



Department of Health

Request for Proposals

RFP #: 20242

Consultative Examinations for Medicaid Eligibility

Issued: December 14, 2022

DESIGNATED CONTACT:

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

Sue Mantica
Bureau of Contracts
New York State Department of Health
Corning Tower, Room 2827
Albany, New York 12237
Telephone: 518-474-7896
Email Address: sue.mantica@health.ny.gov

PERMISSIBLE SUBJECT MATTER CONTACT:

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

Jenna-Lee Ciota
New York State Department of Health
Office of Health Insurance Programs
99 Washington Ave, One Commerce Plaza Room 1450
Albany, NY 12210
Telephone: 518-473-7005
Email Address: OHIPcontracts@health.ny.gov

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1.0 CALENDAR OF EVENTS

RFP 20242 – CONSULTATIVE EXAMINATIONS FOR MEDICAID ELIGIBILITY	
<u>EVENT</u>	<u>DATE</u>
Issuance of Request for Proposals	December 14, 2022
Deadline for Submission of Written Questions	Questions Due By December 30, 2022 at 4:00 p.m. ET
Responses to Written Questions Posted by DOH	Responses Posted On or About January 18, 2023
Deadline for Submission of Proposals	Proposals Due On OR Before February 10, 2023 at 4:00 p.m. ET
<i>Anticipated</i> Contract Start Date	November 1, 2023

2.0 OVERVIEW

Through this Request for Proposals (“RFP”), the New York State (“State”) Department of Health (“DOH”) is seeking competitive proposals from qualified bidders to provide services as further detailed in [Section 4.0](#) (Scope of Work). It is DOH’s intent to award one (1) contract from this procurement.

This RFP invites bids from eligible organizations interested in conducting consultative examinations to obtain the independent medical examinations and ancillary testing and/or psychological examinations and/or intellectual evaluations needed in order to make a determination of disability status for a Medicaid applicant/recipient (“A/R”). The information provided from these examinations and any ancillary testing will be used to assist New York State Department of Health (“DOH”), Office of Health Insurance Programs (“OHIP”), Division of Eligibility and Marketplace Integration (“DEMI”), State Disability Review Unit (“SDRU”) staff in making a determination of an individual’s disability status for Medicaid eligibility purposes.

2.1 Introductory Background

The New York State Department of Health (“DOH”), Office of Health Insurance Programs (“OHIP”), is responsible for oversight of administration of the Medicaid program in New York State. Section 6, Part F of Chapter 56, of the laws of 2012, authorized DOH to transfer responsibility for the administration of the Medicaid program from local social services districts over a period of six years by March 31, 2018. Within OHIP’s Division of Eligibility and Marketplace Integration (“DEMI”), the SDRU has assumed responsibilities from local social services districts related to the takeover of Medicaid disability determination functions. Among others, the functions assumed include medical evidence gathering and adjudication of disability for Medicaid eligibility purposes throughout the State.

Many A/Rs of Medicaid are present with medical and/or psychological issues that may result in a determination of disability for Medicaid eligibility purposes. Disability status makes an individual eligible for select Medicaid programs for the disabled and allows for a budgeting methodology that disregards more of their income than other Medicaid programs.

As part of SDRU's adjudicative process, SDRU staff will obtain medical evidence from the A/Rs treating sources. When this information is either unavailable or insufficient to make a determination of disability, SDRU staff will order a consultative examination (CE). The information from this medical examination and ancillary testing will be used to assist SDRU staff in making a determination of disability under State guidelines.

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 substantially 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 Certified Statements, must be submitted by each Bidder and includes a statement that the Bidder accepts, without any added conditions, qualifications or exceptions, the contract terms and conditions contained in this IFB including any exhibits and attachments, including, without limitation, Attachment 8. It also includes a statement that the Bidder acknowledges that, should any alternative proposals or extraneous terms be submitted with its Bid, 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 such qualifications or exceptions that are not proposed prior to the deadline for submission of written questions may not be considered by DOH after contract award. 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.

- A minimum of three (3) years of experience providing Disability Determination examinations, examinations for Medicaid Disability Determination purposes, independent medical examinations, or direct patient care.

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.

4.0 SCOPE OF WORK

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

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

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

DOH is requesting bids to perform examinations and testing as identified in Section 4.0, Scope of Work. Bidders must bid on and be able to provide ALL SERVICES not identified as “Optional.” Services identified under the “Optional” section can be bid upon at the option of the Bidder. Any optional services bid upon must be provided throughout the life of the contract. Although the “Optional” services are not required, the scope of the optional services that can be provided will be one of the factors under which bidders will be evaluated.

A document library is available for this opportunity. Referenced documents throughout this RFP can be found in this document library, located at www.health.ny.gov/funding, and then selecting the link to this RFP. Bidders should note that several documents found in this document library are required to be submitted as part of the Bidder’s technical proposal.

4.1 Start-Up/Implementation

If the incumbent Contractor is not awarded the resulting contract, a start-up/implementation period will be afforded to the new Contractor. To ensure the success of this project, the new Contractor:

- 4.1.1. Shall be afforded up to a six (6) month period to develop and ramp-up services;
- 4.1.2. Must meet the facilities and staffing requirements contained in Section 4.2 and Section 4.4 of this RFP;
- 4.1.3. Must have or must develop and implement within 120 days from the start of the contract term, the technical infrastructure necessary to electronically accept, daily from the SDRU, orders for CEs. Further, the Contractor must provide the SDRU an electronic confirmation of each order; and
- 4.1.4. Must submit bi-weekly reports during the implementation phase updating NYSOH on the start-up/implementation status. Each biweekly report must include the following sections: 1) A two-week review of the tasks that were expected to be completed within that period; 2) Indicate which tasks were completed in the respective two-week period; 3) Indicate which tasks were not completed in the respective two-week period and provide the reason; 4) Provide details on how contractor will complete incomplete tasks to meet the required implementation schedule; and 5) A list of the tasks it expects to complete during the next two-week period

4.2 Facilities Requirements

The Contractor is responsible for providing the proper examination and testing facilities in accordance with applicable Federal, State, County and City or Local health, fire, and building codes at all times as well as the following requirements:

- 4.2.1. The Contractor must be prepared to serve all counties in New York State within six (6) months of contract award and should propose facilities in central locations for easy access. The Contractor will be expected to allow for site inspection of any facility being proposed for use in the contract prior to the beginning of the contract or any time thereafter.
- 4.2.2. All consultative examinations shall be within fifty (50) miles of A/R's residence.
- 4.2.3. In the event of specialty CEs, including orthopedic, rheumatology and neurologic examinations, examinations may be within 120 miles of the A/R's residence.
- 4.2.4. Lease commitments must specify the term of the lease and the term of any lease extensions. Uninterrupted facility/lease access hours must be, at a minimum, Monday-Friday, 9 a.m. – 6 p.m. The lease must also indicate weekend access.
- 4.2.5. Premises must be clearly identified with a sign to the general public describing the particular practice/specialty provided.
- 4.2.6. Contractor must maintain a minimum number of three (3) telephone lines in their administrative office with toll-free service for callers throughout New York State.
- 4.2.7. Facilities must adhere to the requirements under the Compilation of the Rules and Regulations of the State of New York (NYCRR), Title 10.
- 4.2.8. Each facility must be easily accessible to the general public and be in compliance with the American Disabilities Act of 1990.
- 4.2.9. Upon notification of award the Contractor will complete the Facility Information Form (Exhibit 1) for each known location. Additional forms must be submitted for each additional location identified by the Contractor within 15 business day of identification of the location. The Form should include:
 - 4.2.9.1 **Location:**
 - Address
 - Proximity of public transportation or description of how A/R will get to facility
 - Availability and quantity of A/R parking at the location site.
 - 4.2.9.2 **Facility Capacity:**
 - Provide floor plans and total facility square footage.
 - 4.2.9.3. **Copies of lease commitments specifying:**
 - Commitment for duration of the contract period;
 - Number of extensions and the term of the extensions;
 - Access hours (must be uninterrupted); and
 - Weekend hours.

NOTE: The Contractor may be asked to perform psychiatric examinations, or psychological examinations without in-person testing. In this event, the Contractor must provide written documentation that a HIPAA compliant platform will be utilized for these virtual/telehealth examinations. All assessments will otherwise follow the normal protocol for DOH.

4.3 Technology Requirements

- 4.3.1. The Contractor must interface with SDRU by receiving and providing all information electronically. At a minimum, the contractor is required to have the technological infrastructure to interface with the SDRU through:

4.3.1.1. Secure Email: The contractor must take collective measures to secure the access and content of their email account or service, when interfacing with the SDRU. Such measures, should include but is not limited to:

- Strong password protection, including password rotations;
- Encryption of all transmitted emails; and
- Inclusion of anti-virus and anti-spam applications.

4.3.1.2. Secure Fax: The contractor must take collective measures to secure the sending and receiving of all faxing with the SDRU. Such measures, should include but is not limited to:

- Encryption for transmission of digital faxes; and
- Ensuring the faxing process meet the appropriate HIPAA requirements (see section 4.3.2).

4.3.2. As identified in section 4.3.1, the contractor is required to have the technological infrastructure to interface with the SDRU through secure email and fax. However, the contractor may utilize a more robust system that exceeds these requirements. Any alternate system will be subject to the approval of DOH prior to implementing and must, at minimum, meet all NYS security requirements as outlined in section 4.3.1.

4.3.2.1. The contractor must provide documentation of HIPAA compliant technology vendors for SDRU approval;

4.3.2.2. The contractor must provide documentation regarding any HIPAA business associate agreement(s) in connection with the provision of their video communication products; and

4.3.2.3. The contractor must notify and obtain permission in writing from the SDRU prior to scheduling a telehealth videoconference.

4.3.3. Security Requirements

Within the first 60 days of the contract start date, the contractor must provide to DOH a security plan that describes their security and compliance with all applicable NYS policies and standards as described in [Attachment L](#).

4.4 Staffing Requirements

All employees of the Contractor or their subcontractors must be informed of the obligation to disassociate him or herself from any evaluation in which they have a familial, financial, or other relationship with the A/R.

The Contractor will:

- 4.4.1.** Have a contract liaison assigned to coordinate activities and be responsible to resolve day-to-day problems and questions from the SDRU.
- 4.4.2.** Ensure that all physicians, psychologists, and speech-language pathologists performing examinations must be licensed, certified (psychologists) or otherwise qualified (speech-language pathologists) and currently registered in New York State.
- 4.4.3.** Ensure that all medical and support staff (nurses, technicians, etc.) are in full compliance with federal, state, and local licensing or certification requirements. All medical and support staff must be qualified, trained and experienced in performing the requested testing or examinations. "Qualified" means that the medical source must be currently licensed in the state of New York and have the training and experience to perform the type of examination or test requested.
- 4.4.4.** Ensure that any contractor, subcontractor, physician or psychologist or other health care provider currently disciplined, sanctioned, censured, or suspended by any government regulatory agency will not be allowed to participate on this contract.
- 4.4.5.** Notify the SDRU of any change in status of all physicians, psychologists or health care provider associated with this Contract that become under investigation, excluded, cited, suspended, convicted, surrendered their license, or otherwise barred by a licensing authority or from participation in the Medicaid or Medicare programs.

- 4.4.6. Ensure that their medical staff must be familiar with the Listing of Impairments used in evaluating disability in adults and children under the Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) programs, which is also used in evaluating disability for Medicaid eligibility purposes.
- 4.4.7. Ensure staff (administrative/technician) are fluent in English and Spanish in order to assist clients with appointment scheduling, reception, history taking, and ancillary testing as appropriate.
- 4.4.8. Ensure that its staff complies with and maintains the confidentiality of all the A/R information.
- 4.4.9. Make physicians, psychologists, etc., performing examinations available during normal working hours for telephone discussions to clarify or to answer any questions regarding the CE report. Responses must be received within 48 hours from the SDRU's request.
- 4.4.10. Within 60 days of notification of award, the Contractor will identify the Chief Medical Officer and submit this information including: name, license number (if applicable), title, specialty, languages spoken and location on the Staffing Form (Exhibit 11). Should this information change during the course of the contract, the Contractor should use this Form to notify DOH of the changes.
- 4.4.11. Complete a Consultant Enrollment Form for each Staff Person (Exhibit 9):
 - This form must be completed as an original and only by the Chief Medical physician in each location.
 - The form must be signed and dated in blue ink by the physician within three (3) months of notification of award. Completion of a Consultant Enrollment Form for all medical staff of the successful bidder is required within 60 days of any lapse in service, change in medical or administrative staff, including location where services are provided.
- 4.4.12. Make medical staff available to testify in the event of a hearings and/or appeal, if required.

4.5 General Requirements

The Contractor shall:

- 4.5.1. Ensure that their staff and subcontractors are in full compliance for the term of this Agreement with federal, state, and local facility operating requirements, as specified in this RFP (see Exhibit 10). Compliance must include, but not limited to, compliance with the New York State Education Law Articles 130 and 131. The Contractor providing medical consultative services must comply with those articles, which regulate the admission to and practice of the professions, including medicine.
- 4.5.2. Ensure all entities working on this contract are in compliance with the requirements of Education Law 6527 and in compliance with Article 15 of the New York State Business Corporation Law, or other corporate organization for physicians as authorized by law. All directors and officers of a corporation providing medical examinations (except those entities delineated in 6527) must be physicians.
- 4.5.3. Notify the DOH contract liaison of any substantial contract-related problems within one (1) week of its discovery.
- 4.5.4. Not refuse to provide service to any referral from the SDRU, without prior approval from the SDRU.
- 4.5.5. Not conduct a CE if the AR or a member of their family, is associated with the provider. If this situation occurs, the provider must not accept the case and must notify SDRU immediately.
- 4.5.6. Refer clients to the SDRU when an A/R requires travel arrangements to and from the facility.
- 4.5.7. Ensure that it has the ability to perform the number and types of services required and manage substantial workload fluctuations while maintaining contract performance standards. Exhibit 8 includes estimates of the volume of exams and tests to be performed by the Contractor based upon actual volume previously examined. The actual number of referrals may vary due to factors such as "no shows" or CE orders

cancelled by SDRU. It is emphasized that those numbers are strictly estimates and does not guarantee actual future CE orders

- 4.5.8. Ensure all equipment being utilized must meet all health, safety, and infection control requirements, be maintained in good working order, and continue to meet these requirements.
- 4.5.9. Ensure all equipment calibration and cleaning/sterilization must be done according to manufacturer's guidelines. The Contractor and any subcontractors utilized, must provide proof of such, to DOH on an annual basis
- 4.5.10. Complete confidentiality of A/R information must be maintained.
- 4.5.11. Contact SDRU in the event they receive a request for disclosure or release of any information, CE report or a subpoena, for further instructions.

4.6 Appointment Scheduling Process

The selected Contractor is responsible for establishing a process to schedule consultative examinations in accordance with the following requirements:

- 4.6.1. The Contractor will electronically accept, on a daily basis from the SDRU, orders for CEs and must provide the SDRU an electronic confirmation of each order.
- 4.6.2. The Contractor will be required to accept telephone orders for scheduling on a same day appointment basis where physician availability allows it.
- 4.6.3. Scheduled Examination Hours. Consultative examination appointments (CE Appointments) are scheduled between the hours of 9:00 a.m. to 5:00 p.m. EST, Monday through Friday. No appointments will be scheduled for evening hours or weekend hours unless prior approval is received from SDRU.
- 4.6.4. The Contractor will be required to accept telephone orders for scheduling on a same day appointment basis where physician availability allows it.
- 4.6.5. Scheduling intervals must allow sufficient time to permit the Contractor to take a case history and perform the examination, including any needed tests. Contractors should use the following minimum scheduling intervals (i.e., time set aside for the individual) not the actual duration of the CE:
 - 4.6.5.1. **Comprehensive general medical, musculoskeletal, or neurological examinations;** at least 30 minutes, 20 of which must be the actual time spent with the physician.
 - 4.6.5.2. **Comprehensive psychiatric examination;** at least 40 minutes, 30 of which must be actual time spent with the physician/psychologist.
 - 4.6.5.3. **Psychological examination;** at least 60 minutes, 45 of which must be actual time spent with the psychologist.
 - 4.6.5.4. **Speech-language evaluation;** at least 60 minutes must be spent with the speech-language pathologist.
 - 4.6.5.5. All others must last at least 30 minutes, or in accordance with accepted medical practice, with prior approval by the SDRU.
- 4.6.6. Appointments must be scheduled to accommodate the above duration requirements and to minimize waiting time. As a result, the Contractor must be able to accommodate a minimum of a 50% workload fluctuation of estimated exam volumes (see Exhibit 8) and still maintain contract performance standards.
- 4.6.7. Appointments should be scheduled by telephone, where one is available, and should be scheduled no more than seven (7) days from the time the order is received.

4.6.7.1. If the A/R agrees to the appointment, the Contractor will explain:

4.6.7.1.1. The necessary details of the appointment, including location, date, and time; and

4.6.7.1.2. Ramifications if the A/R does not attend the CE appointment.

4.6.7.2. An appointment letter (Exhibit 2) must immediately be sent to the A/R, within one (1) day of scheduling the CE.

4.6.7.3. A reminder call must be made within two (2) days of the CE appointment date.

4.6.7.4. For appointments scheduled ten (10) days or more in the future, a reminder notice must be sent ten (10) days prior to the scheduled exam or on the next business day if the reminder date falls on a non-business date.

4.6.8. If an A/R cannot be reached by telephone or the A/R does not have a telephone, an appointment letter will be mailed to the A/R within two (2) business days from the time the order is received.

4.6.9. Personalized A/R letters and pamphlets are required to be sent by the Contractor to the A/R and authorized representatives in a format designated by the SDRU. See Exam Appointment Letter (Exhibit 2), Third Party Authorization to Release Form (Exhibit 3) and Third-Party Request for Assistance Letter (Exhibit 13) for examples of such letters.

4.6.10. If the A/R fails to appear for an examination, the Contractor must schedule a second appointment unless otherwise instructed by the SDRU. Additional appointments after a second missed appointment must be made if requested by the SDRU. All missed appointments must be reported to the SDRU (using the procedure described in Exhibit 4).

4.6.11. If the A/R fails to appear for the second appointment, the Contractor may be required to schedule a third appointment. Upon receipt of the third appointment request by the SDRU:

4.6.11.1. The Contractor must attempt telephone contact with the A/R (two [2] attempts on two [2] different days at two [2] different times) to schedule the CE appointment;

4.6.11.2. The appointment must be scheduled at least ten (10) days into the future;

4.6.11.3. After scheduling appointment with the A/R, the Contractor must send the A/R appointment letter and send notification to the SDRU (Exhibit 2);

4.6.11.4. If the A/R does not have a telephone or you did not reach by A/R by telephone, send a call-in letter. The call-in letter:

4.6.11.4.1. Must be sent on the same day as, or after, second unsuccessful attempt;

4.6.11.4.2. Must be sent no fewer than ten (10) days prior to scheduled exam;

4.6.11.4.3. Must contain examination details as those noted in the A/R appointment letter (see Exhibit 2.);

4.6.11.4.4. Must contain the following statement: If you do not respond within ten (10) calendar days after the date of this letter, a determination may be made based on information in your case file and it may be found that you are not disabled or no longer disabled;

4.6.11.5. Send the third appointment details to SDRU (Exhibit 5);

4.6.11.6. Send a reminder notice to the A/R as appropriate following 4.6.5.3; and

4.6.11.7. If A/R does not call-in or attend the appointment, send response to SDRU (Exhibit 4);

4.6.12. Contractor must be prepared to receive an electronic request that includes third party contact information. Upon receipt, Contractor must contact third party by phone and/or by mail to request assistance in helping A/R manage the CE process.

4.6.12.1. The Contractor must notify the SDRU within one (1) business day of all contractor actions regarding contact with the third party (two [2] attempts on two [2] different days at two [2] different times).

4.6.12.2. If telephone contact is unsuccessful, send the third party a letter with the information found in Exhibit 2.

4.6.12.3. If the telephone contact is successful, Contractor is to provide the third party with the following information only:

- 4.6.12.3.1. Date, time, and location of A/Rs appointment.
- 4.6.12.3.2. A/R has indicated that you are someone who can assist them.
- 4.6.12.3.3. If possible, please assist this A/R to attend this appointment.
- 4.6.12.3.4. No further details of personal information should be provided to the third party.

4.6.13. All timeframes for scheduling, phone contacts, third party contacts, reminder notifications and written examination notifications are subject to change by SDRU.

Note: A successful A/R and third-party telephone contact is speaking directly with the A/R or third party. Leaving a message on voicemail is not considered a successful attempt.

4.7 Examination Process

- 4.7.1. All CEs and ancillary testing must be performed in accordance with sound medical practice, with the Contractor assuming full responsibility.
- 4.7.2. Any necessary instructions or notices sent to the A/R in advance of the examination must be provided by the Contractor, subject to approval by the SDRU, unless other arrangements are made by the SDRU.
- 4.7.3. A/Rs are to be given equal and courteous treatment.
- 4.7.4. The Contractor must verify the A/R's and any accompanying adults' identification: e.g., drivers' license, State ID, or any other method for verifying an individual's identity deemed acceptable by law or regulation. If appropriate identification is not available, the SDRU should be contacted
- 4.7.5. Based on the background information received with the referral, history secured and the medical examination, the Contractor will complete only those tests on the SDRU's Order that are not medically contraindicated
- 4.7.6. The Contractor will provide for or arrange for the following specialty examinations to be conducted at their proposed site(s): Internal Medicine, Orthopedic, Neurological, Psychiatric, Psychological, Drug/Alcohol, Pediatric, and Speech-Language. In the event a specialist cannot be obtained for the examination, the Contractor may propose the use of an alternative licensed physician. Such substitution is subject to the approval of DOH, and any proposed physician must be in good standing in order to conduct the specialty examinations.
- 4.7.7. The Contractor shall not recommend treatment or a change in treatment directly to the A/R but should include such suggestions in the report submitted to the SDRU (see Exhibit 7 for Reporting Requirements).
 - 4.7.7.1. Any emergency treatment and/or information provided should be reported immediately to SDRU and specified in the report to the SDRU.
 - 4.7.7.2. In the event where the evidence shows a medical condition that is legally reportable or which could be injurious to the health or safety of the individual or others, or where the individual has made a threat against himself/herself or others, or has made statements concerning a non-medical serious reportable event (SRE) covered by statute or law, the Contractor should take action consistent with sound and accepted medical practice including notification to the A/R, A/Rs representative family, A/Rs treating source or emergency medical personnel, as appropriate and/or permitted by applicable laws.
- 4.7.8. During the course of the examination, the A/Rs privacy must be maintained. All A/Rs can request to have someone present during their physical examination.
 - 4.7.8.1. Female A/Rs must be given the option of having a female staff person present during their physical examinations.
 - 4.7.8.2. Female A/Rs must sign a form, developed by the contractor, acknowledging that they were provided this option. This form must be available upon request of the SDRU.

- 4.7.9. At SDRUs discretion, the Contractor may be required to send the A/R an additional call-in letter to discuss exam details with the A/R.
- 4.7.10. The Contractor shall be required to repeat any/all examinations and tests, without charge, when the SDRU determines the results of such exams to be incomplete or conflicting or in error.

4.8 Ancillary Testing

- 4.8.1. Ancillary testing (X-rays, Resting and Exercise Treadmill (EKG), Pulmonary Function Tests, laboratory tests, etc.) must be performed by the Contractor or scheduled to be performed on the same day or within five (5) days of the CE examination, except where otherwise specifically approved by the SDRU. In situations where two (2) different specialist examinations are ordered, the Contractor must attempt to schedule the examinations on the same day.
- 4.8.2. Ancillary testing must be performed according to sound medical practice by certified medical staff.
- 4.8.3. All ancillary testing must be authorized by the SDRU. The Contractor must perform on site or arrange for the following mandatory ancillary testing on the same day as the examination or within five (5) days of the examination:
 - 4.8.3.1. Doppler Testing including Exercise Doppler
 - 4.8.3.2. EKG including Treadmill EKG
 - 4.8.3.3. Pathology/Blood Tests
 - 4.8.3.4. Pulmonary Function Testing
 - 4.8.3.5. Psychiatric
 - 4.8.3.6. X-rays
- 4.8.4. If authorized by the SDRU, the Contractor shall draw blood/specimens when needed as part of the examination process. The Contractor must have arrangements with a certified laboratory that will accept the SDRU Statewide CE Fee Schedule to process all blood specimens.
- 4.8.5. If additional examinations or ancillary testing other than those ordered by the SDRU become necessary during the course of the examination, approval for such testing must be obtained from the SDRU. This approval should be obtained while the A/R is still at the examining site.
- 4.8.6. Ancillary Testing and Equipment – Contractor must specify the ancillary tests to be performed and the proposed equipment being utilized at each location. Contractor must list test performed, manufacturer, model, age of equipment, calibration/service requirements, and maintenance and infection control/sterilization procedures. If an offsite facility is proposed for ancillary testing, the contractor shall include a letter of commitment from the facility.

Contractor must submit this information on the Facility Information form (Document 1) and include it when submitting information on that Facility as required in Section 4.2.9 of this RFP. The Contractor must have arrangements with a laboratory accepting Medicaid rates for processing all blood specimens.

4.9 Optional Ancillary Testing

All optional ancillary testing must be authorized by the SDRU. Such testing may include:

- 4.9.1.** Adaptive Behavior Scale
- 4.9.2.** Arterial Oxygen Tension (PO₂) at rest and simultaneously obtained arterial carbon dioxide tension (PCO₂)
- 4.9.3.** Arterial Gases Rest/Treadmill
- 4.9.4.** Echocardiogram (2 dimensional)
- 4.9.5.** Measurement of Lung Diffusing Capacity
- 4.9.6.** Ophthalmology
- 4.9.7.** Otolaryngology
- 4.9.8.** Speech Discrimination Test, binaural

For optional eye service: In cases involving a finding or allegation of a visual impairment, the Contractor will be responsible for:

- 4.9.9.** Sending appointment notices to the A/R by certified mail within two (2) days of notification of the CE;
- 4.9.10.** Placing a follow-up telephone call within five (5) business days of sending the certified mail;
- 4.9.11.** Forwarding a copy of the appointment notice to a third-party A/R representative, if designated, so that the representative can assist the A/R

4.10 Examination Reporting Requirements

The Contractor must send completed CE reports to the SDRU within 10 business days of the examination.

4.10.1. The CE report must be provided on Contractor's letterhead as a typed narrative of the findings, and not in the form of responses to a questionnaire or check off list. The report must include:

- 4.10.1.1.** The reported results and interpretation of the history, physical/mental examination, ancillary test(s), pertinent requested laboratory findings, diagnosis, and prognosis, must conform to accepted professional standards and practices in the medical field for a complete and competent examination.
- 4.10.1.2.** The A/R's name, Disability Identification Number (DIN), date of birth and date of report must appear on the first page of the report. All subsequent pages, tracings and any other material must have the A/R's name, DIN, and date of birth.
- 4.10.1.3.** Original tracings, x-ray interpretations, laboratory findings, charts and graphs must be attached to the report. Copies of any medical reports or test results brought by the A/R must also be attached to the report.
- 4.10.1.4.** Include a statement which describes the individual's ability to do work related activities based on the findings of the examination.
 - 4.10.1.4.1.** For individuals less than eighteen (18) years of age, there should be a statement describing the individual's ability to perform age-appropriate activities and behave in an age-appropriate manner.
 - 4.10.1.4.2.** Opinions such as "A/R is unable to work" or "A/R is disabled" must not be included in the report.
- 4.10.1.5.** Certification of review and signature by the consultant who performed the examination. A rubber stamp signature or a signature entered by another physician, nurse, or any other person is not acceptable. The consultant's name and specialty must be printed at the end of the report
- 4.10.1.6.** The A/Rs Social Security Number (SSN) should not appear on any of the documents mentioned above.

- 4.10.2. If testing includes a Drug/Alcohol exam, CE report requirement are detail in Exhibit 7. In addition to the results, the internist performing the Drug/Alcohol exam must determine whether the A/R should be referred for a psychiatric exam.
- 4.10.3. No examination or test should be initiated or conducted on A/Rs who are under the influence of alcohol or drugs if such conditions could affect the validity or reliability of the examination/test in the professional judgment of the consultative examiner. A statement of validity and reliability must be included in the report.
- 4.10.4. If the Contractor does not complete a test ordered by SDRU, the CE report must detail why the tests ordered were medically contraindicated and/or are not performed.
- 4.10.5. If an A/R would like a copy of the CE report sent to the A/R's treating source, the A/R should be instructed to contact the SDRU.

4.11 Contractor's Reporting Requirements

- 4.11.1. Contractor must electronically notify SDRU of the appointment date, whether the appointment was kept, and any other pertinent information by completing and transmitting the "CE Appointment History Report," (Exhibit 4) within one (1) business day after each appointment.
- 4.11.2. One hundred percent (100%) report quality must be maintained, i.e., all items in the Examination and Contractor's Reporting Requirements section must be strictly adhered to on all reports. Reports must be redone without charge if the SDRU or OHIP determines that they are incomplete, conflicting and/or in error.
- 4.11.3. The Contractor will be required to submit a report, within seven days of the end of the month, list detailing the A/Rs examined, the DIN, date of birth and the type of examination they received, and any testing authorized by the SDRU. SDRU must verify examinations, tests, and receipt of reports before authorizing payment of vouchers submitted.
- 4.11.4. The Contractor shall submit quarterly reports, within seven (7) days of the end of the quarter, documenting the Contractor's services provided, equipment and commodities being utilized, subcontracting usage and changes, staffing plans and any other information requested by DOH.
- 4.11.5. The Contractor shall retain a copy of the letters sent to the A/Rs, all examinations and testing reports, including tracings, lab results and x-ray films for a minimum of twelve (12) months after the date the information was supplied to the A/R or SDRU. This information must be kept in a secured, locked location.

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

Potential Bidders may submit written questions and requests for clarification pertaining to this RFP between the issuance of this RFP and the deadline for the submission of written questions specified in [Section 1.0](#) (Calendar of Events). All questions and requests for clarification of this RFP should cite the relevant RFP, including the RFP number and title (insert RFP # and Name), the section and paragraph number of this RFP or of the Attachment to this RFP to which the question relates, where applicable, and must be submitted via email to OHIPcontracts@health.ny.gov no later than the Deadline for Submission of Written Questions specified in Section 1.0 (Calendar of Events). Questions received after the deadline may not be answered. If a potential Bidder discovers any ambiguity, conflict, discrepancy, omission, or other apparent error in this RFP, the Bidder shall immediately notify DOH of such error in writing at OHIPcontracts@health.ny.gov.

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 OHIPcontracts@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

Payment of such invoices and/or vouchers by the New York State Department of Health shall be made in accordance with Article XI-A of the New York State Finance Law. Payment terms will be:

Contractor shall be reimbursed for actual services performed under this Agreement based on the submission of a Claim for Payment form satisfactory to the New York State Department of Health and the Office of the State Comptroller. Bills must conform to DOH's fiscal payment process. The Contractor will submit a Claim for Payment no more than once per month.

Services shall be invoiced at the SDRU Statewide CE Fee Schedule rate (see Attachment B) for each procedure performed for the applicant/recipient in the month that the CE report is submitted to the SDRU. It is the Contractor's responsibility to insure proper and timely delivery of services ordered pursuant to the contract resulting from this RFP and the proper and timely submission of the associated Claim for Payment.

If an exam is cancelled by SDRU prior to the exam date and the provider has received timely notice of the cancellation yet conducts the exam anyway, no payment will be made. In those instances where extenuating circumstances exist, SDRU will determine if sufficient information is available and may authorize payment.

There will be no payment for missed or cancelled appointments, lateness for appointment, or discontinued examinations.

A/Rs or third-party insurers, including governmental sources, shall not be charged for any testing.

DOH is not liable for payment of expenses associated with emergency medical treatment.

The Contractor will be held liable to compensate the state the cost of all laboratory specimens, examination test, results or records lost while in possession of the contractor.

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.

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 OHIPcontracts@health.ny.gov before the Deadline for Questions as specified in [Section 1.0](#) (Calendar of Events). Nothing prohibits an M/WBE Vendor from proposing as a prime contractor.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

5.6 Equal Employment Opportunity (EEO) Reporting

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

Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the Contractor, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

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

5.7 Sales and Compensating Use Tax Certification (Tax Law, § 5-a)

Section 5-a of the Tax Law, as amended, effective April 26, 2006, requires certain contractors awarded state contracts for commodities, services and technology valued at more than \$100,000 to certify to the Department of Tax and Finance (DTF) that they are registered to collect New York State and local sales and compensating use taxes. The law applies to contracts where the total amount of such contractors' sales delivered into New York State are in excess of \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and subcontractors whose sales delivered into New York State exceeded \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made.

This law imposes upon certain contractors the obligation to certify whether or not the contractor, its affiliates, and its subcontractors are required to register to collect state sales and compensating use tax and contractors must certify to DTF that each affiliate and subcontractor exceeding such sales threshold is registered with DTF to collect New York State and local sales and compensating use taxes. The law prohibits the State Comptroller, or other approving agencies, from approving a contract awarded to an offerer meeting the registration requirements but who is not so registered in accordance with the law.

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

Forms are available through these links:

- ST-220 CA: http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf
- 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.

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

6307. Failure to provide verification of either of these types of insurance coverage by the time contracts are ready to be executed will be grounds for disqualification of an otherwise successful Proposal.

The successful Bidder must submit the following documentation before a contract may take effect.

A. Proof of Workers' Compensation Coverage:

ONE of the following forms as Workers' Compensation Coverage documentation:

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

B. Proof of Disability Benefits Coverage:

ONE of the following forms as Disability Benefits Coverage documentation:

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

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

5.9 Subcontracting

Bidder's may propose the use of a subcontractor. The Contractor shall obtain prior written approval from NYSDOH before entering into an agreement for services to be provided by a subcontractor. The Contractor is solely responsible for assuring that the requirements of the RFP are met. 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 Department of Health reserves the right to:

1. Reject any or all proposals received in response to the RFP;
2. Withdraw the RFP at any time, at the agency's sole discretion;
3. Make an award under the RFP in whole or in part;
4. Disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP;
5. Seek clarifications and revisions of proposals;
6. Use proposal information obtained through site visits, management interviews and the state's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the Bidder in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFP;
7. Prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available;
8. Prior to the bid opening, direct bidders to submit proposal modifications addressing subsequent RFP

- amendments;
9. Change any of the scheduled dates;
 10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders;
 11. Waive any requirements that are not material;
 12. Negotiate with the successful bidder within the scope of the RFP in the best interests of the state;
 13. Conduct contract negotiations with the next responsible bidder, should 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 offerer; and,
 16. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offerer's proposal and/or to determine an offerer's compliance with the requirements of the solicitation.

5.11 Freedom of Information Law ("FOIL")

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

5.12 Lobbying

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

- a) made the lobbying law applicable to attempts to influence procurement contracts once the procurement process has been commenced by a state agency, unified court system, state legislature, public authority, certain industrial development agencies and local benefit corporations;
- b) required the above-mentioned governmental entities to record all contacts made by lobbyists and contractors about a governmental procurement so that the public knows who is contacting governmental entities about procurements;
- c) required governmental entities to designate persons who generally may be the only staff contacted relative to the governmental procurement by that entity in a restricted period;
- d) authorized the New York State Commission on Public Integrity, (now New York State Joint Commission on Public Ethics), to impose fines and penalties against persons/organizations engaging in impermissible contacts about a governmental procurement and provides for the debarment of repeat violators;
- e) directed the Office of General Services to disclose and maintain a list of non-responsible bidders pursuant to this new law and those who have been debarred and publish such list on its website;
- f) required the timely disclosure of accurate and complete information from offerers with respect to determinations of non-responsibility and debarment; (Bidders responding to this RFP should submit a completed and signed [Attachment 1](#), "Prior Non-Responsibility Determination".)

- g) increased the monetary threshold which triggers a lobbyist's obligations under the Lobbying Act from \$2,000 to \$5,000; and
- h) established the Advisory Council on Procurement Lobbying.

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

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

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

5.13 State Finance Law Consultant Disclosure Provisions

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

The successful bidder for procurements involving consultant services must complete a "State Consultant Services Form A, Contractor's Planned Employment From Contract Start Date through End of Contract Term" in order to be eligible for a contract.

The successful 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 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 <http://www.ogs.ny.gov/purchase/snt/sflxi.asp>) allows the Commissioner of the NYS Office of General Services to consent to the use of this contract by other New York State Agencies, and other authorized purchasers, subject to conditions and the Contractor's consent.

5.18 Encouraging Use of New York Businesses in Contract Performance

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

5.19 Diversity Practices Questionnaire

Diversity practices are the efforts of contractors to include New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") in their business practices. Diversity practices may include past, present, or future actions and policies, and include activities of contractors on contracts with private entities and governmental units other than the State of New York. Assessing the diversity practices of contractors enables contractors to engage in meaningful, capacity-building collaborations with MWBEs.

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. 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 and Technical packages inclusive of all materials as summarized in Attachment A, Proposal Document Checklist. 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 and Technical Proposals received in response to this RFP will be conducted separately. Bidders are therefore cautioned not to

include any Administrative Proposal information in the Technical Proposal documents.

DOH will not be responsible for expenses incurred in preparing and submitting the Administrative, or Technical 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 www.osc.state.ny.us/vendrep or go directly to the VendRep System online at www.osc.state.ny.us/vendrep.

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. Bidders 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. Encouraging Use of New York Businesses in Contract Performance

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

G. Bidder's Certified Statements

Submit [Attachment 7](#), "Bidder's Certified Statements", which includes information regarding the Bidder. Attachment A must be signed by an individual authorized to bind the Bidder contractually. Please indicate the title or position that the signer holds with the Bidder. DOH reserves the right to reject a proposal that contains an incomplete or unsigned [Attachment 7](#) or no [Attachment 7](#).

H. References

Provide references using [Attachment 9](#), (References) for three similar engagements. Provide firm names, addresses, contact names, telephone numbers, and email addresses.

I. Diversity Practices Questionnaire

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.

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. Bidder's Background Licenses, Certifications and Agreements
Bidders should submit:

- Copies of all applicable licenses and certifications (i.e., Article 28, certificates of incorporation, applications for change of status, pending applications for any such licenses, etc.).
- Listing of proposed subcontractors, affiliates, or other organizations that you are proposing to utilize to provide or support the work required by this RFP (i.e., laboratories, hospitals, medical professionals, etc.);
- Listing of emergency back-up agreements with certified hospitals or individual use of 911 services; and
- Description of any impending, current, or recent litigation, administrative proceedings before any federal or state regulatory agency or sanctions you or your proposed subcontractors have been involved within the last 5 years.

D. 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.

- The Bidder must document a minimum of three (3) years of experience providing Disability Determination examinations, examinations for Medicaid Disability Determination purposes, independent medical examinations, or direct patient care. Experience acquired concurrently is considered acceptable.

E. 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:

6.2.1.1. Bidder's Summary of Services

Bidder should provide a summary of their background providing such services and description of the organizational structure of the company. Include a description of the services you have provided to other companies that are similar to those requested in this RFP and a summary of the services you propose providing.

Although the "Optional" services are not required, DOH will give preference to Bidders who are able to provide "Optional" services as described in Section 4.9 Optional Ancillary Testing of this RFP. Bidders who are proposing Optional services should submit the Optional Services form (Exhibit 12) with their Technical Proposal for the optional services that will be provided.

6.2.1.2. Start Up/Implementation

Bidder should describe how it will effectively develop and ramp-up services, in the initial six (6) month period of the contract. This should include how the Bidder will ensure a smooth transition to meet the facilities and staffing requirements contained in Section 4.2 and Section 4.4 of this RFP.

Bidder should describe how it has, or will develop and implement, the technical infrastructure necessary to electronically accept, on a daily basis from the SDRU, orders for CEs.

6.2.1.3. Examination Facility

Bidder should describe how they intend to be prepared to serve all counties in New York State within six (6) months of contract award.

Bidder should describe the means being utilized to identify facility locations that meet requirements stated in section 4.2 of the RFP.

Bidder should describe how they plan to ensure all consultative examinations are conducted within fifty (50) miles of A/R's residence as indicated in RFP Section 4.2.2.

6.2.1.4. Technology and Security

Bidder should describe its plan to electronically interface with the SDRU through secure fax and email. This plan should include how their proposed mediums meet the requirements outlined in section 4.3.1, as well as the security requirements in section 4.3.2.

If the Bidder plans to exceed the technology requirements in section 4.3, the Bidder should include a detailed plan outlining such. Preference will be given to Bidders able to exceed these requirements. All technology plans exceeding these requirements are subject to DOH's approval prior to implementation.

Bidder should describe their process for providing a security plan within 60 days of the contract start date and how they will adhere to all security and compliance NYS policies and standards as described in Attachment L.

6.2.1.5. Staffing

Bidder should describe its staffing plan and include:

How they will vet the proposed medical and administrative staff at the various locations to ensure they are qualified to perform the work as specified in Section 4.0, Scope of Work.

An explanation of how they will manage any changes in staff during the life of the project as well as a plan to recruit additional staff, if needed, and obtain coverage during vacation periods for key medical staff.

6.2.1.6. General Considerations

Bidder should describe how they will conduct training in performing CEs and preparing CE reports for their staff. How they will control the quality of the physician's report dictation, transcription and report signing processes; their plan to address any SDRU staff clarifications need, and the location where records will be stored.

Bidder should describe their process for Ancillary Testing as described in RFP Section 4.8.

6.2.1.7. Scheduling

Bidder should describe the process they plan to establish for scheduling consultative examinations including how they plan to receive and prioritize orders, as well as a sample proposed appointment schedule that includes days/hours of operation.

Bidder should include a plan for handling increases in referral volumes as it relates to staffing and facility.

6.2.1.8. Reporting Requirements

Bidder should describe their ability and proposed process for adhering to all reporting requirements, as identified in RFP Section 4.12.

6.3 Cost Proposal

Bidders are not required to submit a Cost Proposal and will be solely scored based on their Technical Proposal. The services provided by the Contractor under this contract include any incidental direct labor, clerical, secretarial or supervisory services, overhead, equipment, machine costs, systems development, paper, envelopes, postage, photocopying, supplies, staff transportation, transcription, telephone, telefax equipment and telecommunications charges, insurance coverage, profit margin, delivery service, staff training, provider relations and necessary conferences and meetings with DOH, OHIP, SDRU or its representatives.

The Contractor will be reimbursed based upon the SDRU Statewide Consultative Exam Fee Schedule rates identified in Attachment C of this RFP. An estimated annual volume of examinations is listed in Exhibit 8. These are only estimates and may vary. No volumes are guaranteed. The Contractor will only be reimbursed for actual examinations performed. No additional cost besides those detailed in Attachment B will be reimbursed. All bidders must sign the bottom of Attachment B, acknowledging and attesting to their acceptance to these predetermined exam reimbursement rates.

7.0 PROPOSAL SUBMISSION

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

A proposal consists of two distinct parts: (1) the Administrative Proposal and (2) the Technical Proposal. Proposals must be submitted in three separate, clearly labeled E-mails as described below.

Submit two (2), open and permission password protected, PDF proposals in separate emails to: OHIPcontracts@health.ny.gov, with the Subject Line "RFP# 20242 Consultative Examinations for Medicaid Eligibility." Include, as an attachment to each email, the distinct PDF file labeled "Administrative Proposal" or "Technical Proposal".

- Example: "Technical Proposal Submission, ABC Company, RFP # 20242".

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 DOH, DOH reserves the right to request a hard copy and/or electronic resubmission of any unreadable files. Offeror shall have 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 proposals designated as originals should have a handwritten signature and be signed in blue ink.
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; and
3. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation team.

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.

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

7.1 No Bid Form

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

8.0 METHOD OF AWARD

8.1 General Information

DOH 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. Proposals failing to meet the requirements of this document may be eliminated from consideration. The evaluation process will include a technical evaluation, 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 will be weighted **100%** of a proposal's total score.

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 shall be the Bidder's 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 **100% (up to 100 points)** of the final score.

8.4 Cost Evaluation

A Cost Evaluation is not applicable to this RFP.

8.5 Composite Score

A composite score will be calculated by the DOH determining Technical Proposal points awarded. Finalists will be determined based on composite scores.

8.6 Interviews

For all bids, and as part of the bid review process, DOH reserves the right to interview proposed project participants. The purpose of an interview is to allow the evaluators to validate the Bidder's experience and qualifications.

8.7 Reference Checks

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

8.8 Best and Final Offers

NYSDOH reserves the right to request best and final offers. In the event NYSDOH exercises this right, all bidders that submitted a proposal that are susceptible to award will be asked to provide a best and final offer. Bidders will be informed that should they choose not to submit a best and final offer, the offer submitted with their proposal will be construed as their best and final offer.

8.9 Award Recommendation

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

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

ATTACHMENTS and EXHIBITS

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 attachments are attached and included in this RFP:

- A. Proposal Document Checklist
- B. SDRU Statewide CE Fee Schedule

The following exhibits are included in this RFP:

- Exhibit 1: Facility Information Form
- Exhibit 2: Consultative Exam Appointment Letter
- Exhibit 3: Third Party Request for Assistance Letter
- Exhibit 4: Consultative Exam Appointment History Report
- Exhibit 5: Third Appointment Progress Report
- Exhibit 6: Release for Information Form
- Exhibit 7: Specialties Required by SDRU to Perform Examinations
- Exhibit 8: Reporting Requirements for Orthopedic Examinations
- Exhibit 9: Estimated Annual Volume of Mandated Medical Examinations and Ancillary Tests
- Exhibit 10: Consultant Enrollment Form
- Exhibit 11: Conditions Governing Referrals for Consultative Examinations
- Exhibit 12: Technical Proposal Staffing Forms
- Exhibit 13: Technical Proposal Optional Services

**ATTACHMENT A
PROPOSAL DOCUMENT CHECKLIST**

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

RFP #20242– Consultative Examinations for Medicaid Eligibility		
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 6- Encouraging Use of New York Businesses	<input type="checkbox"/>
§ 6.1.G	Attachment 7 - Bidder’s Certified Statements, completed & signed.	<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 - Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from 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- SDRU Statewide CE Fee Schedule	<input type="checkbox"/>

ATTACHMENT B

SDRU Statewide CE Fee Schedule Effective July 22, 2019

PROCEDURE CODE	DESCRIPTION	SDRU STATEWIDE FEE
<u>EXAMINATIONS</u>		
90001	Complete Specialist Examination (see below for psychiatric, neurology, ophthalmology, otology)	\$ 140.21
90002	Complete Orthopedic Examination	\$ 140.21
90003	Complete Psychiatric Examination	\$ 140.21
90004	Complete Neurological Examination	\$ 140.21
90005	Complete Eye Examination	\$ 186.94
90006	Complete Ear Examination (without Barany or Caloric)	\$ 200.29
90009	Complete Pediatric Examination	\$ 140.21
92506	Speech and Language Evaluation	\$ 233.67
0108	Specialist Exam in Home	\$ 66.76
90030	Mileage for Home Visit (total miles)	\$ 00.48
96100	Adaptive Behavior Scale	\$ 100.15
<u>PSYCHOLOGICAL DIAGNOSTIC TESTS</u>		
9800	Intelligence Evaluation	\$ 160.23
9804	Non-Verbal Intelligence Evaluation	\$ 160.23
<u>RESPIRATORY SYSTEM</u>		
94010	Ventilation Tests (*3.00E)	\$ 64.72
94060	Ventilation Tests before and after bronchodilators (*3.00E)	\$ 93.47
94700	Arterial Oxygen tension (PO2) at rest and simultaneously obtained arterial carbon dioxide tension	\$ 106.82
94720	Measurement of Lung Diffusing Capacity for carbon monoxide-single breath method	\$ 130.85
94760	Pulse Oximetry at Rest	\$ 4.05
<u>CARDIOVASCULAR SYSTEM</u>		
93000	Electrocardiogram, resting	\$ 80.12
93015	Treadmill exercise electrocardiography	\$ 357.85
76620	Echocardiogram	\$ 300.44
93910	Doppler Ultrasound Flow Meter Test Bilateral, Arterial Only	\$ 102.82
93911	Doppler Ultrasound Flow Meter test after exercise, arterial only	\$ 133.53
9390	Toe Doppler	\$ 21.80
<u>SPECIAL SENSES</u>		
92556	Speech Discrimination test, binaural	\$ 80.12

SDRU Statewide CE Fee Schedule
Effective July 22, 2019

PROCEDURE CODE	DESCRIPTION	SDRU STATEWIDE FEE
<u>RADIOLOGY</u>		
71010	X-ray chest, single PA	\$ 64.72
72040	X-ray spine, cervical, AP and lateral	\$ 100.15
72070	X-ray spine, thoracic, AP and lateral	\$ 100.15
72100	X-ray spine, lumbar, sacral, AP and lateral	\$ 125.51
72190	X-ray pelvis, including hips	\$ 140.21
73000	X-ray clavicle, complete	\$ 77.44
73030	X-ray shoulder, complete	\$ 114.83
73060	X-ray humerus, proximal, including shoulder	\$ 110.83
73061	X-ray humerus, distal, including elbow	\$ 110.83
73090	X-ray forearm, proximal, including elbow	\$ 66.76
73091	X-ray forearm, distal, including wrist	\$ 66.76
73120	X-ray hand, including fingers	\$ 66.76
73510	X-ray hip joint	\$ 120.17
73550	X-ray femur, proximal	\$ 100.15
73551	X-ray femur, distal	\$ 100.15
73560	X-ray knee	\$ 66.76
73590	X-ray leg, proximal	\$ 66.76
73591	X-ray leg, distal	\$ 66.76
73600	X-ray ankle	\$ 66.76
73620	X-ray foot, including toes	\$ 66.76
<u>PATHOLOGY</u>		
80002	AG Ratio/Bilirubin	\$ 9.37
82310	Blood Calcium	\$ 9.61
82565	Blood, creatinine	\$ 9.56
84450	SGOT	\$ 9.64
84460	SGPT	\$ 9.89
85013	Hematocrit (not to be ordered with code 85031)	\$ 4.41
85031	Blood count, complete (not to be ordered with code 85013)	\$ 11.04
85044	Reticulocyte count	\$ 8.02
85595	Platelet count	\$ 8.35
85610	Prothrombin time	\$ 7.34

I, the certified bidder, accept the above rates in performing the set deliverables described throughout this RFP.

(Print Name)

(Title)

(Signature)

(Date)