



# Department of Health

## Request for Proposals

RFP # 20607

### NYS Family Planning Data Management and Information System (FPDMIS) Services

Issued: May 15, 2025

**DESIGNATED CONTACT:**

Pursuant to State Finance Law §§ 139-j and 139-k, the New York State Department of Health (hereinafter referred to as the “**Department**” or as “**DOH**”) identifies the following designated person to whom all communications attempting to influence the Department’s conduct or decision regarding this procurement must be made.

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**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 bids, written questions, pre-bid questions, and debriefings.

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## 1.0 CALENDAR OF EVENTS

<b>RFP # 20607– NYS FAMILY PLANNING DATA MANAGEMENT AND INFORMATION SYSTEM (FPDMIS) SERVICES</b>	
<u>EVENT</u>	<u>DATE</u>
Issuance of Request for Proposals	05/15/2025
Deadline for Submission of Written Questions	Questions Due By 06/05/2025 at <b>4:00 p.m. ET</b>
Responses to Written Questions Posted by DOH	Responses Posted <b>On or About</b> 06/19/2025
Deadline for Submission of Proposals	Proposals Due On Or Before 07/10/2025 at <b>4:00 p.m. ET</b>
<u>Anticipated</u> Contract Start Date	07/1/2026

## 2.0 OVERVIEW

Through this Request for Proposals (“RFP”), the New York State (“State”, “NYS”) Department of Health (the “Department” or “DOH”) is seeking competitive proposals from qualified bidders to provide, host, and administer automated, client visit-specific data management and information system services for the NYS Comprehensive Family Planning and Reproductive Health Program as further detailed in Section [4.0 SCOPE OF WORK](#). It is the Department’s intent to award one (1) five year contract from this procurement.

### 2.1 Introductory Background

The NYS Comprehensive Family Planning and Reproductive Health Program (FPP) provides comprehensive, reproductive health care primarily to low income, uninsured individuals through a statewide network of provider agencies. The Family Planning Program currently supports 37 Article 28 health facilities operating in 166 service sites across the State. All FPP provider agencies are required by contract to participate in the NYS Family Planning Data Management and Information System (FPDMIS). The FPDMIS, which has been automated since 1983 and became an all-electronic reporting system in 2003, is the principal source of client visit-specific information for the FPP.

To ensure the provision of quality, comprehensive, and equitable reproductive health care, all FPP provider agencies must submit electronic Clinic Visit Records (CVRs) that document services provided to clients during family planning visits. FPP provider agencies are allowed to use electronic health/medical records or clinic management software products of their choice to collect data, but are required to electronically submit CVR data in the DOH prescribed format to the FPDMIS on a monthly basis throughout the calendar year see Attachments C.1.2 and C.1.3 for further details. Historically, between 800,000 and one (1) million CVRs are processed annually, with approximately 100,000 rejected on average. Family planning data are used for program surveillance and management; to monitor agency and clinic performance; and as applicable, to respond to the federal Department of Health and Human Services Office of

Population Affairs (DHHS OPA) reporting requirements, including their annual Title X Grant Application and the Family Planning Annual Report.

The CVR data elements that FPP provider agencies must report include, but are not limited to, client demographics, service provider types, contraceptive methods and reasons if none, pregnancy test results, medical, counseling, and sexually transmitted disease (STD) services provided to clients as necessary. Additional federal reporting requirements include specific medical exam measures (height, weight, blood pressure) and laboratory test results, recoding all required fields into standardized LOINC or SNOMED format, and annual submission of client visit-level data records to the DHHS OPA.

It is the intent of the Department to enter into an agreement with the Bidder selected based on this RFP for a five-year period ending 6/30/2031. Continuation of the contract each year is contingent upon satisfactory contractor performance and the availability of funding. The selected contractor will be responsible for hosting and managing the FPDMS in accordance with the specifications of this RFP and will be bound by all statutory requirements of public contracts under New York State law.

## 2.2 Important Information

The Bidder **must** review, and is requested to have legal counsel review, [Attachment 8](#), the DOH Agreement (Standard Contract), as the successful Bidder must be willing to enter the Contract awarded pursuant to this RFP in the terms of [Attachment 8](#), **subject only to any amendments to the Standard Contract agreed by the Department during the Question and Answer Phase of this RFP** (see, Section [5.2 Questions](#)). Please note that this RFP and the awarded Bidder's Bid 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, terms and conditions 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 this RFP, the Bidder agrees to comply with all the provisions of the Contract, including all of 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 RFP 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 the submission of written questions will 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 website and will be available and applicable to all Bidders equally.

## **2.3 Term of the Agreement**

The term of the Contract that will be entered into pursuant to this RFP between the Department and the successful Bidder 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 CALENDAR OF EVENTS](#), 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). Bidder may provide a price for each year of the Contract Term in its Bid.

## **3.0 BIDDERS QUALIFICATIONS TO PROPOSE**

### **3.1 Minimum Qualification**

The NYSDOH will only accept bid proposals from bidders who, without the use of a subcontractor, meet the minimum requirement:

- The Bidder must have a minimum of three (3) years' experience developing, deploying, hosting and operating a data management and information system that processes between 800,000 and one (1) million records on an annual basis.

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 Department 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 this Minimum Qualification will result in a proposal being found non-responsive and eliminated from consideration.

### **3.2 Preferred Qualifications**

Bidders with the following experience are preferred:

- A minimum of five (5) years' experience successfully developing, deploying hosting and operating a statewide health-related data management and information system that processes between 800,000 and one (1) million records on an annual basis and
- A minimum of five (5) years' experience interfacing electronically and technically supporting a minimum of 10 electronic health / medical record and/or case management system vendors with standardized data collection and reporting of client visit-level data for a complex network of 10 or more family planning agencies and clinics.

Experience acquired concurrently is considered acceptable.

## **4.0 SCOPE OF WORK**

This Section describes the data processing, management and reporting 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 required 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.

#### **4.1 Tasks/Deliverables**

The scope of work for the DOH Family Planning Data Management and Information System (FPDMIS) involves the complete development, hosting, and operation of the FPP data system, including the following components and specifications of complete data system lifecycle management:

- 4.1.1 Data Collection, Retrieval and Editing
- 4.1.2 Data Processing and Control
- 4.1.3 Data Reporting, Posting, and Transmission
- 4.1.4 Data Storage and Archiving
- 4.1.5 Computer Production System
- 4.1.6 Data Ownership
- 4.1.7 System Security
- 4.1.8 Implementation Plan
- Other tasks and deliverables identified elsewhere in this RFP or inherent in the provision of the services solicited by this RFP.

All work related to these tasks and deliverables must be performed within the contiguous United States.

##### **4.1.1 Data Collection, Retrieval, and Editing**

The selected Contractor will be responsible for all aspects of the monthly data collection, retrieval, and editing process of the FPDMIS, including providing training and technical support to the 37 FPP agency staff in the collection and electronic submission of Clinic Visit Record (CVR) data. The selected Contractor also will be responsible for providing technical specification assistance to the various electronic health record vendors used by the FPP provider agencies for the collection and electronic submission of their CVR data. Refer to Section [4.2 Training and Technical Support Details](#) for further specifications.

Responsibilities include the production and dissemination of CVR data collection forms that FPP provider agencies may use as tools for collecting essential data from clients. The current CVR form is provided in Attachment C.1.1. The Contractor may use the current form or design an alternative form, which must contain all fields mandated by state and federal guidelines. Any changes to the form are subject to DOH approval, and once a form has been approved, no changes may be made without the express written permission of the DOH.

The Contractor will be responsible for developing and distributing to all FPP provider agencies a detailed data file format that specifies and describes the required formatting layout with field-specific soft and hard (fatal) edits for electronic submission of the CVR. The layout must include data element name, field position, length and type, and acceptable values. The file layouts and edits are subject to DOH approval, and once approved, no changes may be made without the express written permission of the DOH. The current data file layouts and specifications are shown in Attachments C.1.2 and C.1.3.

The Contractor will be responsible for developing a mechanism that allows for online entry of laboratory test results as an optional means of reporting this information apart from the CVR to accommodate receipt of results in between visits. This functionality is subject to the same data reporting specification requirements as the laboratory test results in the CVR, as described in the previous paragraph.

The Contractor will be responsible for ensuring data accuracy by applying field-specific editing specifications, and for assessing overall submission quality, based on a percentage of all CVRs successfully processed. The current master list of error messages related to field-specific edits for the CVR data is included as Attachment C.1.4.

The Contractor must be capable of retrieving electronic CVR data from all FPP provider agencies via secure file transfer protocols in a standard format (e.g., Excel, CSV and/or ASCII text).

Any problems or disruptions arising in the Contractor's ability to receive or distribute CVR data must be reported to the DOH via email within the next business day of the occurrence.

Data collection specifications are periodically, on average once per year, subject to enhancement or change related either to DOH or federal reporting requirements. The Contractor will be responsible for addressing these changes or enhancements throughout all of the above noted facets of the data collection, retrieval and editing responsibilities, and doing so within the prescribed time frame for delivery.

Please note that Attachment C will become part of the contract as Appendix D and E, respectively.

#### **4.1.2 Data Processing and Control**

The selected Contractor will be responsible for monitoring data submissions, identifying incomplete or late submissions, and for providing training and technical support for FPP agency staff in the management of their data submissions and interpretation of data processing related reports. Refer to Section [4.2 Training and Technical Support Details](#) for further specifications.

The Contractor will be responsible for electronically capturing and processing data from all FPP provider agencies, and developing and maintaining control procedures that will ensure accuracy, completeness, and accountability. The control procedures must include, but are not limited to: maintaining established due dates for monthly data submission (i.e., the 15<sup>th</sup> or closest following business day of each month following a client visit); applying field specific edits on submitted data; and providing feedback to the agencies on datasets that were not submitted or were identified as incomplete, late, or having erroneous and rejected records.

The Contractor will be responsible for providing information to the DOH FPP and the FPP provider agencies on the number of data records received on a monthly basis from each agency and clinic (See Attachment C.2 Monthly Data Processing Reports to All Agencies and NYSDOH). This information will be provided in the form of monthly reports that contain clinic-specific audit trails indicating the total number of records processed and the total number of records successfully added to files as well as number of records rejected and reasons for record rejections. These monthly processing reports must be provided in electronic format, and upon request, in hardcopy format. See Section [4.3 Report Generation and Distribution](#) details for further specifications.

#### **4.1.3 Data Reporting, Posting, and Transmission**

The selected Contractor will be responsible for the development and dissemination of standardized, ad hoc and upon occasion custom reports in the format prescribed by the DOH, when requested by DOH, as well as the posting of data and reports on a secure, but easily accessed and user-friendly Contractor-sponsored website. The website must be able to utilize security certificates, allow the FPP provider agencies authorized access to their data and reports, and allow authorized DOH personnel complete access to all DOH FPDMS data and reports on a statewide, as well as agency-level and clinic-specific basis.

Standardized clinic-specific, agency-level, and statewide reports must be generated and made available each quarter and year. Ad hoc reporting capability must provide authorized state, agency and clinic users access to tabulations of the near real-time client and/or visit data for specifiable periods of time and by selectable options, such as client demographics, services received, health status, etc. All such reports must be provided by website access. Refer to Section [4.3 Report Generation and Distribution](#) details for further specifications.

The selected Contractor will be responsible for providing online access to electronic files of successfully submitted data to each of the FPP provider agencies and standard master copies to DOH for downloading on an as needed basis. Data files must be refreshed at least monthly and transmittable via secure file transfer in Excel, CSV, and/or ASCII text format to the FPP provider agencies and DOH.

The Contractor must provide to the DOH an electronically formatted dataset of all FPP clinic visit data collected for the preceding year by January 31<sup>st</sup> of each year. In addition, the Contractor must supply DOH with any selected information via secure file transfer in standard format (e.g., Excel, CSV or ASCII text formats) upon request within two weeks from the day of the request.

#### **4.1.4 Data Storage and Archiving**

The current DOH FPDMS contains approximately three million (3,000,000) FPP client visit-specific records, which includes active and historical databases. The Contractor must own or have access to computer software and hardware capable of processing and storing this volume of data. This RFP does not include the purchase or lease of hardware equipment or software packages.

The successful Bidder is required to maintain a minimum five-year active database of client visit-specific records, with a minimum one-time secure daily back up. Historical master computer files must have a minimum five-year retention period; at least one copy must be stored securely off-site, but only within the contiguous United States, and recoverable for use in case of fire or

other catastrophe. In the event that any of the data are lost, stolen, or destroyed through negligence or fault of the Contractor or any other person or firms employed by or associated with it, the Contractor agrees to recreate the information at no cost to DOH.

DOH recommends that Contractors use a NYS or other Government Cloud (e.g., Microsoft Azure for US Government) solution for storing back-up and archived data to provide an extra layer of protection to access to client visit-level data. At a minimum, the Bidder is required to obtain and provide a Cloud Security Alliance (CSA) Consensus Assessment Initiative Questionnaire (CAIQ) from any Cloud storage firm (proposed to be) employed by the Bidder for the data back up and storage purposes of the FPDMS.

#### **4.1.5 Computer Production System**

Prior to the commencement of work on this contract, the Contractor must provide documentation to DOH all software, hardware, programming languages, file layouts, coding and editing schemes, and utility programs being proposed for use to operate the system for review and approval by DOH and the NYS Office of Information Technology Services (OITS). All software, hardware and programming languages being utilized must meet the System Security requirements delineated and referenced below in Section 4.1.7 System Security, as well as in Section 4.6 Security.

The Contractor-sponsored website and corresponding data and network configuration are subject to review and approval by the NYS OITS prior to commencement of work and must meet [Secure Configuration](#). The website must be structured in a user-friendly and easily navigated manner including but not limited to: the main menu of functional options should be accessible from all function screens; data must be easily retrieved in standard Excel, CSV, and/or ASCII formats and encrypted for electronic transmission; and reports must be easily saved locally and/or legibly printed.

The Contractor must be capable of posting data and reports on a Contractor-sponsored website that is secure, with controlled, role-specific access by FPP participants and DOH representatives. Passwords for accessing the website must follow the NYS OITS [Account Management / Access Control Policy NYS-S14-013](#). These will be based on the minimum policies, standards, and procedures found in the [Federal HIPAA Security Regulation](#) and the NYS OITS [Information Security Policy NYS-P03-002](#).

The Contractor must be capable of responding to special programming requests and systems modifications within 30 calendar days. In situations where more than 30 days is needed, extended timeframes will be negotiated between the Contractor and DOH, prior to commencement of work on the request.

#### **4.1.6 Data Ownership**

All data collected either at the record level or aggregate level is owned by the DOH. The Contractor agrees to provide to the DOH any and all data upon request.

Additionally, the storage media containing any of the FPP databases, such as hard disks, drives, backup drives, off site backup drives, server drives, and tapes will be destroyed through first degaussing/erasing and then shredding/crushing of the physical media after the required retention time or at the termination of the contract.

Custody of all media storage devices that contain DOH owned data from the FPDMS will remain with the Contractor until physical destruction of the storage devices has occurred.

DOH reserves the right to request certification for verification of media and device destruction. The Contractor's responsibility prior to or liability subsequent to any loss of data cannot be transferred to a third party.

#### **4.1.7 System Security**

The Contractor must provide a system/network configuration, web posting, electronic and hard copy data storage, retrieval and disposition mechanisms that fully comply with the minimum policies, standards, and procedures found in the [Federal HIPAA Security Regulation](#) and ensure that the solution complies with all policies and standards defined in the New York State ITS security policies and standards (<http://its.ny.gov/eiso/policies/security>), including, but not limited to:

- NYS-P03-002 – [Information Security](#)
- NYS-P20-001 – [Digital Identity](#)
- NYS-S13-001 – [Secure System Development Life Cycle](#)
- NYS-S13-002 – [Secure Coding](#) (if applicable)
- NYS-S14-005 – [Security Logging](#)
- NYS-S14-007 – [Encryption](#)
- NYS-S15-008 – [Secure Configuration](#)
- NYS-S14-013 – [Account Management Access Control](#)
- NYS-S15-001 – [Patch Management](#) (if applicable)
- NYS-S15-002 – [Vulnerability Management](#)

The Contractor must be able to attest that their organization meets internationally recognized security standards, including, but not limited to, SOC 2 Type 2 certification and ISO 27001 certification.

The Contractor must provide documentation detailing their Disaster Recovery and Data Backup plans, as well as a redundant System Architecture to ensure appropriate controls are in place to achieve DOH's availability requirements and prevent loss of NYS data.

The Contractor must also fully adhere to the additional security-related requirements included in section 4.6 of this RFP.

#### **4.1.8 Implementation Plan**

Using the Contractor's DOH approved system implementation and operation plan, the Contractor will:

- Develop/test/deploy/retest the FPDMS system
- Establish and manage the secure website
- Provide training and technical support to users
- Capture/process/validate the data
- Store/archive the data
- Maintain/enhance/transition the FPDMS system

The Contractor must plan, undertake and complete all development, transition, and implementation activities for the FPDMS so that the system as detailed in this RFP is fully operational for secure electronic data collection/retrieval and processing, with full data specification documentation, monthly data processing reporting and case listings, within two (2) months of the contract start date. Standardized quarterly/annual statistical summary reporting functionality must be completed and website accessible within four (4) months of the contract start date, and all remaining functionality must be completed and operational within five (5) months of the contract start date. The latter includes the complete transition and integration of legacy data, current and historical custom/ad hoc reports, federal and performance measure reports, special-purpose reporting, and data extraction functionality.

The Contractor is required to provide results from a third-party audit of the system and the Contractor by an accredited auditor against industry standards (e.g., SOC2 Type 2, HITRUST, CSA STAR Level 2, FedRAMP ATO), within six (6) months of the contract start date.

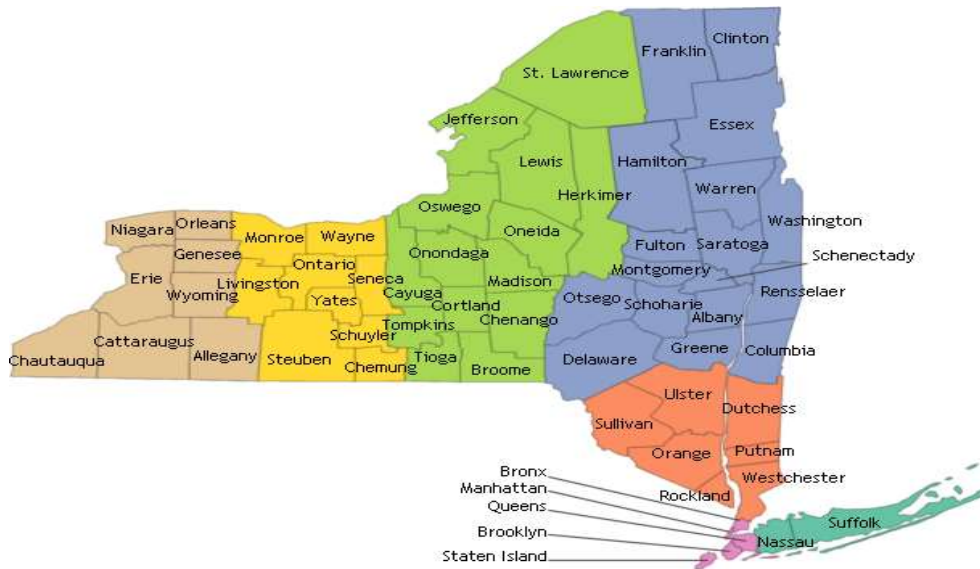
The Contractor must provide information regarding their vulnerability management, including, but not limited to, third party penetration testing results, infrastructure vulnerability scanning results, and Dynamic Application Security Testing (DAST) scanning results, including vulnerability findings and remediation.

#### 4.2 Training and Technical Support Details

The Contractor is required to provide training and support of personnel from FPP provider agencies, currently 37, participating in the FPP data system. The Contractor must:

- Provide training and technical support directly to FPP agency staff for collection and electronic submission of CVR data to ensure accurate and complete data entry as well as submission quality, and provide technical specification assistance to FPP provider agencies' various electronic health record vendors as needed;
- Provide training and technical support directly to FPP agency staff on the management of data submissions and interpretation of related reports;
- Conduct up to two (2) trainings per region via webinar each contract year for each of five NYS regions (Western, Finger Lakes, Central, Northeastern, Lower Hudson, NYC, Long Island), as needed.

Western	Finger Lakes	Central	North-eastern	Lower Hudson	New York City	Long Island



- Present/conduct training and demonstrations of the system, whether via webinar screen share or in written documentation, using only test or scrambled data;
- Post detailed and up-to-date data manuals and website access specifications that are downloadable or printable for users at all clinics, each agency, and the DOH FPP on the Contractor-sponsored website; and
- Provide a dedicated email address, website-accessible online chat, and a toll-free telephone number with optional texting capability (operable Monday through Friday between the hours of 8:00 AM and 5:00 PM Eastern Time) for agency support/consultation.

DOH reserves the right to attend any and/or all FPP agency training sessions.

No separate reimbursement will be provided for these meetings.

### 4.3 Report Generation and Distribution

Clinic-specific and agency-level standardized statistical summary reports must be generated periodically and made available to each FPP provider agency and DOH FPP staff, by email and/or by website access. Website reports must be easily accessible and user friendly to ensure usefulness to FPP agency providers and DOH FPP staff. These reports must be produced monthly, quarterly, semi-annually, or annually as specifically scheduled, or upon special request by the DOH FPP. All reports must be of the highest quality, i.e., clearly, logically, and consistently designed; organized and formatted in Excel, CSV, ASCII text, and/or PDF; dated and paginated; and free from syntactic and computational errors for both website posting and printing.

On occasion, the DOH may require special analyses and/or tabulations. The Contractor must be prepared to respond to special requests for custom reports and/or to supply data via electronic media to the DOH staff on short notice as needed. Simple reporting requests, such as descriptive analyses involving only a few variables, must be responded to within one week's time. More complex analyses requiring a formal design and change control component shall be required within a timeframe agreed to jointly by the Contractor and the DOH.

The ability to generate and print, on an ad hoc basis, a variety of clinic, agency, and state-level reports and graphs on data elements of particular and periodic interest also must be available

via the Contractor's FPDMS website. Ad hoc customizable reporting capability must include, but is not limited to, breakdowns of clients and visits by gender, race/ethnicity, poverty level, medical/counseling services, type of visit, source of payment, referral, contraceptive method and reason for no method, and tobacco use, as well as clients served with services received for several periods and laboratory test results by agency. All of these must reflect the most recent client and/or visit data processed for time periods specifiable by beginning and ending day, month, and year.

Detailed examples of required reports are contained in Attachments C.2-C.7. Note that In January of each year, the Contractor must produce two sets of the 13 Federal reports in Attachment C.5 that reflect the Title X Family Planning Annual Report tabulations. One set of these reports is for agency-level data and one set is for clinic-specific data. These reports may be subject to change based on federal reporting requirements.

#### **4.4 Staffing**

The Contractor must have the ability to recruit staff, and assure availability of these staff from the time of the award until the end of the contract. At a minimum, the Contractor must have a project director and staff that includes individuals who are capable of functioning in such roles as a business and/or systems analyst, customer service representatives, training associates, report programmer, and security officer, or their reasonable facsimiles. The Contractor must document applicable education and work experience of at least three years and preferably five or more years' duration for all key staff employed for this project.

The Contractor, including the project director and key staff overseeing and/or working on the project, must meet with the DOH staff at least four (4) times per contract year. At the discretion of DOH, at least one (1) of the four (4) meetings may be conducted in person in Albany, New York. The remaining three contractual meetings may occur virtually.

#### **4.5 Information Technology**

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

The Contractor's system, website and all other supporting components must meet DOH security requirements of Moderate for Confidentiality, Integrity, and Availability (CIA) and IAL2/SSL2/FAL2, based on risk assessment procedures outlined in NIST Special Publication 800-60: *Guide for Mapping Types of Information and Information Systems to Security Categories*.

#### **4.6 Security**

The selected Contractor shall comply with all privacy and security policies and procedures of the Department (<https://its.ny.gov/policies>) and applicable State and Federal law and administrative guidance with respect to the performance of the Contract. The Contractor is required to provide documentation of their compliance as requested to complete NYS security reviews, as well as detailed information concerning and attestation of their ability to meet internationally recognized security standards. The Contractor is required, if applicable, to execute a number of security

and privacy agreements with the Department including a Business Associate Agreement (Appendix H) and a Data Use Agreement (DUA) at contract signing.

The Contractor is expected to provide secure and confidential backup, storage and transmission for hard copy and electronically stored information, only within the contiguous United States. This limitation extends to any operation, support, development, and/or other activities that might provide the ability to access NYS data. Under no circumstances will any records be released to any person, agency, or organization without specific written permission of the DOH. The Contractor is obligated to ensure any Subcontractor hired by Contractor who stores, processes, analyzes or transmits MCD on behalf of Contractor has the appropriate security requirements in place. Contractor is required to include in all subcontracts and Business Associate Agreements with their Subcontractors language surrounding the security and privacy requirements as well as the language contained in the Confidentiality Language for Third Parties section of the DUA. If any breach or suspected breach of the data or confidentiality occurs, whether the breach occurred with the Contractor or Subcontractor, DOH must be notified immediately.

The Contractor is required to maintain and provide to the Department upon request their data confidentiality plans and procedures for meeting security requirements as they relate to the deliverables and services within this RFP, including all plans as they relate to subcontractor work where applicable.

The Contractor will develop and maintain, only within the contiguous United States, adequate fully trained staff to respond to all stakeholder inquiries while protecting confidentiality and maintaining the security and integrity of all systems. Staff must be trained to understand and observe requirements related to confidentiality and operating guidelines for functions included in this RFP.

The Contractor will comply fully with all current and future updates of the security procedures of the DOH as well as with all applicable State and Federal requirements, in performance of the Contract.

#### **4.7 Transition**

The Contractor must develop an end of contract transition plan and timeline within 30 days of the start of the contract. The plan must include details for the secure and smooth transfer of all data, records, files and proprietary and non-proprietary programming developed for the FPDMS, along with its complete and comprehensive documentation.

The transition represents a period when the contract activities performed by the winning bid Contractor must be turned over to the Department, another Department agent, or successor Contractor during or at the end of the Contract Term.

The Contractor shall host, manage and maintain the FPDMS to meet all requirements listed in the RFP during the transition. All data formatting, collection, processing, extraction, reporting, archiving, website access, training and technical support, information technology and security standards remain in effect during the transition period.

At the end of the contract and direction of the Department, the Contractor will migrate the contents of the FPDMS to the Department, another Department agent, or successor Contractor.

Upon completion or termination of the contract, the Contractor will implement data security procedures to ensure confidentiality, remove, delete and destroy all FPP databases, data files, backup data, archives, off site stored data, and compressed/zipped data associated with the FPDMS (see section 4.1.6). Certification of the completion of these procedures must be provided.

A transition period of up to three (3) months will be implemented to ensure this is accomplished in a secure, smooth and efficient manner.

#### **4.8 Payment**

The Contractor shall submit invoices and/or vouchers to the State's designated payment office:  
Note: This RFP does not include the purchase or lease of hardware equipment or software packages.

Preferred Method: Email a .pdf copy of your signed voucher to the BSC at:  
[AccountsPayable@ogs.ny.gov](mailto:AccountsPayable@ogs.ny.gov) with a subject field as follows:

Subject: Unit ID: 3450257 <<Contract # TBD>>

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

**NYS Department of Health  
Unit ID 3450257  
c/o NYS OGS BSC Accounts Payable  
Building 5, 5th Floor  
1220 Washington Ave.  
Albany, NY 12226-1900**

Payment for invoices and/or vouchers submitted by the CONTRACTOR shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The CONTRACTOR shall comply with the State Comptroller's procedures to authorize electronic payments.

Authorization forms are available at the State Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email at [epayments@osc.state.ny.us](mailto:epayments@osc.state.ny.us) or by telephone at 518-474-6019. CONTRACTOR acknowledges that it will not receive payment on any invoices and/or vouchers submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

In addition to the Electronic Payment Authorization Form, a Substitute Form W-9 must be on file with the Office of the State Comptroller, Bureau of Accounting Operations. Additional information and procedures for enrollment can be found at <http://www.osc.state.ny.us/epay>.

Completed W-9 forms should be submitted to the following address:

NYS Office of the State Comptroller  
Bureau of Accounting Operations  
Warrant & Payment Control Unit  
110 State Street, 9<sup>th</sup> Floor

Albany, NY, 12236

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

The Contractor will invoice DOH on a monthly basis based upon actual number of CVRs process, separated out by those accepted and those rejected for that month and the monthly Information System Fee. All pricing will be based upon the prices proposed in Attachment C for Data Processing Fees and Information System Fees.

The monthly invoice must be accompanied by the C.2 Monthly Data Processing Reports, as delineated above in Section [4.3 Report Generation and Distribution](#).

All invoices must be submitted within 30 days of the end of each month. The vendor will only be reimbursed, provided all requirements detailed in Section [4.0 SCOPE OF WORK](#) are met. In no case will payment be authorized prior to receipt of all required reports.

### **Price Adjustment Clause**

The pricing of the contract is subject to an annual increase or decrease of the lesser of three percent (3%) or the percent increase or decrease in the National Consumer Price Index for All Urban Consumers (CPI-U) CUUR0000SA0 as published by the United States Bureau of Labor Statistics, Washington, D.C., 2012 for the 12 month period ending ninety (90) days prior to the renewal date of the contract.

### **4.9 Subcontracting**

Bidder's may propose the use of a Subcontractor. The Contractor shall obtain prior written approval from DOH 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.

### **4.10 Contract Insurance Requirements**

Prior to the start of work under the Contract, the Contractor shall procure, at its sole cost and expense, and shall maintain in force at all times during the term of the 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.

**Data Breach and Privacy/Cyber Liability** The Contractor and any Subcontractor retained by the Contractor shall carry and maintain applicable coverage during and for the a period of one (1) year after completion of this contract, Data Breach and Privacy/Cyber Liability Insurance, including coverage for failure to protect confidential information and failure of the security of the

Contractor's computer systems or the DOH's Authorized Users' systems due to the actions of the Contractor which results in the unauthorized access to the DOH's data.

#### **4.11 Minority & Woman-Owned Business Enterprise Requirements**

Pursuant to New York State Executive Law Article 15-A, the Department recognizes its obligation to promote opportunities for maximum feasible participation of **certified** minority- and woman-owned business enterprises and the employment of minority group members and women in the performance of DOH contracts.

#### **Business Participation Opportunities for MWBEs**

For purposes of this solicitation, DOH hereby establishes an overall goal of **30%** for MWBE participation, **15%** for Minority-Owned Business Enterprises ("MBEs") participation and **15%** for Women-Owned Business Enterprises ("WBEs") participation (based on the current availability of qualified MBEs and WBEs and outreach efforts to certified MWBE firms).

The successful Bidder who becomes the Contractor under the Contract entered into with the Department pursuant to this RFP must document good faith efforts to provide meaningful participation by M/WBEs as Subcontractors or suppliers in the performance of the Contract consistent with the M/WBE participation goals established for this procurement, and Contractor must agree that DOH may withhold payment pending receipt of the required M/WBE documentation. For guidance on how DOH will determine "good faith efforts," refer to 5 NYCRR §142.8.

The directory of New York State Certified M/WBEs can be viewed at: <https://ny.newnycontracts.com>. The directory is found on the left-hand side of the page under "Search the Directory". Engaging with firms found in the directory with like product(s) and/or service(s) is strongly encouraged, and all communication efforts and responses should be well documented to establish Contractor's "good faith efforts".

By submitting a Bid in response to this RFP, a Bidder agrees to complete an M/WBE Utilization Plan ([Attachment 5](#), Form #1) for this RFP. DOH will review the submitted M/WBE Utilization Plan. If the Plan is not accepted, DOH may issue a notice of deficiency. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days after Bidder's receipt of such notice. DOH may disqualify a Bidder as being non-responsive to this RFP under the following circumstances:

- a) If a Bidder fails to submit a M/WBE Utilization Plan;
- b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- c) If a Bidder fails to submit a request for waiver (if applicable); or
- d) If DOH determines that the Bidder has failed to document good-faith efforts to provide meaningful participation by M/WBEs under the Contract in accordance with the goals for this RFP established by the Department;

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified in its M/WBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to DOH but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report to the DOH, by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the M/WBE goals of the Contract.

If (a) the Department determines that the Contractor is not in compliance with the M/WBE requirements of the Contract and the Contractor refuses to comply with such requirements, or (b) the Department finds that the Contractor has willfully and intentionally failed to comply with the M/WBE participation goals established in the Contract, the Contractor may be required to pay to the Department liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to M/WBEs had the Contractor achieved the contractual M/WBE goals; and (2) all sums actually paid to M/WBEs for work performed or materials supplied under the Contract.

A 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 Department'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 at [FPDMIS-BML@health.ny.gov](mailto:FPDMIS-BML@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.**

#### **4.12 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 NYS-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](mailto:VeteransDevelopment@ogs.ny.gov) to discuss methods of maximizing participation by SDVOBs on the Contract.

## **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.

Pursuant to State Finance Law §§ 139-j and 139-k, the Department of Health identifies designated contacts on face page of this RFP to whom all communications attempting to influence this procurement must be made.

This prohibition applies to any oral, written, or electronic communication under circumstances where a reasonable person would infer that the communication was intended to influence this procurement. Violation of any of the requirements described in this Section may be grounds for a determination that the Bidder is non-responsible and therefore ineligible for this contract award. Two (2) violations within four (4) years of the rules against impermissible contacts during the "restricted period" may result in the violator being debarred from participating in DOH procurements for a period of four (4) years.

Pursuant to State Finance Law §§ 139-j and 139-k, the Department of Health identifies a designated contact on face page of this RFP to whom all communications attempting to influence this procurement must be made.

### **5.2 Questions**

There will be an opportunity available for submission of written questions and requests for clarification 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 (20607 and NYS Family Planning Data Management and Information System (FPDMIS)), 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 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. [FPDMIS-BML@health.ny.gov](mailto:FPDMIS-BML@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 [19](mailto:FPDMIS-</a></p></div><div data-bbox=)

[BML@health.ny.gov](mailto:BML@health.ny.gov) and request that DOH clarify or modify the Terms of this RFP. If, prior to the deadline for the Submission of Bids, 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 bidding notwithstanding such apparent ambiguity, conflict, discrepancy, omission or other error. If awarded the Contract pursuant to the terms of this RFP, the Bidder shall not be entitled to an amendment to the terms of the Contract to correct or clarify any such ambiguity, conflict, discrepancy, omission or other error nor to any additional compensation by reason of the error or its correction.

### **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 [FPDMIS-BML@health.ny.gov](mailto:FPDMIS-BML@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 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 the Department 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 Bidder; 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 a Bidder's proposal and/or to determine a Bidder 's compliance with the requirements of the solicitation.

## 5.5 Debriefing

Once an award has been made, Bidders may request a debriefing of their proposal. Please note the debriefing will be limited only to the strengths and weaknesses of the Bidder's proposal, and will not include any discussion of other proposals. Requests must be received no later than fifteen (15) calendar days from date of award or non-award announcement.

## 5.6 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/>

## 5.7 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 6.1.2 Freedom of Information Law – Proposal Redactions 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.

## 5.8 Piggybacking

New York State Finance Law section 163(10)(e) (see also "[Piggybacking](https://ogs.state.ny.us/procurecounc/pdfdoc/pgbguidelines.pdf)" - [Contract Use Guidelines](https://ogs.state.ny.us/procurecounc/pdfdoc/pgbguidelines.pdf)) 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.

## 5.9 Intellectual Property

Any work product created pursuant to this RFP and the Contract awarded hereunder 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.

## **6.0 PROPOSAL CONTENT**

The following includes the requested information to be provided by each Bidder. Bidders responding to this RFP must satisfy all requirements stated in this RFP. All Bidders are requested to submit complete Administrative and Technical Proposals, and are required to submit a complete Cost Proposal. A proposal that is incomplete in any material respect may be rejected.

To expedite review of the proposals, Bidders are requested to submit proposals in separate Administrative, Technical, and Cost packages inclusive of all materials as summarized in Attachment A, Proposal 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, Technical, and Cost Proposals received in response to this RFP will be conducted separately. Bidders are therefore cautioned not to include any Cost Proposal information in the Technical Proposal documents.

**DOH will not be responsible for expenses incurred in preparing and submitting the Administrative, Technical, or Cost Proposals. Such costs should not be included in the Proposal.**

### **6.1 Administrative Proposal**

The Administrative Proposal should contain all requested information 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.

#### **6.1.1 Bidder's Disclosure of Prior Non-Responsibility Determinations**

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

#### **6.1.2 Freedom of Information Law – Proposal Redactions**

Bidders must clearly and specifically identify any portion of their proposal that a Bidder believes constitutes proprietary information entitled to confidential handling as an exception to the Freedom of Information Law. See Section [5.7 Freedom of Information Law \("FOIL"\)](#).

#### **6.1.3 Vendor Responsibility Questionnaire**

Complete, certify, and file a New York State Vendor Responsibility Questionnaire. DOH recommends that bidders file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System,

see the VendRep System Instructions at <http://www.osc.state.ny.us/vendrep/index.htm> or go directly to the VendRep System online at [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep).

Bidders 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 [ciohelpdesk@osc.state.ny.us](mailto:ciohelpdesk@osc.state.ny.us).

Bidders opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website, [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep), or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form. Bidders should complete and submit the Vendor Responsibility Attestation, [Attachment 3](#).

#### **6.1.4 Vendor Assurance of No Conflict of Interest or Detrimental Effect**

Submit [Attachment 4](#), Vendor Assurance of No Conflict of Interest or Detrimental Effect, which includes information regarding the Bidder, members, shareholders, parents, affiliates and Subcontractors. [Attachment 4](#) must be signed by an individual authorized to bind the Bidder contractually.

#### **6.1.5 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."

#### **6.1.6 Encouraging Use of New York Businesses in Contract Performance**

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

#### **6.1.7 Bidder's Certified Statements**

Complete, sign and submit [Attachment 7](#), "Bidder's Certified Statements", which includes information regarding the Bidder. Attachment 7 must be signed by an individual authorized to bind the Bidder contractually. Please indicate the title or position that the signer holds with the Bidder.

#### **6.1.8 References**

Using [Attachment 9](#), (References) provide three business references, including at least two current clients for which the Bidder provides data management and reporting services. These references should describe the Bidder's experience in the past five years in the areas for which services are being offered. Provide firm names, addresses, contact names, telephone numbers, and email addresses.

#### **6.1.9 Diversity Practices Questionnaire**

The Department has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of respondents to 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.

#### **6.1.10 Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination**

Bidder should complete and 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.

#### **6.1.11 Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia**

Bidder should complete and submit [Attachment 12](#) certifying the status of their business operations in Russia, if any, pursuant to Executive Order 16.

#### **6.1.12 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, the Office of the State Comptroller, and Department of Civil Service.

Submit State Consultant Services Form A: Contractor's Planned Employment and Form B: Contractor's Annual Employment Report, available at: <http://www.osc.state.ny.us/agencies/forms/ac3271s.doc> and <http://www.osc.state.ny.us/agencies/forms/ac3272s.doc>.

#### **6.1.13 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 contractor's sales delivered into New York State are in excess of \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and Subcontractors whose

sales delivered into New York State exceeded \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made.

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

The successful Bidder must file a properly completed Form ST-220-CA with the Department 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>.

Submit these Forms, available through these links:

- ST-220 CA: [http://www.tax.ny.gov/pdf/current\\_forms/st/st220ca\\_fill\\_in.pdf](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](http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf)

## **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 of 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 to be provided, in the following order, by Bidders. The information requested should be provided in the prescribed format. Responses that do not follow the prescribed format may be eliminated from consideration. All responses to the RFP may be subject to verification for accuracy.

While additional data may be presented, the following should be included. Please provide the information in the same order in which it is requested. Your proposal should contain sufficient information to assure DOH of its accuracy. Failure to follow these instructions may result in disqualification.

**Pricing information contained in the Cost Proposal must NOT be included in the Technical Proposal documents.**

### **6.2.1 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.

### **6.2.2 Table of Contents**

The Table of Contents should clearly identify all material (by section and page number) included in the Bidder's proposal.

### **6.2.3 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 BIDDERS QUALIFICATIONS TO PROPOSE](#) of the RFP. The bidder must submit documentation that provides sufficient evidence of meeting the criterion/criteria set forth in Section 3.0. This documentation may be in any format needed to demonstrate how the Bidder meets the minimum qualifications to propose.

#### **6.2.3.1 Minimum Qualification**

Bidder must provide documentation that they have:

A minimum of three (3) years experience developing, deploying, hosting and operating a data management and information system that processes between 800,000 and one (1) million records on an annual basis.

For more information, see [Section 3.1](#).

#### **6.2.3.2 Preferred Qualifications**

Preference will be given to Bidders with the following experience:

A minimum of five (5) years' experience as described below:

- a) A minimum of five (5) years' experience successfully developing, deploying hosting and operating a statewide health-related data management and information system that processes between 800,000 and one (1) million records on an annual basis and
- b) A minimum of five (5) years' experience interfacing electronically and technically supporting a minimum of 10 electronic health / medical record and/or case management system vendors with standardized data collection and reporting of client visit-level data for a complex network of 10 or more family planning agencies and clinics.

Experience acquired concurrently is considered acceptable.

For more information, see Section 3.2.

#### **6.2.4 Technical Proposal Narrative**

The technical proposal should provide a complete description of the Bidder's capabilities to perform the services required by the NYS FPDMIS, within the contiguous United States, and including their years in business, organizational structure, staffing and their qualifications, and subsidiary business relationships.

The Bidder's narrative should provide a brief summary of their experience/exposure to undertaking the functions and activities described in Section [4.0 SCOPE OF WORK](#) in this RFP.

Bidders should respond to each element listed below and label their responses with the corresponding section letter/number.

#### **6.2.4.1 Data Collection, Retrieval and Editing**

Bidders should describe in detail their experience, ability, and how they plan to:

- a) Ensure all aspects of the monthly data collection, retrieval, and editing process of the FPDMS;
- b) Provide training and technical support to FPP agency staff as well as electronic health record vendors in the collection and electronic submission of CVR data;
- c) Produce and disseminate CVR data collection forms;
- d) Develop and distribute detailed data file formats with editing specifications and guidelines to FPP provider agencies;
- e) Ensure data accuracy and completeness;
- f) Retrieve electronic CVR data from all FPP provider agencies via secure file transfer protocols in a standard format (e.g., Excel, CSV and/or ASCII text); and
- g) Provide access to an individual agency-level online laboratory test reporting function.

Bidders should describe in detail their experience with making periodic changes and/or enhancements in their data collection, retrieval and editing processes, and within a prescribed timeframe.

For more information, see [Section 4.1.1](#).

#### **6.2.4.1.2 Data Processing and Control**

Bidders should describe in detail their experience and ability, and how they propose to:

- a) Monitor data submissions to identify incomplete and/or late submissions;
- b) Provide training and technical support for FPP agency staff in the management of their data submissions and interpretation of data processing related reports;
- c) Electronically capture and process data from all FPP provider agencies;
- d) Develop and maintain control procedures, as described, to ensure accuracy, completeness, and accountability of data; and
- e) Provide monthly data processing reports to agencies and the DOH FPP to summarize CVRs processed, accepted, updated or rejected, and reasons for rejection.

For more information, see Section 4.1.2.

#### **6.2.4.1.3 Data Reporting, Posting, and Transmission**

Bidders should describe in detail their experience, ability, and their plan to:

- a) Develop and disseminate agency-level, clinic-specific and statewide standardized, ad hoc and custom reports;
- b) Post reports on a secure website with role-specific access; and
- c) Provide role-specific controlled online access to standard format data files on the secure website.

For more information, see Sections 4.1.3 and 4.3.

#### **6.2.4.1.4 Data Storage and Archiving**

Bidders should describe in detail their experience, ability and plan to:

- a) Provide computer software and hardware capable of processing and storing the anticipated volume of data;
- b) Maintain a minimum five (5) year active database of client and visit records as well as a minimum of five (5) years retention of historical master computer files; and
- c) Provide off-site recoverable secure storage of all back up and historical files, including location and/or supplier in the contiguous United States, as well as a completed Cloud Security Alliance (CSA) Consensus Assessment Initiative Questionnaire (CAIQ) .

For more information, see Section 4.1.4.

#### **6.2.4.1.5 Computer Production System**

Bidders should describe:

- All computer system hardware, software, programming languages, file layouts, coding and editing schemes, operating and security systems, utilities, secure on/off site storage, media/suppliers, and any other equipment or services they propose using for the FPDMS; and
- Their experience with and how they will create and maintain a user-friendly secure website, including the structure being proposed for use, and all navigation, access controls, and security procedures.

Bidders should detail their experience, ability, and plan to:

- Provide monthly and annual FPP data sets to the provider agencies and DOH via secure file transfer in standard format (e.g., Excel, .CSV file or ASCII text) within 30 days of the close of the specified period; and
- Respond to other special programming requests and systems modifications within a reasonable time frame as approved by DOH.

For more information, see Section 4.1.5.

#### **6.2.4.1.6 Data Ownership**

The Bidder should describe their understanding of and any related experience they have with data ownership, including:

- How they plan to provide the DOH any and all data upon request;
- Their plan to conduct secure, confidential and timely destruction of any and all data and storage media associated with the FPDMS, and provide certification verifying its destruction upon completion or termination of the contract; and
- Their plan to maintain custody of all media storage devices that contain DOH owned data from the FPDMS until physical destruction of the storage devices has occurred.

For more information, see Section 4.1.6.

#### **6.2.4.1.7 System Security**

The Bidder should describe their proposed security and confidentiality plan with a schematic diagram of their network configuration that demonstrates its compliance with the Federal HIPAA Security Regulation and NYS ITS policies, procedures, guidelines, and standards, and includes

specific statements related to the security and confidentiality of hard copy and electronically stored information, as well as the security of information posted on the web.

The Bidder's data security procedures and controls should be provided with the security plan and should address:

- Steps taken to safeguard data at each step of the data processing system lifecycle, as well as information posted on the Bidder's website;
- Data security and confidentiality protocols, including employee access;
- Employee training and any written policies on confidentiality;
- Detailed documentation of Disaster Recovery and data redundancy and back-up plans, as well as redundant System Architecture plans to ensure appropriate controls to prevent loss of data and ensure system availability in the event of a catastrophic loss of equipment or facilities; and
- An understanding of HIPAA-related restrictions and requirements, including the need to execute a Business Agreement with each FPP provider agency.

The Bidder must provide detailed information regarding the security standards they are able to meet, and the Bidder must provide attestations indicating that their organization meets internationally recognized security standards, including, but not limited to, SOC 2 Type 2 certification and ISO 27001 certification.

For more information, see Section 4.1.7.

#### **6.2.4.1.8 Implementation Plan**

The Bidder should provide a detailed description of its plan for the full implementation and ongoing operation of the FPDMS; provide a project management schedule showing the proposed timeline as applicable for the complete design/development/transition, and implementation of the data system; and plan for the thorough testing of all phases of the system prior to and post implementation and a description of how the system will be tested upon introduction of corrections or enhancements and how security, performance, load, stress, accessibility, and usability will be incorporated into testing.

The plan should detail their ability to and description of how they will:

- Develop/test/deploy/retest the FPDMS system;
- Establish and manage the secure website;
- Provide training and technical support to users;
- Capture/process/validate the data;
- Store/archive the data; and
- Maintain/enhance/transition the FPDMS system.

The Bidder should also provide a detailed plan for managing and controlling any required post-implementation changes and enhancements. Complex reporting requests and system enhancements requiring formal design changes will be analyzed in conjunction with DOH staff.

The Bidder must describe their experience and results of engaging with any accredited third party auditors in assessing their capabilities and their systems solutions against specific industry recognized security standards. The Bidder must provide such information as their vulnerability management, including, but not limited to, third party penetration testing results, infrastructure

vulnerability scanning results, and Dynamic Application Security Testing (DAST) scanning results, including vulnerability findings and remediation.

For more information, see Section 4.1.8.

#### **6.2.4.2 Training and Technical Support Detail**

Bidders should describe their experience and ability to provide training and support to FPP provider agencies, and propose a plan that describes in detail how they will:

- Provide training and technical support directly to FPP agency staff for collection and electronic submission of CVR data to ensure accurate and complete data entry as well as submission quality, and provide technical specification assistance to FPP provider agencies' various electronic health record vendors as needed;
- Provide training and technical support directly to FPP agency staff on the management of data submissions and interpretation of related reports;
- Schedule and conduct training sessions/demonstrations; and
- Develop a training syllabus, data manuals and website specifications.

For more information, see Section 4.2.

#### **6.2.4.3 Report Generation and Distribution Detail**

The Bidder must describe in detail their experience, ability, and plan to:

- Produce and supply the required reports discussed above and shown in Attachments C.1 - C.7 to the appropriate parties and in the prescribed time frame;
- Modify existing report formats and develop new formats in cooperation with DOH, and include an estimate of how long it would take to provide these reports once specifications are agreed upon;
- Assure accuracy and timeliness of reports using the quality control procedures it has in place;
- Provide custom reports upon request, including the length of time it would take to prepare such reports; and
- Provide ad hoc reporting functionality on-line, including the ability to generate, graph, and print a variety of clinic, agency, and state-specific reports on data elements of particular and periodic interest.

The Bidder's technical proposal shall be neither conditioned nor contingent.

For more information, see Section 4.1.3 and 4.3.

#### **6.2.4.4 Staffing and Qualifications**

The Bidder must provide a staffing plan for meeting the requirements of this RFP that includes the following:

- Title, responsibility, type and physical location of staff available to be engaged in developing and managing the FPDMS;
- How the Bidder plans to recruit and train an adequate number of staff;
- Bidder's ability to provide qualified staff to carry out the projected workload during the

contract and how they plan to provide staff to meet the scope of work over the entire contract period;

- Bidder's ability to provide management and administrative support staff necessary to organize, prepare and carry out all administrative tasks associated with conducting the services;
- Bidder's process for ensuring all Contractor and subcontractor staff are appropriately trained and how the training protocols provide for consistency among staff;
- How the Bidder intends to maintain the staffing levels and personnel planned;
- An organizational chart that delineates the titles of the staff responsible for fulfilling the tasks/deliverable detailed in Section 4.0 Scope of Work, their lines of communications, and demonstrates how the Bidder intends to organize staff and management for this project; and
- Resumes describing essential and enhanced qualifications of all staff proposed to occupy key positions of responsibility for fully and effectively meeting the scope of requirements and essential services of the FPDMS as laid out and described in this RFP.

For more information, see Section 4.4.

#### **6.2.4.5 Information Technology**

The Bidder should describe their ability to ensure that their proposed system, website and all supporting components will meet DOH security requirements of Moderate for Confidentiality, Integrity, and Availability (CIA) and IAL2/SSL2/FAL2.

#### **6.2.4.6 Security**

The Bidder should describe their plan to comply with all privacy and security policies and procedures of the Department, applicable state and federal law and administrative guidance with respect to the performance of the contract. (Section 4.6)

#### **6.2.4.7 Transition**

The Bidder should describe in detail its experience and ability to:

- Migrate the contents of the FPDMS to the DOH, its designee, or a new Contractor;
- Develop an end of contract transition plan within 30 days of contract start, including detail about how it will turn over all data files, report templates, and complete and comprehensive documentation;
- Ensure and verify certification of security and confidentiality in removing, deleting, and destroying all FPP databases, data files, backup data, archives, off site stored data and compressed/zipped data associated with the FPDMS.

For more information, see Section 4.7.

### **6.3 Cost Proposal**

Submit a **completed and signed** Attachment B – Cost Proposal. The Cost Proposal shall comply with the format and content requirements as detailed in this document and in Attachment B. Failure to comply with the format and content requirements may result in disqualification.

## **Cost Proposal Instructions:**

### **1. Data Processing Fees**

- a. Bidders must propose one all-inclusive per record per year bid price for electronically submitted CVRs that are rejected. This bid price must include all costs related to retrieving, editing, reviewing, processing, and storing the data; bid price for processed records should reflect costs for retrieval, editing and reviewing (initial processing only) the data.
- b. Bidders must propose one all-inclusive per record per year bid price for electronically submitted CVRs that are accepted. This bid price must include all costs related to retrieving, editing, reviewing, processing, and storing the data; bid price for processed records should reflect costs for retrieval, editing and reviewing (initial processing only) the data.

Historically, approximately 900,000 records have been received and accepted each year, and approximately 100,000 records have been rejected each year, with actual numbers of records varying from year to year. Approximately 1,500 telephone calls or emails have been received from providers annually, although actual volumes may be higher or lower in any contract period. The department does not guarantee any volumes, and the Contractor will only be reimbursed based upon actual number of CVRs accepted or rejected.

### **2. Information System Fees**

Bidders must bid an all-inclusive monthly fee for each year to provide staffing for the: development, production/printing/dissemination of forms and reports; on-line ad hoc reporting functionality; approximately 1500 technical support communications (phone and email) per year; updating/enhancement and distribution/posting of system documentation (data manuals, file layouts, edit specifications, and website navigation guidance); training (all expenses associated with webinar hosting); estimated 250 hours per year (actual number may vary from year to year) for programming needs related to development / deployment / updating / enhancements to standard, custom and ad hoc reports, program requirement changes; general maintenance; and website hosting/enhancements/maintenance as described in the RFP.

All costs must be inclusive of all activities necessary to implement, maintain/update, operate, and transition the FPDMS as described in this RFP.

## **7.0 PROPOSAL SUBMISSION**

A proposal consists of three distinct parts: (1) the Administrative Proposal, (2) the Technical Proposal, and (3) the Cost Proposal. The table below outlines the format and volume for submission of each part. Proposals should be submitted as prescribed below.

1. Submit three (3) separate, standard searchable, open and permission password protected, PDF proposals in three (3) separate emails to: [FPDMIS-BML@health.ny.gov](mailto:FPDMIS-BML@health.ny.gov). Use this naming convention for the subject line of each email: <Type of Proposal Submission, Bidder Name, RFP#20607.
2. Include, as attachment to each email, the distinct PDF file labeled "Administrative Proposal", "Technical Proposal", or "Cost Proposal" followed by Bidder Name and RFP

- number. Example: "Technical Proposal Submission, ABC Company, RFP#20607".
3. All electronic bid submissions should be clear and include page numbers at the bottom of each page.
  4. All electronic bid submissions should be in PDF Optical Character Recognition (OCR) searchable format.
  5. The body of the email should also include the password to the file, contact information, and indicate the total number of pages intended, and, where indicated, each subset of pages listed. **Example: Administrative Proposal 14 pages total, Attachment A – 10 pages.**
  6. A font size of eleven (11) points or larger should be used. All submitted documents should contain appropriate header and footer information.
  7. In the event an electronic submission cannot be read by the Department, the Department reserves the right to request a hard copy and/or electronic resubmission of any unreadable files. The Bidder shall have 2 business days to respond to such requests and must certify the resubmission is identical to the original submission.
  8. Where signatures are required, the proposals should have a handwritten signature (wet ink) and be signed in blue ink. A scan of the handwritten (wet ink) signature can be used for electronic submission in the PDF. The Department reserves the right to request hard copy originals of all signature pages at any time.
  9. The Department discourages overly lengthy Bids. Therefore, marketing brochures, user manuals or other materials beyond that sufficient to present a complete Bid, are not desired and will not be reviewed or evaluated. Elaborate artwork or expensive paper is not necessary or desired. In order for the Department to evaluate bids fairly and completely, all Bids should follow the format described in this RFP and provide all requested information and no extraneous or additional information or material.
  10. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation teams.

**The complete proposal must be received by the DOH, no later than the Deadline for Submission of Proposals specified in [Section 1](#), (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, hard copy) 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 and cost. Proposals failing to meet the requirements of this document may be eliminated from consideration. The evaluation process will include separate technical and cost evaluations, and the result of each evaluation shall remain confidential until both evaluations have been completed and a selection of the winning proposal is made.

The evaluation process will be conducted in a comprehensive and impartial manner, as set forth herein, by an Evaluation Committee. The Technical Proposal and compliance with other RFP requirements (other than the Cost Proposal) will be weighted **70%** of a proposal's total score and the information contained in the Cost Proposal will be weighted **30%** of a proposal's total score.

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](#) (Calendar of Events).

In the event of a tie, the determining factors for award, in descending order, will be:

- (1) lowest cost, and
- (2) proposed percentage of MWBE participation.

## **8.2 Submission Review**

DOH will examine all proposals that are received in a proper and timely manner to determine if they meet the proposal submission requirements, as described in [Section 6.0](#) (Proposal Content) and [Section 7.0](#) (Proposal Submission), and include the proper documentation, including all 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 Qualification to Propose (Section 3.0).

The Technical Evaluation Committee members will independently score each Technical Proposal that meets the submission requirements of this RFP. The individual Committee Member scores will be averaged to calculate the Technical Score for each responsive Bidder.

The technical evaluation is **70% (up to 70 points)** of the final score.

## **8.4 Cost Evaluation**

The Cost Evaluation Committee will examine the Cost Proposal documents. The Cost Proposals will be opened and reviewed for responsiveness to cost requirements. If a cost proposal is found to be non-responsive, that proposal may not receive a cost score and may be eliminated from consideration.

The Cost Proposals will be scored based on a maximum cost score of 30 points. The maximum cost score will be allocated to the proposal with the lowest all-inclusive not-to-exceed maximum price. All other responsive proposals will receive a proportionate score based on the relation of their Cost Proposal to the proposals offered at the lowest final cost, using this formula:

$C = (A/B) * 30\%$   
A is Total price of lowest cost proposal;  
B is Total price of cost proposal being scored; and  
C is the Cost score.

The cost evaluation is **30% (up to 30 points)** of the final score.

### **8.5 Composite Score**

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

### **8.6 Interviews**

No interviews or bidder conferences will be scheduled as part of the bid review process for this procurement.

### **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**

DOH reserves the right to request best and final offers. In the event DOH 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 with the highest composite score whose experience and qualifications have been verified.

The Department will notify the awarded Bidder and Bidders not awarded. The awarded Bidder 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.

## **9.0 ATTACHMENTS**

The following attachments are included in this RFP and are available via hyperlink or can be found at: <https://www.health.ny.gov/funding/forms/>.

1. [Bidder's Disclosure of Prior Non-Responsibility Determinations](#)
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 and Appendix A – dated January)
9. [References](#)
10. [Diversity Practices Questionnaire](#)
11. [Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination](#)
12. [Executive Order 16 Prohibiting Contracting with Business Conducting Business in Russia](#)

The following attachments are attached and included in this RFP:

- Attachment A Proposal Document Checklist
- Attachment B Cost Proposal
- Attachment C Data Specifications & FPDMS Reports

## Attachment A

### PROPOSAL DOCUMENT CHECKLIST

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

<b>RFP20607 – NYS Family Planning Data Management and Information System (FPDMIS)</b>		
<b>FOR THE ADMINISTRATIVE PROPOSAL</b>		
<b>RFP §</b>	<b>SUBMISSION</b>	<b>INCLUDED</b>
§ 6.1.1	Attachment 1 - Bidder's Disclosure of Prior Non-Responsibility Determinations	<input type="checkbox"/>
§ 6.1.2	Freedom of Information Law – Proposal Redactions (If Applicable)	<input type="checkbox"/>
§ 6.1.3	Attachment 3 - Vendor Responsibility Attestation	<input type="checkbox"/>
§ 6.1.4	Attachment 4 - Vendor Assurance of No Conflict of Interest or Detrimental Effect	<input type="checkbox"/>
§ 6.1.5	M/WBE Participation Requirements:	<input type="checkbox"/>
	Attachment 5 - Form 1	<input type="checkbox"/>
	Attachment 5 - Form 2 (If Applicable)	<input type="checkbox"/>
	Attachment 5 - Form 4	<input type="checkbox"/>
	Attachment 5 - Form 5 (If Applicable)	<input type="checkbox"/>
§ 6.1.6	Attachment 6 - Encouraging Use of New York Businesses	<input type="checkbox"/>
§ 6.1.7	Attachment 7 - Bidder's Certified Statements	<input type="checkbox"/>
§ 6.1.8	Attachment 9 - References	<input type="checkbox"/>
§ 6.1.9	Attachment 10 - Diversity Practices Questionnaire	<input type="checkbox"/>
§ 6.1.10	Attachment 11 - EO 177 Prohibiting Contracts with Entities that Support Discrimination	<input type="checkbox"/>
§ 6.1.11	Attachment 12 – EO 16 Contracting with Businesses Conducting Business in Russia	<input type="checkbox"/>
§ 6.1.12	State Finance Law Consultant Disclosure	<input type="checkbox"/>
§ 6.1.13	Sales and Compensating Use Tax Certification	<input type="checkbox"/>
<b>FOR THE TECHNICAL PROPOSAL</b>		
<b>RFP §</b>	<b>SUBMISSION</b>	<b>INCLUDED</b>
§ 6.2.1	Title Page	<input type="checkbox"/>
§ 6.2.2	Table of Contents	<input type="checkbox"/>
§ 6.2.3	Documentation of Bidder's Eligibility (Requirement)	<input type="checkbox"/>
§ 6.2.4	Technical Proposal Narrative	<input type="checkbox"/>
<b>FOR THE COST PROPOSAL REQUIREMENT</b>		
<b>RFP §</b>	<b>REQUIREMENT</b>	<b>INCLUDED</b>
§ 6.3	Attachment B - Cost Proposal	<input type="checkbox"/>

# Attachment B

## COST PROPOSAL BID FORM

<b>RFP # 20607 – NYS Family Planning Data Management and Information System (FPDMIS) Services</b>					
<b>Bidder's Name:</b>					
<b>Data Processing Fees<sup>1</sup></b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEARS 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>
	<b>Price per Record</b>	<b>Price per Record</b>	<b>Price per Record</b>	<b>Price per Record</b>	<b>Price per Record</b>
<b>CVRs Rejected (100,000)</b>					
<b>CVRs Accepted (approximately 900,000)</b>					
<b>Information System Fee<sup>2</sup></b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEARS 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>
	<b>Monthly Fee</b>	<b>Monthly Fee</b>	<b>Monthly Fee</b>	<b>Monthly Fee</b>	<b>Monthly Fee</b>

### Cost Proposal Instructions:

<sup>1</sup>Data Processing Fees:

- Bidders must provide one all-inclusive per record per year bid price for electronically submitted CVRs that are rejected. This bid price must include all costs related to retrieving, editing, reviewing, processing, and storing the data; bid price for processed records should reflect costs for retrieval, editing and reviewing (initial processing only) the data.
- Bidders must provide one all-inclusive per record per year bid price for electronically submitted CVRs that are accepted. This bid price must include all costs related to retrieving, editing, reviewing, processing, and storing the data; bid price for processed records should reflect costs for retrieval, editing and reviewing (initial processing only) the data.

Historically, approximately 900,000 records have been received and accepted each year, and 100,000 records have been rejected each year, but actual number of records may vary from year to year. The vendor will only be reimbursed for the actual number of CVRs accepted or rejected.

<sup>2</sup>Information System Fees:

Bidders must bid an all-inclusive monthly fee for each year to provide staffing for the: development, production/printing/dissemination of forms and reports; on-line ad hoc reporting functionality; approximately 1500 technical support communications (phone and email) per year; updating/enhancement and distribution/posting of system documentation (data manuals, file layouts, edit specifications, and website navigation guidance); training (all expenses associated with webinar hosting); estimated 250 hours per year (actual number may vary from year to year) for programming needs related to development / deployment / updating / enhancements to standard, custom and ad hoc reports, program requirement changes; general maintenance; and website hosting/enhancements/maintenance as described in the RFP.

By signing this Cost Proposal Form, bidder signifies that the following information is true and accurate to the best of their knowledge and that the above-named organization agrees to abide by the terms of the approved proposal and is fully able and willing to carry out deliverables contained herein. The prices presented in this proposal shall remain in effect for 365 days from the proposal due date.

\_\_\_\_\_  
Bidder's Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title