forms to the successful bidder, once selected.
9.	RFP Section 4.1.2, Scope of Work, Page 7.	The RFP states “The contractor will analyze survey findings and determine if the facility is in compliance with the applicable laws, rules and regulations Bidders should refer to Sections 751.2 through 751.12, and 755.1 through 755.-10, and 756.1 through 756.6 of 10 NYCRR for the State regulations related to DTCs available at <a href="https://regs.health.ny.gov/">https://regs.health.ny.gov/</a> .” Is this list of state regulations comprehensive or are there other regulations that DTCs must comply with and/or must be used to analyze survey findings?	Answer: No, see Amendment #3, B. Scope of Work, 2, Section 4.1.2.
10.	RFP Section 4.1.8, Scope of Work, Page 7	The RFP states “ <i>The contractor will participate in Department quality improvement reviews and will monitor program performance, assure proficiency and promote efficiency.</i> ” Please clarify what this activity is and how	Answer: See Amendment #3, B. Scope of Work, 2, Section 4.1.8.  See Section 6.3 Cost Proposal and Amendment #3, D. Proposal Content, 3.

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		many hours per year it will take. Where should this effort be accounted for in the cost proposal?	
11.	RFP Section 4.2.3, Scope of Work, Page 7.	The RFP states <i>“If necessary, the contractor is required to replace staff due to attrition or dismissal with the same level of qualified staff.”</i> What circumstances would make this “necessary?” If the incumbent contractor is not awarded this contract will the new contractor be required to hire the existing staff at their current level of compensation and benefits? If not, will the new contractor be required to hire staff with the same level of experience as the current staff?	Answer: The successful bidder must maintain staffing levels necessary to meet the contract deliverables, which includes replacing staff who leave. No, the new contractor is not required to hire the existing staff, but must hire staff who meet the required levels of education and experience as specified in the RFP.
12.	RFP Section 4.2.7, Scope of Work, Page 8.	The RFP states <i>“The contractor is required to coordinate all travel arrangements including transportation, hotels and meals for all work performed in Region 2, Region 3 and Region 4. This pertains to day-to-day survey functions.”</i> Does this mean that travel for training for staff performing Region 2, 3 and 4 surveys is not reimbursed directly and should be included in the bid rate?	Answer: See Amendment #3, B. Scope of Work, 2.
13.	RFP Section 4.2.8, Scope of Work, Page 8.	The RFP states <i>“At a minimum, Registered Nurses are required to perform the on-site surveys due to the need to use professional clinical judgement to assess compliance with regulations and standards of care. The contractor will provide an adequate number of nurses to perform the required surveys of DTCs and extension clinics.”</i> There appears to be no requirement for the number of RNs per	Answer: A survey does not require more than one (1) RN; however, it is sometimes more efficient to have additional RN’s on the survey. The contractor will provide an adequate number of nurses to

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		survey. Please confirm that a survey does not require more than one RN.	perform the required surveys of DTC's and extension clinics.
14.	RFP Section 4.2.9, Scope of Work, Page 8.	The RFP states <i>"The contractor will provide a full-time support staff person to perform administrative functions such as database entry and filing of survey findings and plans of correction, mailing and tracking of survey reports and other duties as assigned to for State DTC surveys and extension clinics performed by contract and non-contract State staff."</i> Please confirm that the contractor's support person will be required to perform these administrative functions for <b>both</b> contractor staff and state staff. Currently, this is not the case. The contractor's support person performs these functions only for the contractor's staff. If it is to be done for both, please confirm that one FTE is sufficient.	Answer: The scope of work for the RFP included all administrative work associated with the routine State surveys of DTCs, regardless of whether the survey is performed by State staff or contract staff. One FTE should be sufficient for this workload. Any assumptions regarding staffing as provided in the current contract should not be made when submitting a proposal under RFP #17168.
15.	RFP Section 4.4.1, Scope of Work, Page 8.	The RFP states <i>"The contractor's organization, employees, subcontractors and volunteers will implement and maintain policies, an internal control process for oversight and monitoring and procedures to assure the confidentiality of personal identifiable data and protected health information."</i> In addition to complying with DOH policies and procedures for confidentiality, etc. is the contractor expected to implement and maintain additional policies and internal control procedures for their staff?	Answer: Yes.
16.	RFP Section 4.4, Security, page 8	Please explain the use of the term "volunteers" in reference to Security requirements?	Answer: The term "volunteers" refers to any person that has access to any confidential personal

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			identifiable data and protected health information other than the contractor’s organization, employees, or subcontractors.
17.	RFP Section 6.1H; Administrative Proposal, Diversity Practices Questionnaire, page 18	<p>This section indicates that the Diversity Practices Questionnaire responses “will be formally evaluated and scored.”</p> <p>a. Please explain how this will be scored.</p> <p>b. Please explain how the score on the Diversity Practices Questionnaire will be calculated into either the 70% of the final score that the Technical Proposal is worth, or the 30% of the final score that the Cost Proposal is worth?</p> <p>c. If the score on the Diversity Practices Questionnaire is not calculated into the Technical and/or Cost Proposals, how is it used?</p>	<p>Answer: a. The Diversity Practices Questionnaire will be formally evaluated and scored as a part of the technical proposal.</p> <p>Answer: b. Please see Answer a. Specific evaluation criteria will not be released.</p> <p>Answer c. Please see Answer a.</p>
18.	RFP Section D.1.B, Technical Proposal Narrative, Page 20.	The RFP cites <a href="https://www.cms.gov/Regulations-and-Guidance/Legislation/CLIA/Downloads/Principles-of-Documentation-for-the-Statement-of-Deficiencies-CMS-2567.pdf">https://www.cms.gov/Regulations-and-Guidance/Legislation/CLIA/Downloads/Principles-of-Documentation-for-the-Statement-of-Deficiencies-CMS-2567.pdf</a> as the source for CMS Principles of Documentation. This appears to be an error. The citation in Section 4.1.B. appears to have the correct link. Please confirm.	<p>Answer: See Amendment #3, D. Proposal Content, 1.</p> <p>The link in Section 4.1.B, 4.1.3 is the correct link.</p>
19.	RFP Section D.1.D; Technical Proposal Narrative, Page 20	Does the reference in this paragraph to “non-contract staff” mean that the contractor’s staff will be responsible for all database entry activities associated with DTC survey activities performed by any other individuals working on these activities, including DOH staff and/or staff from other contractors?	Answer: The reference to non-contract staff refers only to DOH staff.

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20.	RFP Section D.1.D; Technical Proposal Narrative, Page 20	Does the reference in this paragraph to “the Department’s existing computer systems and . . . ASPEN . . .” mean that there are other computer systems or databases in use for DTC survey activities in addition to ASPEN? If so, what are they and what are they used for?	Answer: The Department’s existing computer systems include the DOH shared Microsoft network where completed survey documents are filed, and applications on the Health Commerce System, which is the Department’s secure web portal.
21.	RFP Section D.2.B, Technical Proposal Narrative, Page 20.	The RFP states “ <i>The bidder should describe their plan for the organization and oversight of staff including payment of salary and fringe benefits (if applicable) ...</i> ” Please confirm that a bidder is not required to provide staff with any benefits other than those required by law. What consideration in evaluation will be given to the incumbent bidder with staff who are more highly compensated because they have been in place for multiple years? Can the incumbent bidder propose all new staffing who meet all RFP qualifications in order to overcome this financial disadvantage?	Answer: See Amendment #3, D. Proposal Content, 2.
22.	RFP Section D.2.B-D; Staffing Requirements, page 20	These sections seem to be incorrectly numbered with Section D.2.B occurring twice and Section D.2.C omitted. Will all subsections under “D” be re-numbered?	Answer: See RFP#17168 Amendment #1, dated May 5, 2017 posted to the DOH website.
23.	RFP Section 7.0: Proposal Submission, paragraph 3 (bullet #1), Page 22	As the Administrative Proposal is made up of required forms, should it be page numbered, or can Tabs substitute for organizing the Proposal?	Answer: The Administrative Proposal consists of requested forms that should be provided in the same order in which they are requested. The pages can be page numbered or in tab form.

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24.	RFP Section 7.0: Proposal Submission, paragraph 3 (bullet #1), page 22	What constitutes “appropriate header and footer information” for each of the 3 types of proposals? Can headers and footers be omitted on required forms?	Answer: Examples of appropriate header and footer information can include, but is not limited to, the RFP#17168 and proposal type. Yes, the headers and footers can be omitted from the requested forms.
25.	RFP Section 7.0: Proposal Submission, paragraph 3 (bullet #1), page 22	Can Exhibits be included with the Technical Proposal?	Answer: Yes, exhibits that are not beyond that sufficient to present a complete and effective proposal can be included in the technical proposal.
26.	RFP Section 8.1; Method of Award, General Information, 4 <sup>th</sup> paragraph, page 23	This section states that “Bidders may be requested by DOH to clarify the contents of their proposals.” Doesn’t this provision provide a means for DOH to circumvent the formal scoring processes? What assurance of fairness can the DOH provide to all Bidders? Will you notify all bidders when the Department makes a request for clarification from a bidder? If not, why not How will these clarifications be scored?	Answer: These questions are not relevant to the development of a proposal under this RFP.
27.	RFP Section 8.3; Technical Evaluation, page 23	Are there any sections within the technical proposal that will be evaluated on a pass/fail basis rather than being awarded points? If so, how will pass/fail criteria be calculated within the 70 points awarded for the technical proposal.	Yes. Pass/fail criteria do not have points assigned to them.

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28.	RFP Section 8.3; Technical Evaluation, paragraph 1, page 23	<p>How many reviewers will comprise the Technical Evaluation Committee?</p> <p>Have the reviewers already been chosen and notified?</p> <p>Have the reviewers already been trained?</p> <p>What steps have been and/or are being taken to ensure the impartiality of the reviewers?</p>	Answer: These questions are not relevant to the development of a proposal under this RFP.
29.	RFP Section 8.3; Technical Evaluation, paragraph 4, page 23; and Section 8.4, Cost Evaluation, paragraph 2, page 24	<p>While the description of evaluation of the Cost Proposals describes a process and formula for “normalizing” the scores, the description of the evaluation of the Technical Proposals provides no such “normalization” description or formula. It merely states that “the technical evaluation is 70% of the final score.”</p> <p>Was description of a “normalization” process and a formula inadvertently left out of the scoring explanation of the Technical Proposals?</p> <p>If not, please explain how 70% will be arrived at.</p>	Answer: These questions are not relevant to the development of a proposal under this RFP.
30.	RFP Section 8.4: Cost Evaluation, paragraph 1, page 23	<p>What tests or analysis will the reviewers and/or Department conduct to ensure that a low bid is reasonable and feasible, that a bidder can successfully perform the contract at its offered bid and is not intentionally submitting an unreasonable low bid to effectively eliminate other competitive bidders?</p>	Answer: This question is not relevant to the development of a proposal under this RFP.
31.	RFP Section 8.4: Cost Evaluation, paragraph 1, page 23	<p>How many reviewers will comprise the Cost Evaluation Committee?</p>	Answer: This question is not relevant to the development of a proposal under this RFP.

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		<p>a. Please define what “responsiveness to cost requirements” means.</p> <p>b. Have the reviewers already been chosen and notified?</p> <p>c. Have the reviewers already been trained?</p> <p>d. What steps have been and/or are being taken to ensure the impartiality of the reviewers?</p>	<p>Answer: a. Please see Section 6.3 Cost Proposal and Attachment C, Cost Proposal.</p> <p>Answer: b, c, d. These questions are not relevant to the development of a proposal under this RFP.</p>
32.	RFP Section 8.4: Cost Evaluation, paragraph 2, page 24	The Cost Proposal form (Attachment C) does not have a place to record a “not-to-exceed Maximum price”. How will this be determined?	The Department will calculate the “not to exceed maximum price” in accordance with our pre-determined evaluation plan.
33.	RFP Section 8.7; Best and Final Offers, page 24	<p>Please define what the term “all bidders that . . . are susceptible to award” means. How will this be determined?</p> <p>Is submission of a Best and Final Offer at the request of DOH, limited to the Cost Proposal, or may the Technical Proposal be modified as well?</p> <p>If the Technical Proposal may be modified, how will this be scored?</p> <p>Will you notify all bidders when the Department makes a request for clarification from a bidder? If not, why not?</p>	Answer: If the Department elects to exercise the right to request best and final offers, the request will be in accordance with our pre-determined evaluation plan.

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34.	RFP Exhibit 3- Numbers of State Only Diagnostic and Treatment Centers and Historical Survey Data	<p>a. Please explain what the last column, “Survey Target” means.</p> <p>b. Why is the “Survey Target” only included for regional offices and not for counties?</p>	<p>Answer a: The survey target is the average number of surveys performed each year to ensure each DTC is surveyed every five (5) years as required.</p> <p>Answer b: The survey target data for the counties is rolled up to the regional office level.</p>