



Department of Health

Request for Proposals

RFP #20064R Early Intervention Statewide Web-Based Training Issued: January 30, 2023

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1.0 CALENDAR OF EVENTS

| RFP (20064R – EARLY INTERVENTION STATEWIDE TRAINING WEB-BASED TRAINING) | |
|--|--|
| <u>EVENT</u> | <u>DATE</u> |
| Issuance of Request for Proposals | January 30, 2023 |
| Deadline for Submission of Written Questions | Questions Due by February 13, 2023 4:00 p.m. ET |
| Responses to Written Questions Posted by DOH | On or About March 1, 2023 |
| Deadline for Submission of Proposals | Proposals Due On or Before March 16, 2023 4:00 p.m. ET |
| <u>Anticipated</u> Contract Start Date | July 1, 2023 |

2.0 OVERVIEW

Through this Request for Proposals (RFP), the New York State Department of Health (NYSDOH) is seeking competitive proposals from qualified vendors to deliver statewide web-based training for Early Intervention Program (EIP) providers, municipal staff, parents, childcare providers, and other interested parties on topics identified by the DOH. The deliverables for this RFP are further detailed in [Section 4.0](#) (Scope of Work). It is the DOH's intent to award one (1) five-year contract from this procurement for the period July 1, 2023 to June 30, 2028.

2.1 Introductory Background

The DOH is designated as the lead NYS agency to administer the statewide EIP as authorized by Part C of the federal Individuals with Disabilities Education Act (IDEA). The EIP is a statewide program that provides a wide range of therapeutic and supportive services for eligible children with disabilities ages birth to three (3) years old and their families. The mission of the EIP is to identify and evaluate as early as possible those infants and toddlers whose healthy development is compromised and provide for appropriate intervention to improve child and family development.

A major federal requirement for all state EIPs is the development of a Comprehensive System of Personnel Development (CSPD) to ensure capacity for service delivery to all eligible children and their families. An important component of a successful CSPD is the provision of high-quality training by experienced trainers. The statewide CSPD mission is to “ensure that the New York State early intervention system meets the needs of infants, toddlers, and their families through access to qualified personnel.”

Under the previous contract, DOH switched from in-person trainings to a web-based training format. Curricula from the DOH's traditional in-person classroom trainings were converted to web-based training courses. The courses were delivered in a live (synchronous) web-based format and were then made available in a self-paced (asynchronous) web-based format, housed in a learning management system (LMS). An LMS is a software application used to help create, deliver, and manage online training. Approximately 9,500 registered users are accessing training in the current LMS.

2.2 Important Information

The Bidder is required to review, and is requested to have legal counsel review, [Attachment 8](#), the DOH

Agreement as the Bidder must be willing to enter into an Agreement in accordance with the terms of [Attachment 8](#) should the Bidder be selected for contract award. Please note that this RFP and the awarded Bidder's proposal will become part of the 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 contract to be entered into as a result of this RFP and will be incorporated, without change or amendment, into the 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 7](#), the Bidder's Certifications/Acknowledgements, 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 the DOH.

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 makes to the RFP as a result of questions and answers will be publicized on the DOH web site.

2.3 Term of the Agreement

This contract term is expected to be for a period of five (5) years 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 from the New York State Attorney General (AG) and the Office of the State Comptroller (OSC).

3.0 BIDDERS QUALIFICATIONS TO PROPOSE

3.1 Minimum Qualifications

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

- Bidder must have at least two (2) years of experience using a learning management system (LMS) for web-based training delivery; and
- Bidder must have at least two (2) years of experience developing and modifying training courses; and
- Bidder must have at least two (2) years of experience delivering training that incorporates adult education and learning techniques.

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 are preferred:

- Bidder has at least three (3) years of experience with New York State laws and regulations pertaining to services for young children with disabilities
- Bidder has at least three (3) years of experience with the New York State Early Intervention Program
- Bidder has at least three (3) years of experience with the New York State Preschool Special Education Program

Experience acquired concurrently is considered acceptable.

4.0 SCOPE OF WORK

For the purposes of this RFP, “web-based training” is defined as instruction on specific early intervention (EI) topics provided by an experienced trainer, as outlined in this RFP, to a “primary target audience” using interactive synchronous and asynchronous web-based technology. Interactive synchronous means that the training is being given in real time, and participants are seeing it live as it is being given. Asynchronous training means the participants engage with the course content according to their own schedule.

The DOH will require the Contractor to develop and deliver web-based trainings on EI topics for EIP stakeholders. The overall intent of this training will be to provide all participants with the information needed to fully comprehend the federal and State laws and regulations that govern the Program along with all requirements of the EIP. Additionally, these trainings will ensure that EIP providers have access to the information and training needed to improve child and family outcomes and provide the highest quality services to young children and their families.

The “primary target audience” includes:

- Approved EI service coordinators, evaluators, and service providers
- Municipal representatives responsible for local oversight of the EIP
- Qualified personnel specified in 10 NYCRR Section 69-4.1
- Primary referral sources specified in 10 NYCRR Section 69-4.3
- Undergraduate and graduate students in early childhood education, special education, or related areas of study
- Parents of children participating in the EIP
- Other interested parties such as preschool providers or daycare providers, who may also participate in the training sessions, as appropriate

To accomplish the training objectives outlined in this RFP, the Contractor will be required to use a combination of existing DOH training courses, accompanying training materials identified in **Section 4.1.A**, and new trainings identified in **Section 4.1.B**, which will be developed by the Contractor with the DOH. The Contractor may use resources that are available from other state or national organizations in early intervention and childhood development. DOH must approve the use of all materials proposed for use by the contractor. The Contractor will work under the guidance of the DOH to deliver trainings throughout the contract period. All training curricula (course content) and associated training materials developed from this contract become the sole property of the DOH and may not be used by the Contractor outside of this contract without approval by the DOH. The Contractor will consult with and obtain the approval of the DOH when drafting training courses to ensure consistency with EIP requirements and policy.

The Contractor will be responsible for training coordination to support EI providers and other stakeholders, which includes developing training schedules and marketing the availability of training opportunities for stakeholders. Additionally, it is intended that the general definition of training coordination includes developing and delivering web-based live (synchronous) and self-paced (asynchronous) training for EI stakeholders, completing training documentation, maintaining training curricula and associated materials, providing training evaluations to EI training participants and collecting training evaluations from participants, analyzing training evaluation responses to identify weaknesses and potential additional training subject matter, issuing certificates of completion and continuing education units (CEUs), sending reminder emails to training participants as needed, maintaining training records, responding to and/or coordinating responses to trainees’ questions with DOH, recommending and selecting appropriate training methods or activities for adult learners, using known adult educational principles while staying current on new training methods and techniques, conducting an annual training needs assessment, submitting comprehensive evaluation reports as required, and communicating with DOH throughout the training process.

Section 4.1 describes the Training services that are required to be provided by the selected Contractor. The selected Contractor should be prepared and able to provide all of these services throughout the contract term.

PLEASE NOTE: Bidders will be requested to provide responses that address all 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

4.1.A Maintain and Deliver Existing Early Intervention Training Courses

1. Maintain Existing Training Courses

The DOH has ten (10) self-paced (asynchronous) web-based training courses that are currently available on an LMS. A listing of the current trainings can be found in **Attachment C** of this RFP. The Contractor must continue to make these training courses available to EI stakeholders in an LMS identified by the Contractor and approved by DOH.

To maintain the existing training courses, the Contractor will:

- a. Make revisions as needed to the existing training courses.
Upon request from the DOH, the Contractor will be required to make modifications/revisions and/or updates to these self-paced (asynchronous) training courses. These changes may be a result of changes to EI regulations, policies and/or procedures, Public Health Law, technology changes or feedback received from the participants’ course evaluations. Revisions will include modifying, updating, and/or adding slides to the existing self-paced (asynchronous) training courses posted on the LMS when necessary, updating or adding/removing any corresponding audio, as well as any corresponding references, resources and/or training materials provided for the trainings. Depending upon the complexity of the required changes, the selected contractor will have 14-30 days to submit the changes to DOH, as agreed upon on a case-by-case basis.
- b. Issue Certificates of Completion and CEUs for the self-paced (asynchronous) courses to participants. See **Section 4.1.D** for additional requirements of this deliverable.
- c. Utilize existing course evaluations for each training. Report on the effectiveness of the self-paced trainings by distributing, collecting, analyzing, and reporting on post-course evaluations from participants. The Contractor has forty-eight (48) hours to send the course evaluation to a participant who has successfully completed the course. The Contractor can utilize the current course evaluation content for the existing courses. See **Attachment D** for an example. The current course evaluation content will be provided to the Contractor upon award. However, upon request from the DOH, the Contractor will be required to make modifications/revisions and/or updates to these course evaluations, as necessary. Revisions to the course evaluations will be dependent upon the need for revisions to the courses themselves.
- d. Track and report on enrollment, participation, completions, and evaluations for the existing self-paced (asynchronous) training courses. This information will be provided electronically (via email) to the Department on a quarterly basis. The self-paced course Quarterly Reports must be submitted to the DOH within thirty (30) days of the close of the quarter. Quarters are based on the calendar year. For example, the quarterly report for the January to March quarter is due by April 30 of that year.
- e. Send an email reminder to participants who have enrolled in a self-paced (asynchronous) course but have not completed it within two (2) weeks. A second reminder will be sent for those participants who have still not completed the training after thirty (30) days post course enrollment.

The existing training courses must be maintained in an LMS chosen by the Contractor and approved by the DOH. DOH will provide the course content (e.g., slides, videos resources, quizzes) necessary to build the courses in the LMS. The vendor may need to create some audio files to accompany the existing course material.

2. *Deliver Two Existing Trainings in a Live (Synchronous) Web-based Format*

The Contractor will deliver two of the existing trainings; **Introduction to Service Coordination (ISC)** and **Early Intervention Evaluation, Assessment, and Eligibility Determinations in the Early Intervention Program (E&E)** quarterly, using the existing curricula (course content) and related training materials, in a live (synchronous) web-based format.

To deliver the two existing trainings, the Contractor will:

- a. Distribute all training materials necessary to effectively deliver the Training Course.
- b. Be able to deliver some of the live (synchronous) courses outside of standard business and/or operating hours (between 9:00am and 5:00pm) if needed. This may include delivery on weekends and during evening hours.
- c. Issue Certificates of Completion and CEUs for the live (synchronous) courses to participants. See **Section 4.1.D** for additional requirements of this deliverable.
- d. Maintain a list of participants and make it available to DOH upon request.
- e. Report any questions to the DOH that are received during a live training session that could not be answered by the trainer, or that require input or clarification from the DOH. All responses provided by the DOH are required to be posted on the Contractor's dedicated EIP training website, within two (2) weeks of receipt of the DOH's response.
- f. Utilize existing course evaluations for each training. See **Attachment D** for an example. Report on the effectiveness of live trainings delivered by distributing, collecting, analyzing, and reporting on post-course evaluations from participants. The Contractor has forty-eight (48) hours to send the course evaluation to a participant who has successfully completed the course. Evaluations should be completed and submitted electronically by each participant after successful course completion. Issuance of Certificates of Completion and CEUs is contingent upon the participant's submission of the course evaluation. The results of these evaluations will be used to assist the Contractor and the DOH in determining if any changes/revisions in the training curricula need to be made. The Contractor can utilize the current course evaluation content for the Introduction to Service Coordination (ISC) and Early Intervention Evaluation, Assessment, and Eligibility Determinations in the Early intervention Program (E & E) courses. However, upon request from the DOH, the Contractor will be required to make modifications/revisions and/or updates to these course evaluations, as necessary. Revisions to the course evaluations will be dependent upon any revisions to the courses themselves.
- g. Submit to the DOH a Comprehensive Evaluation Report following Contractor review of the course evaluations completed by trainees after the initial live (synchronous) training session, within three (3) weeks post conclusion of delivery of the live training course. The DOH reserves the right to request and review all training evaluation forms. The Comprehensive Evaluation Report of the course evaluations for each live training will be due to the DOH within three (3) weeks post conclusion of the live delivery. This will include but is not limited to:
 - Course enrollment
 - Certificates of completion
 - Breakdown of participants by title or role (e.g., Early Intervention Official, occupational therapist, service coordinator, speech-language pathologist, etc.)

- Number of years providing EI services in their current agency/organization and total years working in the EIP, as well as the county or counties they practice in and percentage breakdown in each
- Quality of course by percentages
- Impact of the course (specific to the course and in general)
- Level of self-assessed knowledge before & after course completion
- Listed areas in which additional training would benefit participants
- Overall course satisfaction using a Likert scale

4.1.B Develop and Deliver New Training Courses

The primary target audience, particularly early intervention providers, have expressed a strong need for trainings that provide evidenced-based clinical information, in addition to the regulatory and programmatic information currently being provided through existing Statewide training curricula.

1. Develop and Deliver New Training Courses on Early Intervention Topics

The Contractor will work with the DOH to develop trainings on relevant topics using quality research methods, resources from other states and nationally, to create web-based trainings for the target audience.

The trainings must include periodic checks for participant understanding. The contractor, in collaboration with the Department, will develop and include the periodic checks for understanding in each course. Examples of periodic checks for understanding include participant quizzes or polls.

The Contractor will develop and deliver one (1) new live (synchronous) online training course and then make it available on a DOH approved LMS as a self-paced (asynchronous) training course, per contract year. The Contractor is expected to develop and deliver the first new training within nine (9) months of the start of the contract.

At the discretion of DOH, the Contractor will be responsible for developing two (2) additional trainings over the life of the contract in addition to the one (1) training per year. The Contractor will develop a total of seven (7) trainings over the life of the contract; one of the two (2) additional trainings will be developed in years 1-3, and the other additional training in years 4-5. Each training is expected to be between four (4), one-hour modules and six (6), one-hour modules. The Department and Contractor will coordinate a schedule prior to the start of the year to set a training development schedule.

Table 1: Sample Training Development Schedule

| | Topic | Development Timeframe |
|---|--|-----------------------|
| 1 | Providing Family-Centered Services In-person or via Telehealth | Year 1 |
| 2 | Families' Rights in the EIP | Year 2 |
| 3 | Assistive Technology Devices (ATD) and Services | Year 2 |
| 4 | Relevant EIP Topic to be Determined by DOH | Year 3 |
| 5 | Relevant EIP Topic to be Determined by DOH | Year 4 |
| 6 | Relevant EIP Topic to be Determined by DOH | Year 4 |
| 7 | Relevant EIP Topic to be Determined by DOH | Year 5 |

The Contractor will be responsible for the development, coordination, reproduction, and distribution of all training materials required to effectively deliver the training courses. The Contractor will be required to provide all related training materials; including course training manual, trainer script, course evaluation tools, resource materials, printable pdf activities, course activities, checks for understanding, pre and post tests, and course evaluation surveys electronically to the DOH for written approval at least thirty (30) business days prior to utilizing any of the training materials and/or delivering the curricula to a live audience, to ensure that clinical,

policy and regulatory content is appropriately included for all courses. The Contractor must make training curricula and any ancillary materials available to the participants through the LMS at least ten (10) business days prior to the scheduled training session so that participants have ample time to access the materials. These materials include, but are not limited to course handouts, activities, and pre and post tests.

All newly developed trainings need to be reviewed and approved by the DOH prior to presenting them to an audience as live (synchronous) training courses. Any revisions or edits made prior to DOH approval of a new training curriculum will be included in the price bid for Cost Proposal Deliverable **4.1.B.1** Develop and Deliver New Training Courses on Early Intervention Topics.

During the presentation of the training, the Contractor will record the live training and maintain any supporting documentation such as questions and answers and training materials, to be made available as a self-paced (asynchronous) training course on the DOH approved LMS (as detailed in 4.1.G Early Intervention Learning Management System (LMS) and Dedicated EIP Training Website Requirements) for future viewing. Self-paced courses must be posted on the LMS and made available to stakeholders within forty-five (45) days of the live delivery. Revisions or edits to one or more live (synchronous) training courses may be required prior to being finalized and made available as a self-paced (asynchronous) course. These revisions or edits must be approved by the DOH prior to posting as a self-paced course and will also be included in the price bid for Cost Proposal Deliverable 4.1.B.1 Develop and Deliver New Training Courses.

It is anticipated that the Contractor's trainer(s)/instructor(s) will be able to answer most questions posed during the live (synchronous) training. If the trainer/instructor is unable to answer the posed question or if the question requires regulatory or programmatic clarification, the Contractor must forward the question via email to the DOH for response. The DOH reserves the right to modify/clarify any answer provided by the trainer/instructor during the live training.

Some examples of possible training topics may include:

- Assistive Technology Devices (ATDs) and Services
- Providing Family-Centered Services in-person or via telehealth
- Families' Rights (e.g., mediation, impartial hearing, systems complaint)

In the event that a new live (synchronous) training course cannot be delivered as scheduled, the Contractor must schedule and provide the training within thirty (30) days of any canceled training course. The contractor must have an established plan, contingent upon approval from the DOH, for make-up of live (synchronous) training sessions and will be responsible for notifying the DOH and the enrolled participants. This plan will be provided to the DOH within thirty (30) days after the start of the contract.

To Develop and Deliver New Trainings on Early Intervention Topics, the Contractor will:

- a. Distribute all training materials necessary to effectively deliver the Training Course.
- b. Be able to deliver some of the live courses outside of standard business and/or operating hours (between 9:00am and 5:00pm) if needed. This may include delivery on weekends and during evening hours.
- c. Issue Certificates of Completion and CEUs for the live (synchronous) courses to participants. See **Section 4.1.D** for additional requirements of this deliverable.
- d. Maintain a list of participants and make it available to the Department upon request.
- e. Report any questions to the DOH that are received during a training session that could not be answered by the trainer, or that require input or clarification from the DOH. All responses provided by the DOH are required to be posted on the Contractor's dedicated EIP training website, within two (2) weeks of receipt of the DOH's response.

- f. Create a course evaluation for each training. The Contractor will report on the effectiveness of live trainings delivered by developing, distributing, collecting, analyzing, and reporting on post-course evaluations from participants. The Contractor has forty-eight (48) hours to send the course evaluation to a participant who has successfully completed the course. Evaluations should be completed and submitted electronically by each participant after successful course completion. Issuance of Certificates of Completion and CEUs is contingent upon the participant's submission of the course evaluation. The results of these evaluations will be used to assist the Contractor and the DOH in determining if any changes/revisions in the training curricula (course content) need to be made. Each course will have its own evaluation tool, which will be used to evaluate both the live (synchronous) and self-paced (asynchronous) courses and must have the ability to present applicable questions for the methodology that was used to take the course. See **Attachment D** for a sample course evaluation tool. An evaluation tool for each training course will be due to DOH, for review and approval at least thirty (30) days prior to the live delivery of the course.
- g. Submit to the DOH, a Comprehensive Evaluation Report following their review of the course evaluations completed by trainees after the initial live (synchronous) training session, within three (3) weeks post conclusion of delivery of the live training course. The DOH reserves the right to request and review all training evaluation forms. The Comprehensive Evaluation Report of the course evaluations for each live training will be due to the DOH within three (3) weeks post conclusion of the live delivery. This will include but is not limited to:
- Course enrollment
 - Certificates of completion
 - Breakdown of participants by title or role (e.g., Early Intervention Official, occupational therapist, service coordinator, speech-language pathologist, etc.)
 - Number of years providing EI services in their current agency/organization and total years working in the EIP, as well as the county or counties they practice in and percentage breakdown in each
 - Quality of course by percentages
 - Impact of the course (specific to the course and in general)
 - Level of self-assessed knowledge before & after course completion
 - Listed areas in which additional training would benefit participants
 - Overall course satisfaction using a Likert scale
- h. Submit one Comprehensive Evaluation Report including the same elements listed above, for each newly posted self-paced course using data from the first three-month period after posting, will be due to the DOH within three (3) weeks after the end of that three-month period.
- i. Track and report on enrollment, participation, completions, and evaluations for the new courses. This information will be provided electronically (via email) to the Department on a quarterly basis. The self-paced (asynchronous) course Quarterly Reports must be submitted to the DOH within thirty (30) days of the close of the quarter. Quarters are based on the calendar year. For example, the quarterly report for the January to March quarter is due by April 30 of that year.
2. *Develop and Deliver New DOH Guidance Training Courses*
 The Contractor will develop and deliver one (1) new live (synchronous) online training course annually, based on guidance the DOH developed and disseminated to the field; a total of five (5) live (synchronous) online trainings over the life of the contract. The Department will identify the specific guidance documents and topics that will be developed as DOH Guidance Training by the Contractor. Examples include make-up policy, texting policy, revised EIP regulations, etc.). Upon approval from DOH, the Contractor will make such training available on the LMS as a self-paced (asynchronous) training course. Each training should be between one (1) and two (2) hours long.

To Develop and Deliver New DOH Guidance Training, the Contractor will:

- a. Distribute all training materials necessary to effectively deliver the Training Course.
- b. Be able to deliver some of the live courses outside of standard business and/or operating hours (between 9:00am and 5:00pm) if needed. This may include delivery on weekends and during evening hours.
- c. Issue Certificates of Completion and Continuing Education Units (CEUs) for the live courses to participants. See **Section 4.1.D** for additional requirements of this deliverable.
- d. Maintain a list of participants and make it available to the Department upon request.
- e. Report any questions to the DOH that are received during a training session that could not be answered by the trainer, or that require input or clarification from the DOH. All responses provided by the DOH are required to be posted on the Contractor's dedicated EIP training website, within two (2) weeks of receipt of the DOH's response.
- f. Create a course evaluation for each training. The Contractor will report on the effectiveness of live trainings delivered by developing, distributing, collecting, analyzing, and reporting on post-course evaluations from participants. The Contractor has forty-eight (48) hours to send the course evaluation to a participant who has successfully completed the course. Evaluations should be completed and submitted electronically by each participant after successful course completion. Issuance of Certificates of Completion and CEUs is contingent upon the participant's submission of the course evaluation. The results of these evaluations will be used to assist the Contractor and the DOH in determining if any changes/revisions in the training curricula need to be made. Each course will have its own evaluation tool, which will be used to evaluate both the live (synchronous) and self-paced (asynchronous) courses and must have the ability to present applicable questions for the methodology that was used to take the course. See **Attachment D** for a sample course evaluation tool. An evaluation tool for each training course will be due to DOH, for review and approval at least thirty (30) days prior to the live delivery of the course.
- g. Submit to the DOH, a Comprehensive Evaluation Report following their review of the course evaluations completed by trainees after the initial live (synchronous) training session, within three (3) weeks post conclusion of delivery of the live training course. The DOH reserves the right to request and review all training evaluation forms. The Comprehensive Evaluation Report of the course evaluations for each live training will be due to the DOH within three (3) weeks post conclusion of the live delivery. This will include but is not limited to:
 - Course enrollment
 - Certificates of completion
 - Breakdown of participants by title or role (e.g., Early Intervention Official, occupational therapist, service coordinator, speech-language pathologist, etc.)
 - Number of years providing EI services in their current agency/organization and total years working in the EIP, as well as the county or counties they practice in and percentage breakdown in each
 - Quality of course by percentages
 - Impact of the course (specific to the course and in general)
 - Level of self-assessed knowledge before & after course completion
 - Listed areas in which additional training would benefit participants
 - Overall course satisfaction using a Likert scale
- h. Submit one Comprehensive Evaluation Report including the same elements listed above, for each newly posted self-paced course using data from the first three-month period after posting, will be due to the DOH within three (3) weeks after the end of that three-month period.

- i. Track and report on enrollment, participation, completions, and evaluations for the new courses. This information will be provided electronically (via email) to the Department on a quarterly basis. The self-paced course Quarterly Reports must be submitted to the DOH within thirty (30) days of the close of the quarter. Quarters are based on the calendar year. For example, the quarterly report for the January to March quarter is due by April 30 of that year.

3. Maintain New Self-Paced Training Courses

The Contractor will maintain the new self-paced training courses detailed in **Section 4.1.B.1 and 4.1.B.2** throughout the contract period. After new trainings have been developed and delivered live (synchronous) and posted as self-paced (asynchronous) courses, they may need to be revised as a result of changes to early intervention regulations, policies or procedures, Public Health Law, technology changes, or feedback received from the participant's evaluations of training.

To Maintain New Self-Paced Training Courses, the Contractor will:

- a. Upon request from the DOH, make modifications/revisions and/or updates to these new self-paced trainings. Revisions can vary based on changes in EI regulations, policies or procedures, Public Health Law, technology changes or feedback received from the participant's course evaluations. Revisions will include modifying, updating, and/or adding slides and/or resources when necessary, and updating or adding any corresponding audio in the existing self-paced training available on the LMS.
- b. Track and report on enrollment, participation, completions, and evaluations for the new self-paced (asynchronous) training courses. This information will be provided electronically (via email) to the Department on a quarterly basis. The self-paced course Quarterly Reports must be submitted to the DOH within thirty (30) days of the close of the quarter. Quarters are based on the calendar year. For example, the quarterly report for the January to March quarter is due by April 30 of that year.
- c. Issue Certificates of Completion and CEUs for new self-paced training courses to participants within forty-eight (48) hours of successful course evaluation completion. Issuance of Certificates of Completion and CEUs is contingent upon the participant's submission of the course evaluation. Send a reminder email to participants who have completed a course but have not completed the course evaluation. The email reminder should be sent to participants one week after issuing the course evaluation. See **Section 4.1.D** for more information on Certificates of Completion and CEU requirements.
- d. Send an email reminder to participants who have enrolled in a self-paced course but have not completed it within two (2) weeks after starting the course. A second reminder will be sent for those participants who have still not completed the training after thirty (30) days post course enrollment.

4.1.C Make-up Plan for Canceled Live (Synchronous) Training Sessions

The Contractor must have an established make-up plan for canceled live (synchronous) training sessions, contingent upon approval from the DOH. This plan will be due to the DOH no later than two (2) weeks prior to the delivery of the first live training.

In the event that a training session cannot be delivered live as scheduled, the Contractor will be responsible for notifying the DOH and enrolled participants. Cancelled training sessions must be rescheduled within thirty (30) days of the canceled session.

4.1.D Issue Certificates of Completion and Continuing Education Units (CEUs)

The Contractor will be responsible for issuing Certificates of Completion and Continuing Education Units (CEUs):

1. Certificates of Completion

The Contractor will issue a Certificate of Completion electronically within forty-eight (48) hours of course evaluation completion to participants who successfully complete a web-based (synchronous and/or asynchronous) training course and submit the associated course evaluation. If a training course is divided into distinct separate sessions due to its length, participants must attend each separate session to complete the course in its entirety, as well as complete the post course evaluation (See **Attachment D** for a sample course evaluation tool) to receive a Certificate of Completion. The Certificate of Completion will include the NYSDOH logo, the participant's name; training course name, date, and length of course, number of CEUs awarded; hours towards the professional development requirements outlined in the NYSDOH Provider Agreement; and electronic signature of the issuer. NYSDOH will provide the number of professional development hours per course to be included on the Certificates of Completion. Information about Certificates of Completion must be posted to the Contractor's dedicated EIP training website. The contractor must maintain an electronic, printable list of participants who completed each course and must make the list available upon request by DOH. In 2022, approximately 2,400 certificates of completion have been issued.

2. Continuing Education Units (CEUs)

At the time of contract award, the selected Bidder must provide to the Department, evidence of accreditation to issue CEUs through the currently issuing entity, the International Accreditors for Continuing Education and Training (IACET), or other recognized accreditation entity approved by the Department. If the selected Bidder fails to meet this required timeline, the award will be rescinded.

CEUs will be issued to all EI service providers who successfully complete a web-based (synchronous and/or asynchronous) training course. The Contractor must post information about CEUs to their dedicated EIP training website with each course description. This includes the number of CEUs to be issued to participants for each course.

The Contractor will issue CEUs for all training courses provided, which includes all self-paced (asynchronous) and live (synchronous) training courses. Within forty-eight (48) hours of course completion, the contractor will disseminate the course evaluation to participants who successfully complete the course. The Contractor will issue a Certificate of Completion with CEUs to participants within forty-eight (48) hours of receipt of the completed course evaluation. Issuance of Certificates of Completion and CEUs is contingent upon the participant's submission of the course evaluation. The Contractor will send a reminder email to participants who have completed a course but have not completed the course evaluation. The email reminder should be sent to participants one (1) week after issuing the course evaluation.

4.1.E Training Needs Assessment

The Contractor will conduct one Training Needs Assessment per contract year to assist the DOH in identifying topics where new trainings may be needed. The contractor may use/modify the Department's current Training Needs Assessment (**Attachment E**) or develop their own. The Training Needs Assessment will be disseminated electronically via the DOH's electronic listserv, by DOH. The purpose of the Training Needs Assessment is to identify gaps in topic areas that are consistent with federal and State laws, regulations, and EIP policies and evidence-based practices. See **Attachment E** for the current Training Needs Assessment.

This Contractor may need to periodically revise the Training Needs Assessment to incorporate the changing needs of the DOH and Stakeholders. The Training Needs Assessment may need to be modified when new

courses are made available to stakeholders or should the DOH need to obtain additional information from stakeholders via the Training Needs Assessment.

The Training Needs Assessment is due annually, at the request of DOH. Once requested, the contractor will have thirty (30) days to revise the Training Needs Assessment survey (**Attachment E**), as necessary, to meet the needs of the DOH and Stakeholders, and submit to DOH for review and approval, prior to dissemination. The Contractor will analyze and report findings to the DOH, in a format approved by DOH, within thirty (30) days of completion of each annual Training Needs Assessment. The report must identify potential training needs based on analysis of the Training Needs Assessment and include suggestions of future training topics that align with results of the assessment.

Upon completion of the Training Needs Assessment and submission of the associated report, the Contractor will work with DOH to plan and prepare and revise/edit trainings based on the Training Needs Assessment results.

4.1.F Communications and Outreach

1. Communications

The Contractor will assist the DOH in the development of drafting training related communications and outreach. This will include, but is not limited to:

- Training Schedules
- Outreach to professional organizations (examples include New York State Speech-Language Hearing Association (NYSSLHA), New York Physical Therapy Association (NYPTA), New York State Occupational Therapy Association (NYSOTA), etc.) to promote the availability of training
- Outreach to the EI stakeholder community (examples include EI providers, municipal EI staff, parents) to promote the available training
- Electronic List Serve announcements
 - The Contractor will assist the Department in drafting communications. DOH will disseminate the final communications on the DOH Electronic List Serve.
- Early Intervention Coordinating Council (EICC) Meetings
 - The EICC is a 30-member advisory council established in section 2553 of the Public Health Law. The EICC assists the DOH with the administration of the EIP and makes recommendations to the DOH regarding appropriate services for infants and toddlers with disabilities and their families.
 - The Contractor will attend one quarterly EICC Meeting per year in person or virtually, with DOH approval, and will present on current and upcoming training course offerings, course evaluation results, and training needs assessment analysis. EICC meetings are historically held in Albany, NY, in March, June, September, and December.

2. Outreach

Outreach to students and relevant professional associations

DOH is seeking to increase the capacity of EI service providers by providing NYS high school, college, and university students, and relevant NYS professional associations (examples include New York State Speech-Language Hearing Association (NYSSLHA), New York Physical Therapy Association (NYPTA), etc.), with information about possible career opportunities in fields of study related to EI (e.g., special education, physical therapy, occupational therapy, speech-language pathology, etc.). To assist in the promotion of the EIP and outreach efforts, the DOH will provide a pre-recorded video presentation and other promotional materials (e.g., publications/resources) about the EIP to the Contractor. The Contractor will utilize the video and EIP materials to provide outreach/communications to high schools, colleges, universities, and professional associations and will promote the availability of these EIP materials. The contractor must provide targeted outreach to at least ten (10) entities representing the targeted groups per quarter. This outreach should include sending targeted emails to the entities listed above. The Contractor will work with the DOH to develop a system for tracking outreach to the targeted groups, reporting on who accessed the video/materials, and how responses to questions received were developed and disseminated.

In addition, the Contractor will also promote the EIP by participating in (virtually and/or in-person) career fairs and college fairs, as well as professional associations' annual conferences/conventions, within NYS. Participation includes, but is not limited to, attendance as an exhibitor (vendor) hosting an in-person or virtual booth, advertising in the event program, in the event app, and/or on the entities' webpage, or digital/print issue. Costs associated with virtual and/or in-person participation at events to promote the EIP (e.g., travel costs, applicable registration fees, and expenses etc., should be factored into the Bidder's Cost Proposal.

- The Contractor must participate in at least one (1) career fair in the Fall and one (1) career fair in the Spring of each contract year; two (2) total per contract year.
- The Contractor must participate in at least one (1) college fair in the Fall and one (1) college fair in the Spring of each contract year; two (2) total per contract year.
- The Contractor will participate in at least one (1) career fair and one (1) college fair in each of the five (5) training regions of the State during the life of the contract. See **Attachment F** for a Regional Training Map of NYS.
- The contractor will participate in at least two (2) professional associations' conferences/conventions per year of the contract; ten (10) per the life of the contract.

The contractor must provide DOH with a proposed schedule of career fairs, college fairs, and conferences/conventions each contract year for approval. The proposed schedule must be approved by the Department annually. The initial schedule in year one (1) of the contract is due within the first three (3) months of the contract execution and annually thereafter. DOH reserves the right to modify the schedule.

Table 2: Sample Outreach Calendar

| Contract Year | Season | Career Fair (2 per year) | College Fair (2 per year) | Professional Associations' Conferences/Conventions (2 per year) |
|---------------|--------|--------------------------|---------------------------|---|
| Year 1 | Fall | 1 (region 1) | 1 (region 1) | 1 |
| Year 1 | Spring | 1 (any region) | 1 (any region) | 1 |
| Year 2 | Fall | 1 (region 2) | 1 (region 2) | 1 |
| Year 2 | Spring | 1 (any region) | 1 (any region) | 1 |
| Year 3 | Fall | 1 (region 3) | 1 (region 3) | 1 |
| Year 3 | Spring | 1 (any region) | 1 (any region) | 1 |
| Year 4 | Fall | 1 (region 4) | 1 (region 4) | 1 |
| Year 4 | Spring | 1 (any region) | 1 (any region) | 1 |
| Year 5 | Fall | 1 (region 5) | 1 (region 5) | 1 |
| Year 5 | Spring | 1 (any region) | 1 (any region) | 1 |

4.1.G Early Intervention Learning Management System (LMS) and Dedicated Early Intervention Program (EIP) Training Website Requirements

1. Learning Management System (LMS)

The Contractor will identify and use a web-based learning management system (LMS) to deliver live (synchronous) and self-paced (asynchronous) trainings approved by the DOH.

The DOH EIP sponsored training is web-based, allowing EI providers and other stakeholders the flexibility to take courses on days and times that are convenient for them. These training courses are housed in an LMS, which is a software application used to help create, deliver, and manage online training.

Approximately 9,500 registered users are accessing training in the current LMS.

The LMS selected by the Contractor and approved by the DOH, must have:

- Methods for participants to access live (synchronous) and self-paced (asynchronous) trainings
- Twenty-four (24) hour per day accessibility
- Ability to be supported by a variety of browsers
- Ability to maintain two-way communication between the trainer and trainees.
 - The Contractor must have the necessary technology and related equipment, such as phone lines and internet access, in place to maintain two-way communication between the trainer and trainees
 - A chat feature is sufficient, as long as two-way communication between the trainer and trainees is possible.
- The capacity to register up to 75 participants per live (synchronous) training course.
- Unlimited capacity for enrollment over the contract term.
- A mechanism to ensure that the trainee is fully engaged throughout the entire training session
 - This requirement applies to both live (synchronous) and self-paced (asynchronous) courses
- A mechanism in which attendees can pose questions, preferably while completing the self-paced course or after completing a (self-paced) training course and receive responses. For example, this mechanism may be accommodated by using a dedicated email address for participants to send questions after taking the training course. The mechanism to accommodate questions from participants must be approved by DOH.
- The ability to create break out rooms for activities during live trainings.
 - The LMS must have the ability to create at least two (2) break out rooms.

The LMS must allow for the editing of self-paced courses, including, but not limited to:

- Editing the audio recordings
- Adding videos
- Removing sections of the training courses (e.g., slides)
- Adding new content, including the audio to accompany the new material, and adding new resources (e.g., documents such as PDFs)

Additionally, the Contractor must report to the DOH:

- Any LMS scheduled outages at least five (5) calendar days before the known outage;
- Unscheduled LMS outages to the DOH within one (1) hour of the outage, and the notification of scheduled downtime must be posted on the Contractor's dedicated EIP training webpage; and
- Provide DOH with a monthly maintenance schedule, and in cases of emergency maintenance, notify DOH of the immediate need for downtime, in order for the DOH to send an electronic notice to stakeholders.

Section 508 of the Rehabilitation Act of 1973 requires electronic and information technology (EIT) be accessible to all people with disabilities and applies to all vendors or contractors doing business with a government agency.

2. *Dedicated Early Intervention Program (EIP) Training Website for the Primary Target Audience*

The Contractor must develop and maintain a dedicated EIP training website that includes but is not limited to:

- Description of each web-based training course available;
- Calendar of scheduled live (synchronous) trainings;
- User Manual/Guide; Course registration and confirmation process for live and self-paced training courses;
- Information on obtaining Certificates of Completion/Attendance;
- Professional Development hours earned towards the Provider Agreement per course;
- FAQ area that includes:
 - Responses to questions received during the live (synchronous) training sessions and any posed subsequently during self-paced (asynchronous) sessions; and

- An informational document to assist course participants; items such as logging on to live and recorded training sessions.
- Means to obtain information about earning CEUs. See **Section 4.1.D** for additional details regarding CEUs;
- Contractor contact information; and
- DOH, Bureau of Early Intervention contact information.

4.2 Staffing

The key positions of the EI On-line Training Project are the Project Manager, Course Instructors, and Technical staff. The Contractor’s key staff must have expertise related to professional development instruction using web-based applications. The course instructor(s) must also have familiarity and knowledge of early childhood development. The Contractor must also have trained technical staff to manage, develop, and edit trainings in the LMS, develop and maintain a dedicated EIP training website, and provide technical assistance and support to the target audience.

These key positions cannot be subcontracted out, nor may they be employed on a consultant basis. These positions must be filled by employees of the Contractor. The number of Key personnel and the percentage of time working on this project is at the discretion of the Contractor. Key personnel must be available to meet the contract deliverables. Within thirty (30) days of the contract award, the Contractor must submit a current resume for each of their proposed Key Personnel as well as other supporting documentation demonstrating that the key staff possess the credentials required by the NYSDOH. Final award is contingent upon DOH’s review and approval of the key staff proposed. All proposed key staff must be available on the contract start date. The DOH requires at least thirty (30) days’ notice prior to any change in key personnel.

A Staffing and Organization Plan shall be provided by the Contractor to the Department within thirty (30) days of the contract start date, that delineates titles and staff responsibilities for fulfilling the tasks described in the Scope of Work and demonstrates how the Contractor intends to utilize management, key personnel, and other staff for this project.

| Key Personnel | Minimum Qualifications |
|-----------------------------|---|
| Project Manager | The Project Manager must have at least two (2) years of experience coordinating training that includes adult learning methods and learning techniques using a web-based learning management system (LMS). |
| Course Instructor(s) | Course Instructor(s) must have at least two (2) years’ experience in the field of early childhood development and have at least one (1) year of experience presenting training using adult learning techniques. |
| Technical Staff | Technical staff must have at least two (2) years of experience in managing, developing, and editing trainings in an LMS. They must also have two (2) years’ experience developing and maintaining a website and providing technical assistance and support. |

The Project Manager will be the lead contact for the DOH under this contract. The Project Manager will be required to attend monthly meetings with the DOH, at the discretion of the DOH, convened by video conference to discuss status of trainings and progress made with the contract deliverables and to provide an opportunity for the DOH to answer questions that the Contractor may have. The DOH reserves the right to request in-person meetings at its discretion. The Project Manager will also act as the lead contact for all course trainers/instructors should they have questions or need any information regarding the training courses. The Contractor will furnish Course Instructor(s) who will present the live (asynchronous) trainings, lead

interactive activities in break out rooms, and answer questions from participants in the live trainings. The Course Instructors will work closely with the DOH in the development of new curricula for the new topic trainings.

The Contractor will provide technical staff to manage, develop, and edit trainings in the LMS, develop and maintain a dedicated EIP training website, and provide technical assistance and support. The quantity of each technical staff, their title and their organizational placement will be left up to the Contractor to determine based upon its experience and expertise; however, the rationale for the technical staff must be clearly described in the Staffing and Organization Plan.

At any time throughout the course of the contract, the DOH reserves the right to approve or disapprove the contractor's proposed staffing, and may request a replacement of such staffing, if needed.

4.3 Reporting

The Contractor will be required to fulfill the following reporting requirements:

- A. Comprehensive Evaluation Report – Live (synchronous)
Report on the effectiveness of live (synchronous) trainings delivered by collecting, analyzing, and submitting to the DOH a Comprehensive Evaluation Report following the review of the course evaluations completed by trainees after the initial live (synchronous) training session, within three (3) weeks post conclusion of delivery of the live training course. The DOH reserves the right to request and review all training evaluation forms. The Comprehensive Evaluation Report will include but is not limited to:
 - Course enrollment
 - Certificates of completion
 - Breakdown of participants by title or role (e.g., Early Intervention Official, occupational therapist, service coordinator, speech-language pathologist, etc.)
 - Number of years providing EI services in their current agency/organization and total years working in the EIP, as well as the county or counties they practice in and percentage breakdown in each
 - Quality of course by percentages
 - Impact of the course (specific to the course and in general)
 - Level of self-assessed knowledge before & after course completion
 - Listed areas in which additional training would benefit participants
 - Overall course satisfaction using a Likert scale

- B. Comprehensive Evaluation Report – Self-Paced (asynchronous)
Report on the effectiveness of self-paced (asynchronous) trainings, including the same elements listed above, for each newly posted self-paced (asynchronous) course using data from the first three-month period after posting, will be due to the DOH within three (3) weeks after the end of that three-month period.

- C. Quarterly Reports on each established self-paced (asynchronous) course that includes, but is not limited to:
 - Course enrollment and completions
 - Quality of Course
 - Impact of Course
 - Participant Recommendations

The Quarterly Report is intended to track and report on enrollment, participation, completions, and evaluations for the new courses. This information will be provided electronically (via email) to the Department on a quarterly basis. The self-paced course Quarterly Reports must be submitted to the DOH within thirty (30) days of the close of the quarter. Quarters are based on the calendar year. For example, the quarterly report for the January to March quarter is due by April 30 of that year.

- D. Report any questions to the DOH that are received during a training session that could not be answered by the trainer, or that require input or clarification from the DOH. All responses provided by the DOH are required to be posted on the Contractor's dedicated EIP training website, within two (2) weeks of receipt of the DOH's response.
- E. Live (synchronous) Training Participation Report submitted with each voucher. The DOH reserves the right to request additional reports or clarification.
- F. Archived Training Participation Report submitted with each voucher or at the request of the DOH.
- G. One Training Needs Assessment is due annually, at the request of DOH. Once requested, the contractor will have thirty (30) days to revise the Training Needs Assessment survey (**Attachment E**), as necessary, to meet the needs of the DOH and Stakeholders, and submit to DOH for review and approval, prior to dissemination. The Contractor will analyze and report findings to the DOH, in a format approved by DOH, within thirty (30) days of completion of each annual Training Needs Assessment. The report must identify potential training needs based on analysis of the Training Needs Assessment and include suggestions of future training topics that align with results of the assessment.

4.4 Information Technology

The application and all systems and components supporting it, including but not limited to any forms and databases that include Personal Health, Personal Identification or other New York State information, must comply with all NYS security policies and standards listed at <http://its.ny.gov/tables/technologypolicyindex.htm>.

4.5 Security

The selected Contractor shall comply with all privacy and security policies and procedures of the DOH [nys-p03-002 information security policy.pdf](#) and applicable State and federal law and administrative guidance with respect to the performance of this contract. The Contractor is required, if applicable, to execute a number of security and privacy agreements with the DOH including a Business Associate Agreement (Appendix H) and a Data Use Agreement (DUA) at contract signing.

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. The Contractor is obligated to ensure any Subcontractor hired by Contractor who stores, processes, analyzes, or transmits MCD on behalf of Contractor has the appropriate Security requirements in place. Contractor is required to include in all contracts and Business Associate Agreements with their Subcontractors language surrounding the security and privacy requirements as well as the language contained in the Confidentiality Language for Third Parties section of the DUA. If any breach or suspected breach of the data or confidentiality occurs, whether the breach occurred with the Contractor or Subcontractor, DOH must be notified immediately.

The Contractor is required to maintain and provide to the DOH 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.

4.6 Transition

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

The Contractor shall ensure that any transition to the DOH, DOH agency or successor Contractor be done in a way that provides the DOH with uninterrupted Early Intervention web-based training services. This includes a complete and total transfer of all data, files, reports, and records generated from the inception of the contract through the end of the contract to the DOH or another DOH agent should that be required during or upon expiration of its contract.

The Contractor shall provide technical and business process support as necessary and required by the DOH to transition and assume contract requirements to the DOH or another DOH agent 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 DOH or another DOH agent should that be required during or upon expiration of its contract. The plan and documentation must be submitted to the DOH no later than six (6) months before the last day of its contract with the DOH or upon request of the DOH.

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 (2) violations within four (4) years of the rules against impermissible contacts during the “restricted period” may result in the violator being debarred from participating in DOH procurements for a period of four (4) 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 EITraining@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.

5.3 Right to Modify RFP

DOH 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, 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 will be posted to the DOH website.

If the Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Bidder shall immediately notify DOH of such error in writing at EITraining@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 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 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 with a subject field as follows:

Subject: Unit ID 3450257 <Contract #TBD>

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

**NYS Department of Health
Unit ID 3450257
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, by email at 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 <https://www.osc.state.ny.us/state-vendors>.

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, 9th 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:

1. The Contractor will be paid monthly based on the annual bid rate for maintaining the existing training courses in an LMS chosen by the Contractor and approved by DOH.
2. The Contractor will be paid monthly for the live (synchronous) delivery of the existing Introduction to Service Coordination (ISC) course.
3. The Contractor will be paid monthly for the live (synchronous) delivery of the existing Early Intervention Evaluation, Assessment, and Eligibility Determinations in the Early Intervention Program (E & E) course.
4. The Contractor will be paid 50% of the bid rate for developing curricula and resources for new training courses on EI topics once the curricula and all related training materials have been finalized and approved by the DOH, 25% of the bid rate once the training course has been delivered live (synchronously), and the final 25% after the live course product has been edited as necessary, approved by the DOH, and made available as a self-paced (asynchronous) training.
5. The Contractor will be paid 50% of the bid rate for developing a new training course based on NYSDOH EI guidance issued and/or revised over the previous year, once the curricula and all related training materials have been approved by the DOH and finalized, 25% of the bid rate once the training course has been delivered live (synchronously) and the final 25% after the live course product has been edited as necessary, approved by the DOH and made available as a self-paced (asynchronous) training.
6. The Contractor will be paid monthly based on the per training course bid rate for Maintaining the new self-paced (asynchronous) trainings courses once posted. The number of trainings will vary year to year as more courses are developed and maintained.
7. The Contractor will be paid monthly based on the annual bid rate for issuing CEUs to all EI service providers who successfully complete a web-based (synchronous) and/or asynchronous training course. This includes new and existing courses.
8. The Contractor will be paid 50% of the bid rate for the Training Needs Assessment, once the Training Needs Assessment tool has been approved by the DOH and disseminated to EI stakeholders and 50% of the bid rate once the results have been analyzed and report has been received and approved by the DOH.
9. The Contractor will be paid monthly based on the annual bid rate for Communications and Outreach.
10. The Contractor will be paid monthly based on the annual bid rate for the use and maintenance of an LMS.
11. The Contractor will be paid monthly based on the annual bid rate for the Development and Maintenance of a Dedicated EIP training Website.

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 the DOH, by the 10th 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 DOH'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 ETTraining@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 offeror 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
- ST-220 TD: http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf

5.8 Contract Insurance Requirements

Prior to the start of work under this Contract, the CONTRACTOR shall procure, at its sole cost and expense, and shall maintain in force at all times during the term of this Contract, insurance of the types and in the amounts set forth in [Attachment 8](#), the New York State Department of Health Contract, Section IV. Contract Insurance Requirements as well as below.

5.8.1. Data Breach and Privacy/Cyber Liability

The Contractor and any subcontractor retained by the Contractor shall carry and maintain applicable coverage during and for a period of one (1) years after completion of this contract, Data Breach and Privacy/Cyber Liability Insurance, including coverage for failure to protect confidential information and failure of the security of the Contractor's computer systems or the DOH's Authorized Users' systems due to the actions of the Contractor with results in the unauthorized access to the DOH's data.

5.9 Subcontracting

Bidder's may propose the use of a subcontractor for tasks or personnel, other than the Key Personnel described in Section 4.2 of this RFP. 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. 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 the 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.

5.10 DOH's Reserved Rights

The DOH 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 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 DOH 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 offeror; 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 offeror's proposal and/or to determine an offeror'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 \(B\)](#) 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 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

Pursuant to Section 163(9)(c) of the State Finance Law, any unsuccessful Bidder may request a debriefing regarding the reasons that the proposal or bid submitted by the Bidder was not selected for award. Requests for a debriefing must be made within fifteen (15) calendar days of release of the written or electronic notice by the DOH that the Bid submitted by the Bidder was not selected for award. Requests should be submitted in writing to a designated contact identified in the award/non-award letter.

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 <https://ogs.ny.gov/procurement/piggybacking-using-other-existing-contracts-0>) 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.

5.20 Participation Opportunities for NYS 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 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, 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.

5.23 Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics. In accordance with Executive Order No. 177, the Offeror certifies that they do not have institutional policies or practices that fail to address those protected status under the Human Rights Law.

5.24 Executive Order 16 Prohibiting Contracting with Entities Conducting Business Operations in Russia

All Bidders responding to this solicitation should submit [Attachment 12](#) certifying the status of their business operations in Russia, if any, pursuant to Executive Order 16.

6.0 PROPOSAL CONTENT

The following includes the format and information to be provided by each Bidder. Bidders responding to this RFP must 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 A, Proposal Documents. 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. Bidder's Disclosure of Prior Non-Responsibility Determinations

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

B. 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)

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/index.htm> or go directly to the VendRep System online at <https://onlineservices.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 itservicedesk@osc.ny.gov

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website, 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. Vendors 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.

E. 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."

F. Bidder's Certified Statements

Submit [Attachment 7](#), "Bidder's Certified Statements", which includes information regarding the Bidder. [Attachment 7](#) 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 7](#) or no [Attachment 7](#).

G. 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.

H. References

Provide three references using [Attachment 9](#), (References), confirming the Bidder's level of experience. Provide firm names, addresses, contact names, telephone numbers, and email addresses.

I. Diversity Practices Questionnaire

The DOH 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 10](#) "Diversity Practices Questionnaire". Responses will be formally evaluated and scored.

J. Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination

Submit [Attachment 11](#) certifying that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

K. Executive Order 16 Prohibiting Contracting with Entities Conducting Business Operations in Russia

Submit [Attachment 12](#) certifying the status of your business operations in Russia.

6.2 Technical Proposal

The purpose of the Technical Proposal is to demonstrate the qualifications, competence, and capacity of the Bidder to perform the services contained in this RFP. The Technical Proposal should demonstrate the qualifications of the Bidder and the staff to be assigned to provide services related to the services included in this RFP.

A Technical Proposal that is incomplete in any material respect may be eliminated from consideration. The following outlines the information requested to be provided 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 cannot 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 Eligibility Responsive to Section 3.0 of RFP

Bidders must be able to meet all the requirements stated in Section 3.0 of the RFP. The Bidder must submit documentation that provides sufficient evidence of meeting the criterion.

This documentation may be in any format needed to demonstrate how they meet the minimum qualifications to propose.

C.1 Minimum Qualifications

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

- Bidder must have at least two (2) years of experience using a learning management system (LMS) for web-based training delivery; and
- Bidder must have at least two (2) years of experience developing and modifying training courses; and
- Bidder must have at least two (2) years of experience delivering training that incorporates adult education and learning techniques.

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.

C.2 Preferred Qualifications

Bidders that demonstrate experience with the following are preferred:

- Bidder has at least three (3) years of experience with New York State laws and regulations pertaining to services for young children with disabilities;
- Bidder has at least three (3) years of experience with the New York State Early Intervention Program;
- Bidder has at least three (3) years of experience with the New York State Preschool Special Education Program.

Experience acquired concurrently is considered acceptable.

D. Technical Proposal Narrative

The technical proposal should provide satisfactory evidence of the Bidder's ability to meet, and expressly respond to, each element listed below.

Elements of the technical proposal are as follows:

D1.A. Maintain and Deliver Existing Early Intervention Training Courses

1. Maintain Existing Training Courses

The Bidder should describe their approach to maintain the ten (10) self-paced (asynchronous) training courses that are currently available on a learning management system (LMS) as described in RFP section 4.1.A.1.

2. Deliver Two Existing Training Courses in a live (synchronous) Web-based format

The Bidder should describe their approach to deliver the existing trainings; Introduction to Service Coordination (ISC) and Early Intervention Evaluation, Assessment, and Eligibility Determination (E&E) in the Early Intervention Program quarterly, using the existing curricula (course content) and related training materials, in a live (synchronous) web-based format as described in RFP section 4.1.A.2.

D1.B. Develop and Deliver New Training Courses

1. Develop and Deliver New Training Courses on Early Intervention Topics

The Bidder should describe their approach to develop and deliver a total of seven (7) live (synchronous) online trainings over the life of the contract on relevant topics and upon approval from DOH, make such training available on the LMS as a self-paced (asynchronous) training course as described in RFP **Section 4.1.B.1.**

Develop and Deliver DOH Guidance Training Courses

The Bidder should describe their approach to develop and deliver five (5) live (synchronous) online trainings over the life of the contract using guidance the DOH developed and disseminated to the field and upon approval from DOH, make such training available on the LMS as a self-paced (asynchronous) training course as described in RFP **Section 4.1.B.2.**

3. Maintain New Self-Paced Training Courses

The Bidder should describe their approach to revise new training courses that have already been delivered live (synchronous) and posted as self-paced (asynchronous) courses, as a result of changes to early intervention regulations, policies or procedures, Public Health Law, technology changes, or feedback received from the participant's evaluations of training as described in RFP **Section 4.1.B.3.**

D1.D Issue Certificates of Completion and Continuing Education Units (CEUs)

The Bidder will be responsible for issuing Certificates of Completion and CEUs. The Bidder should detail their approach to issue Certificates of Completion and CEUS as described in RFP **Section 4.1.D**.

D1.E Training Needs Assessments

Training Needs Assessment

The Bidder should describe their approach to conduct one Training Needs Assessment per contract year to ensure knowledge of EI requirements to support the EIP and to assist the DOH in identifying topics where new trainings may be needed as described in RFP **Section 4.1.E**.

D1.F Communications and Outreach

1. Communications

The Bidder should describe their approach to assist the DOH in the development of drafting training related communications and outreach as described in RFP **Section 4.1.F.1**.

2. Outreach

The Bidder should describe their approach to provide outreach to students and relevant professional associations as described in RFP **Section 4.1.F.2**.

D1.G Early Intervention Learning Management System (LMS) and Dedicated EIP Training Website Requirements

1. Learning Management System (LMS)

The Bidder should describe their approach to identify and use a web-based LMS acceptable to the DOH, to deliver live (synchronous) and self-paced (asynchronous) approved by the DOH as described in RFP **Section 4.1.G.1**.

2. Provide a Dedicated EIP Training Website

The Bidder should describe their approach to develop and maintain a dedicated EIP training website as described in RFP **Section 4.1.G.2**.

D2. Staffing and Qualifications

The Bidder should provide a staffing plan that demonstrates how the Bidder intends to utilize management, key personnel, and other staff for completion of services that includes the following for each, as described in RFP **Section 4.2**.

- A. Title, responsibility, and type of staff available and physical location of Bidder's staff to be engaged in the online training project;
- B. How the Bidder plans to recruit and train an adequate number of staff;
- C. Bidder's ability to provide qualified staff to carry out the projected workload during the contract and how they plan to provide staff to meet the scope of work over the entire contract period;
- D. Bidder's ability to provide sufficient additional management and administrative support staff necessary to organize, prepare and carry out all administrative tasks associated with conducting the services;
- E. How the Bidder intends to maintain the staffing levels and personnel planned;

F. An organizational chart that delineates the titles of the staff responsible for fulfilling the tasks/deliverable detailed in **Section 4.0 Scope of Work**, their lines of communication, and how the organization intends to organize staff and management for this project.

D3. Reporting

The Bidder should detail their plan to fulfill the following reporting requirements as described in RFP **Section 4.3**.

D4. Information Technology

Within their proposal, the Bidder should attest to their ability to comply with the information technology requirements as described in **Section 4.4**.

D5. Security

With their proposal, the Bidder should attest to their ability to comply with the security requirements as described in RFP **Section 4.5**.

D6. Transition

The Bidder should describe their Proposed Approach to transition, as detailed in RFP **Section 4.6**.

6.3 Cost Proposal

Submit a completed and signed **Attachment B – Cost Proposal**. The Cost Proposal shall comply with the format and content requirements as detailed in this document and in Attachment B. 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 travel, materials, equipment, overhead, profit and labor, and issuing CEUs, to the satisfaction of the Department of Health and the performance of all work set forth in said specifications.

7.0 PROPOSAL SUBMISSION

A proposal consists of three distinct parts: (1) the Administrative Proposal, (2) the Technical Proposal, and (3) the Cost Proposal. Proposals should be submitted as prescribed below.

Submit **three (3), open and permission password protected**, PDF proposals in separate emails to: ETTraining@health.ny.gov with the subject "*Early Intervention Statewide Web-Based Training, Bidder name, RFP #20064R*".

Include, as attachment to each email, the distinct PDF file labeled "Administrative Proposal", "Technical Proposal", or "Cost Proposal". Example: "Technical Proposal Submission, ABC Company, RFP #20064R".

All electronic proposal submissions should be clear and include page numbers on the bottom of each page.

The body of the email submitted should also include the password and indicate the number of total pages intended, and where indicated each subset of pages listed. Example: Technical proposal 30 pages total, Attachment C, 17 pages. A font size of eleven (11) points or larger should be used with appropriate header and footer information. In the event an electronic submission cannot be read by the Department, the Department reserves the right to request

a hard copy and/or electronic resubmission of any unreadable files. Offeror shall have two (2) business days to respond to such requests and must certify the resubmission is identical to the original submission.

1. Where signatures are required, the proposal should have a handwritten signature and be signed in blue ink. A scanned signature can be used for electronic submission in the PDF. The Department reserves the right to request hardcopy originals of all signature pages at any time.
2. The NYSDOH discourages overly lengthy proposals. Therefore, marketing brochures, user manuals or other materials, beyond that sufficient to present a complete and effective proposal, are not desired. Elaborate artwork or expensive paper is not necessary or desired. In order for the NYSDOH to evaluate proposals fairly and completely, proposals should follow the format 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.
3. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation team; and

The entire proposal must be received by the NYSDOH in three separate emails to the email account and format designated above, no later than the Deadline for Submission of Proposals specified in Section 1.0, (Calendar of Events). Late bids will not be considered.

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 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 at its sole discretion, will determine which proposal(s) best satisfies its requirements. DOH 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 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. *[e.g., 70% Technical, 30% Cost]*

Bidders may be requested by DOH to clarify the contents of their proposals. Other than to provide such information as may be requested by DOH, 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.

8.2 Submission Review

DOH 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), including 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, 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 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 70points)** 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 the DOH by adding the Technical Proposal points and the Cost points awarded. Finalists will be determined based on composite scores.

8.6 Reference Checks

The Bidder should submit three professional 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).

8.7 Award Recommendation

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

The DOH will notify the awarded Bidder(s) and Bidders not awarded. The awarded Bidder(s) will enter into a written Agreement 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 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](#)
7. [Bidder's Certified Statements](#)
8. [DOH Agreement](#) (Standard Contract)
9. [References](#)
10. [Diversity Practices Questionnaire](#)
11. [Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination](#)
12. [Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia](#)

The following attachment is attached and included in this RFP:

- A. Proposal Document Checklist

The following attachment is provided as a separate file and has been posted along with this RFP at <https://www.health.ny.gov/funding/>.

- B. Cost Proposal

The following attachments have been posted as a Bidder's Library along with this RFP at <https://www.health.ny.gov/funding/>.

- C. Current EIP Training Courses
- D. Sample Course Evaluation Tool
- E. Sample Training Needs Assessment
- F. Regional Training Map

**ATTACHMENT A
PROPOSAL DOCUMENT CHECKLIST**

Please reference Section 7.0 for the appropriate format and quantities for each proposal submission.

| RFP20064R – Early Intervention Statewide Web-Based Training | | |
|---|--|--------------------------|
| FOR THE ADMINISTRATIVE PROPOSAL | | |
| RFP § | SUBMISSION | INCLUDED |
| § 6.1.A | Attachment 1 – Bidder’s Disclosure of Prior Non-Responsibility Determinations, completed and signed. | <input type="checkbox"/> |
| § 6.1.B | Freedom of Information Law – Proposal Redactions (If Applicable) | <input type="checkbox"/> |
| § 6.1.C | Attachment 3- Vendor Responsibility Attestation | <input type="checkbox"/> |
| § 6.1.D | Attachment 4 - Vendor Assurance of No Conflict of Interest or Detrimental Effect | <input type="checkbox"/> |
| § 6.1.E | M/WBE Participation Requirements: | <input type="checkbox"/> |
| | Attachment 5 Form 1 | <input type="checkbox"/> |
| | Attachment 5 Form 2 (If Applicable) | <input type="checkbox"/> |
| § 6.1.F | Attachment 7 - Bidder’s Certified Statements, completed & signed. | <input type="checkbox"/> |
| § 6.1.G | Attachment 6- Encouraging Use of New York Businesses | <input type="checkbox"/> |
| § 6.1.H | Attachment 9 – References | <input type="checkbox"/> |
| § 6.1.I | Attachment 10 - Diversity Practices Questionnaire | <input type="checkbox"/> |
| § 6.1.J | Attachment 11 - Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination | <input type="checkbox"/> |
| § 6.1.K | Attachment 12 – Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia | <input type="checkbox"/> |
| FOR THE TECHNICAL PROPOSAL | | |
| RFP § | SUBMISSION | INCLUDED |
| § 6.2.A | Title Page | <input type="checkbox"/> |
| § 6.2.B | Table of Contents | <input type="checkbox"/> |
| § 6.2.C | Documentation of Bidder’s Eligibility (Requirement) | <input type="checkbox"/> |
| § 6.2.D | Technical Proposal Narrative | <input type="checkbox"/> |
| FOR THE COST PROPOSAL REQUIREMENT | | |
| RFP § | REQUIREMENT | INCLUDED |
| § 6.3 | Attachment B- Cost Proposal | <input type="checkbox"/> |

