

**New York State Department of Health**  
**Housing Payment Services for Department of Health Traumatic Brain Injury and Nursing Home Transition and Diversion**  
**Waiver Participants**  
**#: 17746**  
*Questions and Answers Posted 5/31/2018*

<b>Question #</b>	<b>Corresponding RFP Section</b>	<b>Bidder's Question</b>	<b>Answer</b>
1.	General	Who is the incumbent Payment Agent vendor for the NHTD population?	Currently payments for the NHTD housing subsidy programs are implemented via a Memorandum of Understanding with the Division of Housing and Community Renewal (DHCR) in conjunction with Local Housing Authorities.
2.	General	What is current Payment Agent admin fee in the NHTD program?	Currently DHCR reimburses local housing authorities for the administration and services provided by the office on behalf of NHTD waiver participants.
3.	General	Does the NHTD program have reoccurring and/or one-time payments?	Upon approval of this contract, the terms and conditions of the housing program will be the same for both NHTD and TBI waiver participants. This will include on-time, recurring and emergent payments.
4.	General	Which date will the vendor selected with this contract be expected to go-live for both TBI and NHTD?	Section 4.1.A requires a written start up plan within 30 days of notification of award. This plan should include timeframes for all start up tasks including being operational on or before January 1, 2019.
5.	General	Did DOH purchase any software from the current Payment Agent vendor for the NHTD program?	No. The contractor is required to use the same payment protocols and systems for both the NHTD and TBI Housing Subsidy programs.
6.	General	Section 4.1B bullet point 15 states the Payment Agent will be responsible to "process urgent payments upon request within requested timeframes when requested by NYSDOH." How many urgent payment requests occur in the NHTD program?	These payments are based on need and will vary over the contract period.
7.	General	Section 4.1B bullet point 20 states the Payment Agent will be responsible to "via mail, fax, email or other electronic means convey necessary information to new landlords." What activities are expected with the communication to landlords?	The current contractor offers a customer service line to receive complaints and inquiries. Additional blanket notification to landlords and other payment recipients may be required.

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8.	General	Section 4.3 bullet point 4 states: "Submit to DOH, monthly quarterly and annual reports of all activity related to the Housing Program." Does DOH mean all transactional activity?	Yes. NYSDOH will dictate all reporting requirements upon contract execution.
9.	General	In the cost evaluation scoring the calculation states: $C = (A/B) * 20\%$ A is Total price of lowest cost proposal; B is Total price of cost proposal being scored; and C is the Cost score. Attachment C (Cost Proposal) only asks for a Funds under management (FUM) Percentage Rate Bid %. Can you clarify how the "Total Price" calculated for the scoring calculation?	The Funds Under Management (FUM) percentage will be used in replacement for cost proposal for calculating the Cost score.
10.	General	Section 8.4 Paragraph 2 states "The maximum cost score will be allocated to the proposal with the lowest all-inclusive not-to-exceed maximum price". "Not to exceed maximum" terminology is not used on Attachment C (Cost Proposal). What is the "not to exceed maximum" amount and how is it determined?	The maximum cost score will be allocated to the proposal with the lowest all-inclusive Funds Under Management (FUM) Rate.
11.	General	RFP section 5.7. Please provide language that affirms the contractor shall not be required to report sales and compensating use tax on any portion of the funds authorized by the Department to issue on behalf of the program participants and their vendors.	The administrative costs included in the contract are income to the provider. All remaining funds are utilized as a pass through for rents and payments made on behalf of waiver participants.
12.	General	RFP Section B. Please describe process to validate tax identification numbers furnished to contractor for rent payments that are necessary to issue accurate IRS forms 1099M. Please confirm that state will reimburse contractor within 30 days for any tax penalties associated with filing mismatched Forms 1099M due to inaccurate	NYSDOH will provide an annual reconciliation of all IRS fines imposed on the contractor due to inaccurate tax filings.
13.	General	RFP Section B. Confirm that state will follow IRS requirements regarding 1099M mismatched records and will reduce authorizations to landlords by an amount equal to IRS backup withholding requirements.	The contractor will be required to implement software to confirm the accuracy of filings upon receipt of the W-9 from the entity receiving payment.
14.	General	RFP Attachment C. Please confirm that all payments issued through this contract are counted toward the funds under management definition and the price % will be applied to the entire amount of funds under management that are authorized to spend every month.	Yes.

15.	General	<p>Please confirm position on inclusion of the following language to the proposed agreement:</p> <p>a. Such work product, equipment or materials do not include any Contractor Pre-existing Material, including but not limited to material that was developed prior to the Effective Date that is used, without modification, in the performance of the agreement. "Contractor Pre-existing Material" means materials, code, methodology, concepts, process, systems, technique, trade or service marks, copyrights, or other intellectual property right developed, licensed or otherwise acquired by CONTRACTOR, independent of the services to be rendered under this agreement. To the extent the works contain Contractor Pre-existing Material, CONTRACTOR hereby grants to the NY DOH an irrevocable, perpetual, nonexclusive, royalty-free, world-wide license to use, execute, reproduce, display, perform, and distribute copies of Contractor Pre-existing Material, but only as they are incorporated into and form a part of the works developed for the NY DOH pursuant to this agreement.</p>	<p>As part of the Bidder's Certified Statements Attachment A, bidders are required to certify that they accept the contract terms and conditions as set forth in the RFP. The Department reserves the right to negotiate terms of the contract that are non-material in nature with the contract awardee, within the scope of the RFP and in the best interests of New York State. Nonetheless, bidders must be fully prepared to accept all of the terms and conditions as set forth in the RFP without modification should the Department determine that that constitutes the best interests of New York State.</p>
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