



# Department of Health

C042530

## EPIC American Indian Health

### Amendment # 1

The following are official modifications, which are hereby incorporated into C042530 EPIC American Indian Health. The information contained in this amendment prevails over the original RFP language. For all amendments below, deleted language appears in strikethrough (“~~xxx~~”) and added language appears in underline (“xxx”).

#### 1.0 CALENDAR OF EVENTS

##### RFP

**(C042530 – NEW YORK STATE ELDERLY PHARMACEUTICAL INSURANCE COVERAGE (EPIC) AND AMERICAN INDIAN HEALTH (AIH) PROGRAMS)**

#### 4.11 Equal Employment Opportunity (“EEO”) Reporting

By submission of a bid in response to this solicitation, the Bidder agrees with all of the terms and conditions of Attachment 8, Appendix A, including Clause 12 - Equal Employment Opportunities for Minorities and Women. Additionally, the successful bidder will be required to certify they have an acceptable Equal Employment Opportunity (“EEO”) policy statement in accordance with Section III of Appendix M in Attachment 8. Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

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

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

## **~~6.2 Bidder's Disclosure of Prior Non-Responsibility Determinations~~**

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

## **~~6.3 Freedom of Information Law – Proposal Redactions~~**

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

## **~~6.4 Vendor Responsibility Questionnaire~~**

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

## **~~6.5 Vendor Assurance of No Conflict of Interest or Detrimental Effect~~**

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

## **~~6.6 M/WBE Forms~~**

### **~~6.1.5 M/WBE Forms~~**

## **~~6.7 Encouraging Use of New York Businesses in Contract Performance~~**

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

## **~~6.8 Bidder's Certified Statements~~**

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

## **~~6.9 References~~**

### **~~6.1.8 References~~**

## **~~6.10 Diversity Practices Questionnaire~~**

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

## **~~6.11 Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination~~**

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

## **~~6.12 Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia~~**

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

## **~~6.13 State Finance Law Consultant Disclosure Provisions~~**

### **~~6.1.12 State Finance Law Consultant Disclosure Provisions~~**

## **~~6.14 Sales and Compensating Use Tax Certification (Tax Law, § 5-a)~~**

### **~~6.1.13 Sales and Compensating Use Tax Certification (Tax Law, § 5-a)~~**

### **~~6.1.14 Gender-Based Violence and the Workplace Certification~~**

New York State Finance Law §139-M requires bidders on competitive state procurements to certify that they have a written policy addressing gender-based violence and the workplace and that such policy meets the minimum requirements outlined on Attachment 14. Bidders should review, sign, date and include as part of their submission Attachment 14.

## **8.3 Technical Evaluation**

The evaluation process will be conducted in a comprehensive and impartial manner. A Technical Evaluation Committee comprised of Program Staff of DOH will review and evaluate all proposals.

Proposals will undergo a preliminary evaluation to verify Minimum Qualifications to Propose (Section 3.0).

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

The scores will be normalized by using the following formulas:

$$Z = (X/Y) * 70$$

X is the average raw technical score of the proposal being scores;

Y is the average raw technical score of the highest raw Technical Proposal; and

Z is the Total Technical Score.

The Technical Proposal 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 Cost 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 Cost Proposal(s) offered at the lowest final cost, using this formula:

$$C = (A/B) * 30\%$$

$$C = (A/B) * 30$$

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

## 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)
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](#)
13. [Attachment 14 - State Finance Law 139M Attestation Gender Based Violence](#)