



Department of Health

Request for Proposals

RFP #20064

Early Intervention Statewide Web-Based Training

Issued: October 6, 2021

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1.0 CALENDAR OF EVENTS

RFP (20064 – EARLY INTERVENTION STATEWIDE TRAINING WEB-BASED TRAINING)	
<u>EVENT</u>	<u>DATE</u>
Issuance of Request for Proposals	October 6, 2021
Deadline for Submission of Written Questions	October 25, 2021 4:00 p.m. ET
Responses to Written Questions Posted by DOH	On or About November 15, 2021
Deadline for Submission of Proposals	December 6, 2021 4:00 p.m. ET
<u>Anticipated</u> Contract Start Date	September 1, 2022

2.0 OVERVIEW

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

2.1 Introductory Background

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

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

Under the previous contract, DOH switched from in-person trainings to a web-based training format. Curricula from the DOH’s traditional in-person classroom trainings were converted to web-based training courses. The courses were delivered in a live interactive web-based format and were then made available in a self-paced web-based format.

2.2 Important Information

The bidder is required to review, and is requested to have legal counsel review, [Attachment 8](#), the DOH Agreement as the Bidder must be willing to enter into an Agreement in accordance with the terms of [Attachment 8](#) should the bidder be selected for contract award. Please note that this RFP and the awarded bidder's proposal will become part of the contract as Appendix B and C, respectively.

It should be noted that Appendix A of [Attachment 8](#), "Standard Clauses for New York State Contracts", contains important information related to the contract to be entered into as a result of this RFP and will be incorporated, without change or amendment, into the contract entered into between DOH and the successful Bidder. By submitting a response to the RFP, the Bidder agrees to comply with all the provisions of Appendix A. Note, [Attachment 7](#), the Bidder's Certifications/Acknowledgements, should be submitted and includes a statement that the bidder accepts, without any added conditions, qualifications or exceptions, the contract terms and conditions contained in this RFP including any exhibits and attachments. It also includes a statement that the bidder acknowledges that, should any alternative proposals or extraneous terms be submitted with the proposal, such alternate proposals or extraneous terms will not be evaluated by the DOH.

Any qualifications or exceptions proposed by a bidder to this RFP should be submitted in writing using the process set forth in [Section 5.2](#) (Questions) prior to the deadline for submission of written questions indicated in [Section 1.0](#) (Calendar of Events). Any amendments DOH makes to the RFP as a result of questions and answers will be publicized on the DOH web site.

2.3 Term of the Agreement

This contract term is expected to be for a period of five (5) years commencing on the date shown on the Calendar of Events in Section 1.0., subject to the availability of sufficient funding, successful contractor performance, and approvals from the New York State Attorney General (AG) and the Office of the State Comptroller (OSC).

3.0 BIDDERS QUALIFICATIONS TO PROPOSE

3.1 Minimum Qualifications

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

- Three (3) years of experience providing instructional trainings that incorporate adult education and learning techniques using a web-based technology/application.
- The contractor must have the ability to issue CEU's and Certificates of Completion at the start of the contract and have two (2) years of experience creating and administering continuing education and/or training (CE/T) activities, courses, programs or other learning events. Bidder must be in compliance and accredited with IACET at the time of bid submission.

Experience acquired concurrently is considered acceptable.

For the purposes of this RFP, a prime contractor is defined as one who has the contract with the owner of a project or job and has full responsibility for its completion. A prime contractor undertakes to perform a complete contract and may employ (and manage) one or more subcontractors to carry out specific parts of the contract.

Failure to meet these Minimum Qualifications will result in a proposal being found non-responsive and eliminated from consideration.

3.2 Preferred Qualifications (If Applicable).

- Two (2) years of demonstrated subject matter expertise in Early Intervention programs and services including federal and State laws and regulations.

4.0 SCOPE OF WORK

For the purposes of this RFP, “web-based training” is defined as instruction on specific early intervention topics provided by a knowledgeable, experienced trainer to a “primary target audience” using interactive (synchronous) web-based technology. This type of training will provide all participants with the knowledge and information they need to have a better understanding of the program requirements of the EIP, and of the requirements of the federal and State laws and regulations that govern the Program.

The DOH will require the Contractor to identify and provide trainings on topics that have been recommended by the primary target audience as needed and necessary for EIP stakeholders. These trainings will ensure that EI providers have access to the information that will help them improve child and family outcomes and provide the highest quality services to young children and their families.

The “primary target audience” includes:

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

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

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

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

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

4.1 Tasks/Deliverables

4.1.A Existing Early Intervention Trainings

1. *Maintain current Training Courses*

The DOH currently has a contract for the development of ten (10) live interactive web-based trainings that are then posted as self-paced trainings available on the WizIQ Learning Management System (LMS). A listing of the current trainings can be found in **Attachment C** of this RFP and the self-paced trainings are currently posted on the learning management site at: <https://www.nyseipopdc.org/academics>. These trainings will continue to be available to Early Intervention stakeholders at the end of the current contract period.

To maintain the current courses, the Contractor will:

- a. Make revisions as needed to the existing training.
Upon request from the DOH, the Contractor will be required to make modifications/revisions and/or updates to these converted trainings. These changes may be a result of changes to early intervention regulations, policies or procedures, Public Health Law, technology changes or feedback received from the participant's course evaluations. Revisions will include modifying, updating, and/or adding slides to the existing self-paced training posted on the LMS when necessary, updating or adding/removing any corresponding audio, as well as any corresponding references, resources and/or training materials provided for the trainings.
- b. Track and report on enrollment, participation, completions, and evaluations for the existing self-paced training courses.
- c. Issue Certificates of Completion and CEUs for existing self-paced training courses.
- d. Reach out to participants via email, who have enrolled in a self-paced course but have not completed it within two weeks. A second reminder will be sent for those participants who have still not completed the training after 30 days.

The courses can be maintained in the WizIQ LMS or an equivalent platform chosen by the contractor and approved by the DOH.

2. *Deliver existing Trainings in a live interactive Web-based format*

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

The Contractor will:

- a. Distribute all training materials necessary to effectively deliver the Training Course.
- b. Be able to deliver some of the live courses outside of standard business and/or operating hours (between 9:00am and 5:00pm) if needed. This may include delivery on weekends and during evening hours.
- c. Issue Certificates of Completion and CEUs for live courses.
- d. The Contractor will distribute, collect, analyze, and report on post-course evaluations from participants.

In the event that an existing training course cannot be delivered live as scheduled, the Contractor must have an established make-up plan, contingent upon approval from the DOH, for cancelled trainings and will be responsible for notifying the DOH and enrolled participants. This plan will be due to the DOH no

later than two (2) weeks prior to the delivery of the first live training.

4.1.B Develop and Deliver new training courses on Early Intervention Topics

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

1. *New Trainings on Early Intervention Topics*

The Contractor will work in conjunction with the DOH to develop trainings on relevant topics and will use quality research methods and resources from other states and nationally to create web-based trainings for the target audience. The trainings must include periodic checks for participant understanding, examples include quizzes or polls. The Contractor will develop and deliver one (1) live online training course and make it available on a DOH approved LMS as a self-paced training per contract year; five (5) total over the life of the contract.

Each training is expected to be between four (4), one-hour modules and six (6), one--hour modules.

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

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

All trainings need to be reviewed and approved by the DOH prior to presenting them to the primary target audience. Any revisions/edits made prior to DOH approval will be included in the initial fee. During the presentation of the training, the Contractor will record the live webinar and maintain any supporting documentation such as questions and answers and training materials, to be made available as a self-paced training course on the DOH approved LMS (as detailed in 4.1.E. Learning Management Platform and Dedicated EIP Training Website Requirements.) for future viewing.

Revisions may be required to the live webinar prior to being finalized and made available as a self-paced course. These revisions/edits must be approved by the DOH prior to posting and will also be included in the initial fee.

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

Some examples of possible training topics may include:

- Assistive Technology
- Providing Family-Centered Services
- Procedural Safeguards under the Early Intervention Program

In the event that a new live training course cannot be delivered as scheduled, the Contractor must have an established plan, contingent upon approval from the DOH, for make-up sessions and will be responsible for

notifying the DOH and the enrolled participants. This plan will be provided to the DOH within 30 days after the start of the contract.

The Contractor will also be responsible for:

a. Certificates of Completion.

The Contractor will provide a Certificate of Completion to participants who successfully complete a web-based training course. If a training course is divided into distinct separate sessions due to its length, participants must attend each separate session to complete the course in its entirety, as well as complete and the post course evaluation survey (**Attachment D** for evaluation survey tool example) to receive a Certificate of Completion. The Certificate of Completion must be issued within 24 hours of course completion and will include the NYSDOH logo, the participant's name; training course name, date and length of session, number of CEUs awarded; and electronic signature of the issuer. Information about Certificates of Completion must be posted to the Contractor's website.

b. Continuing Education Units (CEUs).

The Contractor must have the ability to award CEU's at the start of the contract and will be required to issue the CEUs to participants who complete web-based trainings. Information about CEUs must be posted to the Contractor's website.

c. Create a survey/evaluation tool for each training course

The Contractor will develop, integrate, distribute, and collect post-course evaluations from participants, evaluate results and provide this analysis to the DOH. The results of these evaluations will be used to assist the Contractor and the DOH in determining if any changes/revisions in the training curricula need to be made. The evaluation tool will be used to evaluate both the live and self-paced courses and must have the ability to present applicable questions for the methodology that was used to take the course. See **Attachment D** for a sample evaluation survey tool.

(1) One comprehensive evaluation report for each live training will be due to the DOH within three (3) weeks post conclusion of the live delivery. This will include but is not limited to:

- Course enrollment
- Certificates of completion
- Breakdown of participants by title or role
- Number of years providing EI services and percentage breakdown in each
- Quality of course by percentages
- Impact of the course
- Level of self-assessed knowledge before & after course
- Listed areas in which more training would benefit participants
- Overall course satisfaction

(2) One comprehensive evaluation report including the same elements listed above, for each self-paced course using data from the first three-month period after posting, will be due to the DOH within three (3) weeks after the end of that three-month period.

2. Review of DOH Guidance Training

The Contractor will develop and deliver five (5) "live" online trainings using guidance the DOH developed and disseminated to the field. (examples include make-up policy, texting policy, revised EIP regulations, etc.), and make it available on the LMS as a self-paced training. Each training should be between one (1) and two (2) hours long.

a. Certificates of Completion.

The Contractor will provide a Certificate of Completion including CEUs earned to participants who successfully complete the web-based training course and the post-course evaluation survey.

b. Create a survey/evaluation tool for each training course

The Contractor will develop, integrate, distribute, and collect post-course evaluations from participants, evaluate results and provide this analysis to the DOH. The results of these evaluations will be used to assist the Contractor and the DOH in determining if any changes/revisions in the training curricula need to be made. The evaluation tool will be used to evaluate both the live and self-paced courses and must have the ability to present applicable questions for the methodology that was used to take the course. See **Attachment D** for a sample evaluation tool.

(1) One comprehensive evaluation report for each live training will be due to the DOH within three (3) weeks post conclusion of the live delivery. This will include but is not limited to:

- Course enrollment
- Certificates of completion
- Breakdown of participants by title or role
- Number of years providing EI services and percentage breakdown in each
- Quality of course by percentages
- Impact of the course
- Level of self-assessed knowledge before & after course
- Listed areas in which more training would benefit participants
- Overall course satisfaction

(2) One comprehensive evaluation report including the same elements listed above, for each self-paced course using data from the first three-month period after posting, will be due to the DOH within three (3) weeks after the end of that three-month period.

3. Maintain self-paced training courses

Trainings that have already been delivered and posted as self-paced courses may need to be revised as a result of changes to early intervention regulations, policies or procedures, Public Health Law, technology changes, or feedback received from the participant's evaluations of training.

- a. Upon request from the DOH, the Contractor will be required to make modifications/revisions and/or updates to these converted trainings. Revisions will include modifying, updating, and/or adding slides and/or resources when necessary, and updating or adding any corresponding audio in the existing self-paced training available on the LMS.
- b. Track and report on enrollment, participation, completions, and evaluations for the existing self-paced training courses.
- c. Issue Certificates of Completion and CEUs for existing self-paced training courses.
- d. Reach out to participants who have enrolled in a self-paced course but have not completed it within two weeks. A second reminder will be sent for those participants who have still not completed the training after 30 days.

4.1.C Needs Assessment

Training Needs Assessment

The Contractor will conduct one training needs assessment per year to ensure knowledge of EI requirements to support the EIP and to assist the DOH in identifying topics where new trainings may be needed. The needs assessment should identify gaps in topic areas that are consistent with federal and State laws, regulations, and EI policies and evidence-based practices. See **Attachment E** for the current Needs Assessment survey. This survey may need to be revised periodically to incorporate the changing needs of the DOH and Stakeholders.

The Contractor will analyze and report findings to the DOH within 30 days of completion of each annual assessment. The report must identify potential training needs based on analysis of the Needs Assessment and include suggestions of future training topics that align with results of the assessment.

Upon completion of the assessment, the Contractor will work with DOH to plan and prepare and/or revise/edit trainings based on the results.

4.1.D Outreach and Communications

1. Communications

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

- Training Schedules
- Outreach to professional organizations (examples include, New York State Speech-Language Hearing Association (NYSSLHA), New York State Physical Therapy Association (NYPTA), etc.) to promote the availability of training
- Outreach to the EI stakeholder community (examples include, EI providers, municipal EI staff) to promote the available training
- List Serve announcements

2. Early Intervention Coordinating Council Meetings (EICC)

The Early Intervention Coordinating Council (EICC) is a 30-member advisory council established in Section 2553 of the Public Health Law. The EICC assists the New York State DOH of Health with the administration of the Early Intervention Program and makes recommendations to the DOH regarding appropriate services for infants and toddlers with disabilities and their families.

The Contractor will attend one EICC Meeting per year in person or virtually, with DOH approval, and will present on current and upcoming training course offerings, course evaluation results, and needs assessment analysis.

3. Outreach to students and relevant professional associates

The Contractor will develop and/or incorporate existing EI materials for potential use with high school, college, and university students, and relevant professional associates as an introduction to the Early Intervention Program.

4.1.E EI Learning Management Platform and Dedicated EIP Training Website Requirements

1. Learning Management System (LMS)

The Contractor will identify and implement the use of a cost-effective, synchronous web-based training Platform, acceptable to the DOH, to deliver live, interactive trainings that provide the necessary audio needed for two-way communication from the trainer to the trainees, example being, Web-ex. The Platform technology should be readily accessible and be supported by a variety of browsers. The Contractor must have the necessary technology and related equipment, examples include, phone lines, internet access, in place to maintain two-way communication between the trainer and trainees. Currently, Training Courses are being developed on the WizIQ LMS.

There are currently 10,806 approved early intervention service coordinators, evaluators, and service providers. This does not include municipalities and other possible interested parties as described as the Targeted Audience in Section 4.0 Scope of Work of this RFP.

The LMS must include, but is not limited to:

- The capacity to register up to 75 participants for per training course.
- Unlimited capacity for enrollment over the contract term.
- A mechanism to ensure that the trainee is fully engaged throughout the entire training session.
- A mechanism in which attendees can pose questions after completing a recorded training session and receive responses.
- The ability to create break out rooms for activities.
- A method for participants to take self-paced trainings.
- The ability to disseminate and collect course evaluation surveys.
- The ability to issue Certificates of Completion.

2. Provide a website resource for the primary target audience

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

- Description of each web-based training course available;
- Calendar of scheduled live trainings;
- User Manual/Guide;
- Course registration and confirmation process;
- Information on obtaining Certificate of Completion /Attendance;
- Professional Development hours earned per course;
- FAQ area that includes:
 - Responses to questions received during the live training session and any posed subsequently during non-live session; and
 - An informational document to assist course participants; items such as logging on to live and recorded training sessions.
- Means to obtain information about earning CEUs;
- Contractor contact information; and
- DOH of Health, Bureau of Early Intervention contact information.

4.2 Staffing

The key positions of the Early Intervention On-line Training Project are the Project Manager, Live Course Instructors and Technical staff. The Contractor's key staff must have expertise related to professional development instruction using web-based applications and early childhood development and education. The Contractor must also have trained technical staff to develop, implement and edit trainings in the LMS, develop and maintain a website resource, and provide technical assistance and support to the target audience.

These key positions cannot be subcontracted out, nor may they be employed on a consultant basis. These positions must be filled by employees of the Contractor. The Contractor must submit a current resume for each of their proposed Key Personnel as well as other supporting documentation demonstrating that the key staff possess the credentials required by the NYSDOH within 30 days of the contract award. Final award is contingent upon DOH's review and approval of the key staff proposed. All proposed key staff must be available on the contract start date. The DOH requires at least 30 days' notice of any change in key personnel.

A Staffing and Organization Plan shall be provided by the Contractor that delineates titles and staff responsibilities for fulfilling the tasks described in the Scope of Work and demonstrates how the Contractor intends to utilize management, key personnel, and other staff for this project.

Key Personnel	Minimum Qualifications
Project Manager	The Project Manager must have at least two (2) years of experience providing training that includes adult learning methods and learning techniques using a web-based application.
Course Instructor(s)	Course Instructor(s) must have at least (1) year of experience in the field of Early Intervention plus an additional two (2) years' experience in the field of early childhood development including typical and atypical development., and who also have at least one (1) year of experience presenting training using adult learning techniques through web-based technology.

The Project Manager will be the lead contact for the DOH under this contract. The Project Manager will be required to attend monthly meetings with the DOH, at the discretion of the DOH, convened by teleconference to discuss status of trainings and progress made with the contract deliverables and to provide an opportunity for the DOH to answer questions that the Contractor may have. The Project Manager will also act as the lead contact for all course trainers/instructors should they have questions or need any information regarding the training courses.

The Contractor will provide Course Instructor(s) who will present the live trainings, lead interactive activities in break out rooms, and answer questions from participants in the live trainings. The Course Instructors will work closely with the DOH in the development of new curricula for the new topic trainings.

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

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

4.3 Reporting

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

- A. Report on the effectiveness of trainings delivered by collecting, analyzing, and submitting to the DOH a comprehensive review of the course evaluation forms completed by trainees after the initial live training session, within three (3) weeks post conclusion of delivery of the live training course. The DOH reserves the right to request and review all training evaluation forms.
- B. Report on the effectiveness of the self-paced trainings by collecting, analyzing, and submitting to the DOH a comprehensive review of the course evaluation forms completed by trainees within three (3) weeks after the end of the first quarter after the posting of the self-paced course.
- C. Report any questions to the DOH that are received during a training session that could not be answered by the trainer, or that require input or clarification from the DOH. All responses provided by the DOH are required to be posted on the Contractor's webpage, within two weeks of receipt of the DOH's response.
- D. Live Webinar Training Participation Report submitted with each voucher or at the request of the DOH.
- E. Archived Webinar Training Participation Report submitted with each voucher or at the request of the DOH.
- F. Quarterly reports on each self-paced course that includes, but is not limited to:
 - Course enrollment and completions
 - Quality of Course
 - Impact of Course
 - Participant Recommendations

4.4 Information Technology

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

4.5 Security

The selected Contractor shall comply with all privacy and security policies and procedures of the DOH (<https://its.ny.gov/eiso/policies/security>) and applicable State and federal law and administrative guidance with respect to the performance of this contract. The Contractor is required, if applicable, to execute a number of security and privacy agreements with the DOH including a Business Associate Agreement (Appendix H) and a Data Use Agreement (DUA) at contract signing.

The Contractor is expected to provide secure and confidential backup, storage and transmission for hard copy and electronically stored information. Under no circumstances will any records be released to any person, agency, or organization without specific written permission of the DOH. The Contractor is obligated to ensure any Subcontractor hired by Contractor who stores, processes, analyzes, or transmits MCD on behalf of Contractor has the appropriate Security requirements in place. Contractor is required to include in all contracts and Business Associate Agreements with their Subcontractors language surrounding the security and privacy requirements as well as the language contained in the Confidentiality Language for Third Parties section of the DUA. If any breach

or suspected breach of the data or confidentiality occurs, whether the breach occurred with the Contractor or Subcontractor, DOH must be notified immediately.

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

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

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

4.6 Transition

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

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

The contractor shall provide technical and business process support as necessary and required by the DOH to transition and assume contract requirements to the DOH or another DOH agent should that be required during or at the end of the contract.

The contractor shall manage and maintain the appropriate number of staff to meet all requirements listed in the RFP during the transition. All reporting and record requirements, security standards, and performance standards are still in effect during the transition period.

The contractor is required to develop a work plan and timeline to securely and smoothly transfer any data and records generated from the inception of the Contract through the end of the contract to the DOH or another DOH agent should that be required during or upon expiration of its contract. The plan and documentation must be submitted to the DOH no later than four (4) months before the last day of its contract with the DOH of Health or upon request of the DOH.

5.0 ADMINISTRATIVE INFORMATION

The following administrative information will apply to this RFP. Failure to comply fully with this information may result in disqualification of your proposal.

5.1 Restricted Period

“Restricted period” means the period of time commencing with the earliest written notice, advertisement, or solicitation of a Request for Proposals (“RFP”), Invitation for Bids (“IFB”), or solicitation of proposals, or any other method for soliciting a response from Bidders intending to result in a procurement contract with DOH and ending with the final contract award and approval by DOH and, where applicable, final contract approval by the Office of the State Comptroller.

This prohibition applies to any oral, written, or electronic communication under circumstances where a reasonable

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

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

5.2 Questions

There will be an opportunity available for submission of written questions and requests for clarification with regard to this RFP. All questions and requests for clarification of this RFP should cite the particular RFP Section and paragraph number where applicable and must be submitted via email to EITraining@health.ny.gov. It is the bidder's responsibility to ensure that email containing written questions and/or requests for clarification is received at the above address no later than the Deadline for Submission of Written Questions as specified in [Section 1.0](#) (Calendar of Events). Questions received after the deadline may **not** be answered.

5.3 Right to Modify RFP

DOH reserves the right to modify any part of this RFP, including but not limited to, the date and time by which proposals must be submitted and received by DOH, at any time prior to the Deadline for Submission of Proposals listed in [Section 1.0](#) (Calendar of Events). Modifications to this RFP shall be made by issuance of amendments and/or addenda.

Prior to the Deadline for Submission of Proposals, any such clarifications or modifications as deemed necessary by DOH will be posted to the DOH website.

If the bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Bidder shall immediately notify DOH of such error in writing at EITraining@health.ny.gov and request clarification or modification of the document.

If, prior to the Deadline for Submission of Proposals, a bidder fails to notify DOH of a known error or an error that reasonably should have been known, the bidder shall assume the risk of proposing. If awarded the contract, the bidder shall not be entitled to additional compensation by reason of the error or its correction.

5.4 Payment

The contractor shall submit invoices and/or vouchers to the State's designated payment office:

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

Subject: Unit ID 3450257 <Contract #TBD>

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

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

Payment for invoices and/or vouchers submitted by the CONTRACTOR shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole

discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The CONTRACTOR shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email at epayments@osc.state.ny.us or by telephone at 518-474-6019. CONTRACTOR acknowledges that it will not receive payment on any invoices and/or vouchers submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

In addition to the Electronic Payment Authorization Form, a Substitute Form W-9 must be on file with the Office of the State Comptroller, Bureau of Accounting Operations. Additional information and procedures for enrollment can be found at <http://www.ocs.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, 9th Floor
Albany, NY 12236

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

1. The Contractor will be paid quarterly based on the annual bid rate for maintaining the existing training courses housed in WizIQ
2. The Contractor will be paid quarterly for the delivery of the existing ISC and E& E courses.
3. The Contractor will be paid 50% of the bid rate for, developing curricula and resources for new training courses once the curricula and all related training materials have been finalized and approved by the DOH, 25% of the bid rate once the Training course has been delivered and the final 25% after the live course product has been edited as necessary, approved by the DOH, and made available as a self-paced training.
4. The Contractor will be paid 50% of the bid rate for developing a training course based on NYSDOH Early Intervention policy and guidance issued and/or revised over the previous year once the curricula and all related training materials have been approved by the DOH and finalized, 25 % of the bid rate once the Training course has been delivered and the final 25% after the live course product has been edited as necessary, approved by the DOH and made available as a self-paced training.
5. The Contractor will be paid quarterly based on the per training course bid rate for Maintaining the new Self-paced Trainings courses once posted. The number of trainings will vary year to year as more courses are developed and maintained.
6. The Contractor will be paid 50% of the bid rate for the Needs Assessment, once the assessment tool has been approved by the DOH and 50% of the bid rate once the results have been analyzed and report has been received and approved by the DOH.
7. The Contractor will be paid quarterly based on the annual bid rate for Outreach and Communication.
8. The Contractor will be paid quarterly based on the annual bid rate for the Development and Maintenance of a Dedicated EIP Website Resource.

5.5 Minority & Woman-Owned Business Enterprise Requirements

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

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title “The State of Minority and Women-Owned Business Enterprises: Evidence from New York” (“Disparity Study”). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that DOH establish goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, DOH hereby establishes an overall goal of **30%** for MWBE participation, **15%** for Minority-Owned Business Enterprises (“MBE”) participation and **15%** for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs and outreach efforts to certified MWBE firms). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that DOH may withhold payment pending receipt of the required MWBE documentation. For guidance on how DOH will determine “good faith efforts,” refer to 5 NYCRR §142.8.

The directory of New York State Certified MWBEs can be viewed at: <https://ny.newnycontracts.com>. The directory is found in the upper right-hand side of the webpage under “Search for Certified Firms” and accessed by clicking on the link entitled “MWBE Directory”. Engaging with firms found in the directory with like product(s) and/or service(s) is strongly encouraged, and all communication efforts and responses should be well documented.

By submitting a bid, a bidder agrees to complete an MWBE Utilization Plan ([Attachment 5](#), Form #1) of this RFP. DOH will review the submitted MWBE Utilization Plan. If the plan is not accepted, DOH may issue a notice of deficiency. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt. DOH may disqualify a Bidder as being non-responsive under the following circumstances:

- a) If a Bidder fails to submit a MWBE Utilization Plan;
- b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- c) If a Bidder fails to submit a request for waiver (if applicable); or
- d) If DOH determines that the Bidder has failed to document good-faith efforts;

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

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

If the Contractor is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding will constitute a breach of Contract and DOH may withhold payment from the Contractor as liquidated damages.

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

New York State certified Minority- and Women-Owned Businesses (M/WBE) may request that their firm's contact information be included on a list of M/WBE firms interested in serving as a subcontractor for this procurement. The listing will be publicly posted on the DOH's website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its NYS M/WBE certification to EITraining@health.ny.gov before the Deadline for Questions as specified in [Section 1.0](#) (Calendar of Events). Nothing prohibits an M/WBE Vendor from proposing as a prime contractor.

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

5.6 Equal Employment Opportunity (EEO) Reporting

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

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

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

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

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

Section 5-a of the Tax Law, as amended, effective April 26, 2006, requires certain contractors awarded State contracts for commodities, services and technology valued at more than \$100,000 to certify to the Department of Tax and Finance (DTF) that they are registered to collect New York State and local sales and compensating use taxes. The law applies to contracts where the total amount of such contractors' sales delivered into New York State are in

excess of \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and subcontractors whose sales delivered into New York State exceeded \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made.

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

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

Forms are available through these links:

- ST-220 CA: http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf
- ST-220 TD: http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf

5.8 Contract Insurance Requirements

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

5.8.1. Data Breach and Privacy/Cyber Liability

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

5.9 Subcontracting

Bidder's may propose the use of a subcontractor for tasks or personnel, other than the Key Personnel described in Section 4.2 of this RFP. The Contractor shall obtain prior written approval from NYSDOH before entering into an agreement for services to be provided by a subcontractor. The Contractor is solely responsible for assuring that the requirements of the RFP are met. All subcontracts shall contain provisions specifying that the work performed by the subcontractor must be in accordance with the terms of the prime contract, and that the subcontractor specifically agrees to be bound by the confidentiality provisions set forth in the agreement between the DOH and the Contractor. DOH reserves the right to request removal of any bidder's staff or subcontractor's staff if, in DOH's discretion, such staff is not performing in accordance with the Agreement. Subcontractors whose contracts are valued at or above \$100,000 will be required to submit the Vendor Responsibility Questionnaire upon selection of the prime contractor.

5.10 DOH's Reserved Rights

The DOH reserves the right to:

1. Reject any or all proposals received in response to the RFP;
2. Withdraw the RFP at any time, at the agency's sole discretion;
3. Make an award under the RFP in whole or in part;
4. Disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP;

5. Seek clarifications and revisions of proposals;
6. Use proposal information obtained through site visits, management interviews and the state's investigation of 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 DOH be unsuccessful in negotiating with the selected bidder;
14. Utilize any and all ideas submitted in the proposals received;
15. Every offer shall be firm and not revocable for a period of three hundred and sixty-five days from the bid opening, to the extent not inconsistent with section 2-205 of the uniform commercial code. Subsequent to such three hundred and sixty-five days, any offer is subject to withdrawal communicated in a writing signed by the offeror; and,
16. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offeror's proposal and/or to determine an offeror's compliance with the requirements of the solicitation.

5.11 Freedom of Information Law ("FOIL")

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

5.12 Lobbying

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

- a) made the lobbying law applicable to attempts to influence procurement contracts once the procurement process has been commenced by a state agency, unified court system, state legislature, public authority, certain industrial development agencies and local benefit corporations;
- b) required the above mentioned governmental entities to record all contacts made by lobbyists and contractors about a governmental procurement so that the public knows who is contacting governmental entities about procurements;
- c) required governmental entities to designate persons who generally may be the only staff contacted relative to the governmental procurement by that entity in a restricted period;
- d) authorized the New York State Commission on Public Integrity, (now New York State Joint Commission on Public Ethics), to impose fines and penalties against persons/organizations engaging in impermissible contacts about a governmental procurement and provides for the debarment of repeat violators;

- e) directed the Office of General Services to disclose and maintain a list of non-responsible bidders pursuant to this new law and those who have been debarred and publish such list on its website;
- f) required the timely disclosure of accurate and complete information from offerers with respect to determinations of non-responsibility and debarment; (Bidders responding to this RFP should submit a completed and signed [Attachment 1](#), "Prior Non-Responsibility Determination".)
- g) increased the monetary threshold which triggers a lobbyist's obligations under the Lobbying Act from \$2,000 to \$5,000; and
- h) established the Advisory Council on Procurement Lobbying.

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

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

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

5.13 State Finance Law Consultant Disclosure Provisions

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

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

The successful bidder must also agree to complete a "State Consultant Services Form B, Contractor's Annual Employment Report" for each state fiscal year included in the resulting contract. This report must be submitted annually to the Department of Health, the Office of the State Comptroller, and Department of Civil Service.

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

5.14 Debriefing

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

5.15 Protest Procedures

In the event unsuccessful bidders wish to protest the award resulting from this RFP, bidders should follow the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in Chapter XI

Section 17 of the Guide to Financial Operations (GFO). Available on-line at:
<http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>

5.16 Iran Divestment Act

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website (currently found at this address: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should DOH receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, DOH will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then DOH shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the Contractor in default. DOH reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

5.17 Piggybacking

New York State Finance Law section 163(10)(e) (see also <http://www.ogs.ny.gov/purchase/snt/sflxi.asp>) allows the Commissioner of the NYS Office of General Services to consent to the use of this contract by other New York State Agencies, and other authorized purchasers, subject to conditions and the Contractor’s consent.

5.18 Encouraging Use of New York Businesses in Contract Performance

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

5.19 Diversity Practices Questionnaire

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

5.20 Participation Opportunities for NYS Certified Service-Disabled Veteran-Owned Businesses **(For use when no SDVOB Goals Exist)**

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”), thereby further integrating such businesses into New York State’s economy. DOH recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of DOH contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders/Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, DOH conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/veterans/>

Bidders are encouraged to contact the Office of General Services’ Division of Service-Disabled Veteran’s Business Development at 518-474-2015 or VeteransDevelopment@ogs.ny.gov to discuss methods of maximizing participation by SDVOBs on the Contract.

5.21 Intellectual Property

Any work product created pursuant to this agreement and any subcontract shall become the sole and exclusive property of the New York State Department of Health, which shall have all rights of ownership and authorship in such work product.

5.22 Vendor Assurance of No Conflict of Interest or Detrimental Effect

All bidders responding to this solicitation should submit [Attachment 4](#) to attest that their performance of the services outlined in this IFB does not create a conflict of interest and that the bidder will not act in any manner that is detrimental to any other State project on which they are rendering services.

5.23 Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination

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

6.0 PROPOSAL CONTENT

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

To expedite review of the proposals, Bidders are requested to submit proposals in separate Administrative, Technical, and Cost packages inclusive of all materials as summarized in Attachment A, Proposal Documents. This separation of information will facilitate the review of the material requested. No information beyond that specifically requested is required, and Bidders are requested to keep their submissions to the shortest length consistent with making a complete presentation of qualifications. Evaluations of the Administrative, Technical, and Cost Proposals received in response to this RFP will be conducted separately. Bidders are therefore cautioned not to include any Cost Proposal information in the Technical Proposal documents.

DOH will not be responsible for expenses incurred in preparing and submitting the Administrative, Technical, or Cost Proposals.

6.1 Administrative Proposal

The Administrative Proposal should contain all items listed below. A proposal that is incomplete in any material respect may be eliminated from consideration. The information requested should be provided in the prescribed format. Responses that do not follow the prescribed format may be eliminated from consideration. All responses to the RFP may be subject to verification for accuracy. Please provide the forms in the same order in which they are requested.

A. Bidder's Disclosure of Prior Non-Responsibility Determinations

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

B. Freedom of Information Law – Proposal Redactions

Bidders must clearly and specifically identify any portion of the proposal that a Bidder believes constitutes proprietary information entitled to confidential handling as an exception to the Freedom of Information Law. See section 5.11, (Freedom of Information Law)

C. Vendor Responsibility Questionnaire

Complete, certify, and file a New York State Vendor Responsibility Questionnaire. DOH recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions at <http://www.osc.state.ny.us/vendrep/index.htm> or go directly to the VendRep System online at <https://onlineservices.osc.state.ny.us>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the OSC Help Desk at 866-370-4672 or 518-408-4672 or by email at itservicedesk@osc.ny.gov

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

D. Vendors Assurance of No Conflict of Interest or Detrimental Effect

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

E. M/WBE Forms

Submit completed Form #1 and/or Form #2, Form #4 and Form #5 as directed in [Attachment 5](#), "Guide to New York State DOH M/WBE RFP Required Forms."

F. Bidder's Certified Statements

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

G. Encouraging Use of New York Businesses in Contract Performance

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

H. References

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

I. Diversity Practices Questionnaire

The DOH has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of respondents of this procurement is practical, feasible, and appropriate. Accordingly, respondents to this procurement should include as part of their response to this procurement, [Attachment 10](#) "Diversity Practices Questionnaire". Responses will be formally evaluated and scored.

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

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

6.2 Technical Proposal

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

A Technical Proposal that is incomplete in any material respect may be eliminated from consideration. The following outlines the information requested to be provided by Bidders. The information requested should be provided in the prescribed format. Responses that do not follow the prescribed format may be eliminated from consideration. All responses to the RFP may be subject to verification for accuracy.

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

Pricing information contained in the Cost Proposal cannot be included in the Technical Proposal documents.

A. Title Page

Submit a Title Page providing the RFP subject and number; the Bidder's name and address, the name, address, telephone number, and email address of the Bidder's contact person; and the date of the Proposal.

B. Table of Contents

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

C. Documentation of Bidder's Eligibility Responsive to Section 3.0 of RFP

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

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

C.1 Minimum Qualifications

- Three (3) years of experience providing instructional trainings that incorporate adult education and learning techniques using a web-based technology/application.
- The ability to issue CEU's and Certificates of Completion at the start of the contract and have two (2) years of experience creating and administering continuing education and/or training (CE/T) activities, courses, programs or other learning events. Bidder must be in compliance and accredited with IACET at the time of bid submission

C.2 Preferred Qualifications

Bidders who demonstrate the following experience are preferred:

- Two (2) years of demonstrated subject matter expertise in Early Intervention programs and services including federal and State laws and regulations.

D. Technical Proposal Narrative

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

Elements of the technical proposal are as follows:

D1.A. Existing Early Intervention Trainings

1. Maintain current Training Courses

The Bidder should describe how it proposes to maintain the ten (10) self-paced trainings available on the WizIQ Learning Management System (LMS), including:

- a. Making revisions as detailed in Section 4.1.A.1.a., as needed to the existing training.
- b. Tracking and reporting on enrollment, participation, completions, and evaluations for the existing self-paced training courses.
- c. Issuing Certificates of Completion and CEUs for existing self-paced training courses.
- d. Reaching out to participants via email, who have enrolled in a self-paced course but have not completed it within two weeks and issuing a second reminder or those participants who have still not completed the training after 30 days.

2. The Bidder should describe its approach to Delivering the existing trainings; Introduction to Service Coordination (ISC) and Introduction to Early Intervention Evaluation, Assessment, and Eligibility

Determination (E&E) quarterly, using the existing curricula and related training materials, in a live interactive web-based format, including:

- a. Distributing all training materials necessary to effectively deliver the Training Course.
- b. Being able to deliver some of the live courses outside of standard business and/or operating hours (between 9:00am and 5:00pm) if needed. This may include delivery on weekends and during evening hours.
- c. Issuing Certificates of Completion and CEUs for live courses
- d. Distributing, collecting, analyzing, and reporting on post-course evaluations from participants

D1.B. Develop and Deliver new training courses on Early Intervention Topics

1. New Trainings on Early Intervention Topics

The Bidder should describe how they propose to work in conjunction with the DOH to develop and deliver online trainings on relevant topics and use quality research methods and resources from other states and nationally, as described in section 4.1.B.1 of this RFP, to create web-based trainings for the target audience. The Bidder should include how they then plan to make the training available on a DOH approved LMS as a self-paced training.

The Bidder should describe their approach for development, coordination, reproduction, and distribution of all training materials required to effectively deliver the training courses. This should include providing all related training materials; including course training manual, trainer script, course evaluation tools, resource materials, printable pdf material -, course activities, checks for understanding, pre- and post-tests, and course evaluations surveys to the DOH for written approval at least thirty (30) business days prior to utilizing any of the training materials and/or delivering the curricula to ensure that clinical policy and regulatory content is appropriately included for all courses.

The Bidder should detail their plan to make training curricula and any ancillary materials available to the participants through the LMS at least ten (10) business days prior to the scheduled training session so that participants have ample time to access the materials. These materials include, but are not limited to course handouts, activities, pre- and post-tests, and course evaluations.

The Bidder should describe their approach to recording the live webinar and maintaining any supporting documentation such as questions and answers and training materials, that will be made available as a self-paced training course on the DOH approved LMS (as detailed in 4.1.E. Learning Management Platform and Dedicated EIP Training Website Requirements.) for future viewing.

The Bidder should describe how they plan to make any revisions that may be required to the live webinar prior to being finalized and made available as a self-paced course.

The Bidder should describe its plan to forward any questions that cannot be answered but the course trainer/instructor(s), via email to the DOH for response.

The Bidder should detail their approach to:

- a. Providing Certificates of Completion to participants who successfully complete a web-based training course, as described in Section 4.1.B.1.a of this RFP, within 24 hours of course completion.
- b. Awarding Continuing Education Units (CEUs) to participants who successfully complete a web-based training course.
- c. Creating a survey/evaluation tool for each training course, to be used for both the live and self-paced trainings, by developing, integrating, distributing, and collecting post-course evaluations from participants, evaluating results, and providing this analysis to the DOH.

1. The Bidder should describe their approach to providing one comprehensive evaluation report for each live training to the DOH within three (3) weeks post conclusion of the live delivery, that includes but is not limited to:

- Course enrollment
- Certificates of completion
- Breakdown of participants by title or role
- Number of years providing EI services and percentage breakdown in each
- Quality of course by percentages
- Impact of the course
- Level of self-assessed knowledge before & after course
- Listed areas in which more training would benefit participants
- Overall course satisfaction

2. The Bidder should describe their approach to providing one comprehensive evaluation report including the same elements listed above, for each self-paced course using data from the first three-month period after posting, to the DOH within three (3) weeks after the end of that three-month period.

2. Review of DOH Guidance Training

The Bidder should detail their plan to develop and deliver five (5) “live” online trainings, between one (1) and two (2) hours long, using guidance the DOH developed and disseminated to the field. and make it available on the LMS as a self-paced training.

The Bidder should detail their approach to:

- a. Providing Certificates of Completion, including CEUs if applicable, to participants who successfully complete a web-based training course, as described in Section 4.1.B.2.a of this RFP, within 24 hours of course completion.
- b. Creating a survey/evaluation tool for each training course, to be used for both the live and self-paced trainings, by developing, integrating, distributing, and collecting post-course evaluations from participants, evaluating results, and providing this analysis to the DOH.

1. The Bidder should describe their approach to providing one comprehensive evaluation report for each live training to the DOH within three (3) weeks post conclusion of the live delivery, that includes but is not limited to:

- Course enrollment
- Certificates of completion
- Breakdown of participants by title or role
- Number of years providing EI services and percentage breakdown in each
- Quality of course by percentages
- Impact of the course
- Level of self-assessed knowledge before & after course
- Listed areas in which more training would benefit participants
- Overall course satisfaction

2. The Bidder should describe their approach to providing one comprehensive evaluation report including the same elements listed above, for each self-paced course using data from the first three-month period after posting, to the DOH within three (3) weeks after the end of that three-month period.

3. Maintain self-paced training courses

a. The Bidder should detail their plan to make modifications/revisions and/or updates to the converted trainings, at the request of the DOH, that will include modifying, updating, and/or adding slides

and/or resources when necessary, and updating or adding any corresponding audio in the existing self-paced training available on the LMS.

- b. The Bidder should detail their plan to track and report on enrollment, participation, completions, and evaluations for the existing self-paced training courses.
- c. The Bidder should detail their plan to issue Certificates of Completion and CEUs for existing self-paced training courses.
- d. The Bidder should detail their plan to reach out to participants who have enrolled in a self-paced course but have not completed it within two weeks, and to send a second reminder to those participants who have still not completed the training after 30 days.

D1.C Needs Assessments

Training Needs Assessment

The Bidder should describe their approach to using the existing Needs Assessment Survey and modifying it as needed to conduct one training needs assessment per year that will identify gaps in topic areas that are consistent with federal and State laws, regulations, and EI policies and evidence-based practices, to ensure knowledge of EI requirements that support the EIP and to assist the DOH in identifying topics where new trainings may be needed.

The Bidder should detail their plan to analyze and report findings to the DOH within 30 days of completion of each annual assessment, that identify potential training needs based on analysis of the Needs Assessment and include suggestions of future training topics that align with results of the assessment.

The Bidder should describe how they will work with the DOH to plan and prepare and/or revise/edit trainings, when applicable, based on the results of the Needs Assessment.

D1.D Outreach and Communications

1. Communications

The Bidder will describe their approach to assist the DOH in the development of drafting training related communications and outreach, that includes, but is not limited to:

- Training Schedules
- Outreach to professional organizations (examples include, New York State Speech-Language Hearing Association (NYSSLHA), New York State Physical Therapy Association (NYPTA), etc.) to promote the availability of training
- Outreach to the EI stakeholder community (examples include, EI providers, municipal EI staff) to promote the available training
- List Serve announcements

2. Early Intervention Coordinating Council Meetings (EICC)

The Bidder should detail their plan to attend one EICC Meeting per year in person or virtually, with DOH approval, and present on current and upcoming training course offerings, course evaluation results, and needs assessment analysis.

3. Outreach to students and relevant professional associates

The Bidder should describe their approach to develop and/or incorporate existing EI materials for potential use with high school, college, and university students, and relevant professional associates as an introduction to the Early Intervention Program.

D1.E EI Learning Management Platform and Dedicated EIP Training Website Requirements

1. Learning Management System (LMS)

The Bidder should describe their approach to identify and implement the use of a cost-effective, synchronous web-based training Platform, acceptable to the DOH, to deliver live, interactive trainings that

provide the necessary audio needed for two-way communication from the trainer to the trainees. is readily accessible and is supported by a variety of browsers.

The Bidder should describe the necessary technology and related equipment, such as phone lines, internet access, that they will have in place to maintain two-way communication between the trainer and trainees.

The Bidders description should include how the LMS will have the capabilities listed below:

- The capacity to register up to 75 participants for per training course
- Unlimited capacity for enrollment over the contract term
- A mechanism to ensure that the trainee is fully engaged throughout the entire training session
- A mechanism in which attendees can pose questions after completing a recorded training session and receive responses
- The ability to create break out rooms for activities
- A method for participants to take self-paced trainings
- The ability to disseminate and collect course evaluation surveys
- The ability to issue Certificates of Completion

2. Provide a website resource for the primary target audience

The Bidder should describe their approach to develop and maintain a training website that includes but is not limited to:

- Description of each web-based training course available;
- Calendar of scheduled live trainings;
- User Manual/Guide;
- Course registration and confirmation process;
- Information on obtaining Certificate of Completion/Attendance;
- Professional Development hours earned per course;
- FAQ area that includes:
 - Responses to questions received during the live training session and any posed subsequently during non-live session; and
 - An informational document to assist course participants; items such as logging on to live and recorded training sessions.
- Means to obtain information about earning CEUs;
- Contractor contact information; and
- DOH of Health, Bureau of Early Intervention contact information.

D2. Staffing and Qualifications

The bidder should provide a staffing plan that demonstrates how the Contractor intends to utilize management, key personnel, and other staff for completion of services that includes the following for each:

- A. Title, responsibility, and type of staff available and physical location of bidder's staff to be engaged in the online training project;
- B. How the bidder plans to recruit and train an adequate number of staff;
- C. Bidder's ability to provide qualified staff to carry out the projected workload during the contract and how they plan to provide staff to meet the scope of work over the entire contract period;
- D. Bidder's ability to provide sufficient additional management and administrative support staff necessary to organize, prepare and carry out all administrative tasks associated with conducting the services;
- E. How the Bidder intends to maintain the staffing levels and personnel planned;
- F. An organizational chart that delineates the titles of the staff responsible for fulfilling the tasks/deliverable detail in Section 4.0 Scope of Work, their lines of communications, and demonstrates how the organization intends to organize staff and management for this project

D3. Reporting

The Bidder should detail their plan to fulfill the following reporting requirements:

- A. Report on the effectiveness of trainings delivered by collecting, analyzing, and submitting to the DOH a comprehensive review of the course evaluation forms completed by trainees after the initial live training session, within three (3) weeks post conclusion of delivery of the live training course. The DOH reserves the right to request and review all training evaluation forms.
- B. Report on the effectiveness of the self-paced trainings by collecting, analyzing, and submitting to the DOH a comprehensive review of the course evaluation forms completed by trainees within three (3) weeks after the end of the first quarter after the posting of the self-paced course.
- C. Report any questions to the DOH that are received during a training session that could not be answered by the trainer, or that require input or clarification from the DOH. All responses provided by the DOH are required to be posted on the Contractor's webpage, within two weeks of receipt of the DOH's response.
- D. Live Webinar Training Participation Report submitted with each voucher or at the request of the DOH.
- E. Archived Webinar Training Participation Report submitted with each voucher or at the request of the DOH.
- F. Quarterly reports on each self-paced course that includes, but is not limited to:
 - Course enrollment and completions
 - Quality of Course
 - Impact of Course
 - Participant Recommendations

D4. Information Technology

The Bidder should describe their Proposed Approach to Information Technology as described in Section 4.4 of this RFP

D5. Security.

The Bidder should describe their plan to comply with all privacy and security policies and procedures of the DOH (<https://its.ny.gov/eiso/policies/security>) and applicable State and federal law and administrative guidance with respect to the performance of this contract and how they will, if applicable, execute a number of security and privacy agreements with the DOH including a Business Associate Agreement (Appendix H) and a Data Use Agreement (DUA) at contract signing.

The Contractor should describe their plan to provide secure and confidential backup, storage and transmission for hard copy and electronically stored information; ensure any Subcontractor hired by Contractor who stores, processes, analyzes or transmits MCD on behalf of Contractor has the appropriate Security requirements in place. Contractor is required to include in all contracts and Business Associate Agreements with their Subcontractors language surrounding the security and privacy requirements as well as the language contained in the Confidentiality Language for Third Parties section of the DUA; and how they plan to notify the DOH immediately, if any breach or suspected breach of the data or confidentiality occurs, whether the breach occurred with the Contractor or Subcontractor.

The Bidder should describe their plan to maintain and provide to the DOH upon request their data confidentiality plans and procedures for meeting security requirements as they relate to the deliverables and services within this RFP, including all plans as they relate to subcontractor work where applicable.

The Bidder should describe their plan to develop and maintain adequate fully trained staff to respond to all stakeholder inquiries while protecting confidentiality and maintaining the security and integrity of all systems.

The Bidder should describe how they plan to 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 this contract.

D6. Transition

The Bidder should describe their plan to ensure that any transition to the DOH, DOH agency or successor Contractor be done in a way that provides the DOH with uninterrupted (fill in the services) services, that includes a complete and total transfer of all data, files, reports, and records generated from the inception of the contract through the end of the contract to the DOH or another DOH agent should that be required during or upon expiration of its contract.

The Bidder should describe their plan to provide technical and business process support as necessary and required by the DOH to transition and assume contract requirements to the DOH or another DOH agent should that be required during or at the end of the contract.

The Bidder should describe their plan to manage and maintain the appropriate number of staff to meet all requirements listed in the RFP during the transition. All reporting and record requirements, security standards, and performance standards are still in effect during the transition period.

The Bidder should describe their approach to developing a work plan and timeline to securely and smoothly transfer any data and records generated from the inception of the Contract through the end of the contract to the DOH or another DOH agent should that be required during or upon expiration of its contract, that will be submitted to the DOH no later than four (4) months before the last day of its contract with the DOH of Health or upon request of the DOH.

6.3 Cost Proposal

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

The bid price is to cover the cost of furnishing all of the said services, including but not limited to travel, materials, equipment, overhead, profit and labor to the satisfaction of the DOH of Health and the performance of all work set forth in said specifications.

7.0 PROPOSAL SUBMISSION

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

Submit **three (3), open and permission password protected**, PDF proposals in separate emails to: EITraining@health.ny.gov with the subject "<Type of Proposal Submission, Bidder name, RFP #_____>"

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

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

The body of the email submitted should also include the password and indicate the number of total pages intended, and where indicated each subset of pages listed. Example: Technical proposal 30 pages total, Attachment C, 17 pages. A font size of eleven (11) points or larger should be used with appropriate header and footer information. In the event an electronic submission cannot be read by the Department, the Department reserves the right to request a hard copy and/or electronic resubmission of any unreadable files. Offeror shall have 2 business days to respond to such requests and must certify the resubmission is identical to the original submission.

1. Where signatures are required, the proposal should have a handwritten signature and be signed in blue ink. A scanned signature can be used for electronic submission in the PDF. The Department reserves the right to request hardcopy originals of all signature pages at any time.

2. The NYSDOH discourages overly lengthy proposals. Therefore, marketing brochures, user manuals or other materials, beyond that sufficient to present a complete and effective proposal, are not desired. Elaborate artwork or expensive paper is not necessary or desired. In order for the NYSDOH to evaluate proposals fairly and completely, proposals should follow the format described in this RFP to provide all requested information. The Bidder should not repeat information in more than one section of the proposal. If information in one section of the proposal is relevant to a discussion in another section, the Bidder should make specific reference to the other section rather than repeating the information.

3. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation team; and

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

7.1 No Bid Form

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

8.0 METHOD OF AWARD

8.1 General Information

DOH will evaluate each proposal based on the "Best Value" concept. This means that the proposal that best "optimizes quality, cost, and efficiency among responsive and responsible offerers" shall be selected for award (State Finance Law, Article 11, §163(1)(j)).

DOH at its sole discretion, will determine which proposal(s) best satisfies its requirements. DOH reserves all rights with respect to the award. All proposals deemed to be responsive to the requirements of this procurement will be evaluated and scored for technical qualities and cost. Proposals failing to meet the requirements of this document may be eliminated from consideration. The evaluation process will include separate technical and cost evaluations, and the result of each evaluation shall remain confidential until evaluations have been completed and a selection of the winning proposal is made.

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

Bidders may be requested by DOH to clarify the contents of their proposals. Other than to provide such information as may be requested by DOH, no Bidder will be allowed to alter its proposal or add information after the Deadline for Submission of Proposals listed in [Section 1.0](#) (Calendar of Events).

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

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

8.2 Submission Review

DOH will examine all proposals that are received in a proper and timely manner to determine if they meet the proposal submission requirements, as described in [Section 6.0](#) (Proposal Content) and [Section 7.0](#) (Proposal Submission), including documentation requested for the Administrative Proposal, as stated in this RFP. Proposals that are materially deficient in meeting the submission requirements or have omitted material documents, in the sole opinion of DOH, may be rejected.

8.3 Technical Evaluation

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

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

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

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

8.4 Cost Evaluation

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

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

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

A is Total price of lowest cost proposal;
B is Total price of cost proposal being scored; and
C is the Cost score.

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

8.5 Composite Score

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

8.6 Reference Checks

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

8.7 Award Recommendation

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

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

ATTACHMENTS

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

1. [Bidder's Disclosure of Prior Non-Responsibility Determination](#)
2. [No-Bid Form](#)
3. [Vendor Responsibility Attestation](#)
4. [Vendor Assurance of No Conflict of Interest or Detrimental Effect](#)
5. [Guide to New York State DOH M/WBE Required Forms & Forms](#)
6. [Encouraging Use of New York Businesses in Contract Performance](#)
7. [Bidder's Certified Statements](#)
8. [DOH Agreement](#) (Standard Contract)
9. [References](#)
10. [Diversity Practices Questionnaire](#)
11. [Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination](#)

The following attachment is included in this RFP:

- A. Proposal Document Checklist

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

- B. Cost Proposal
- C. Existing Training Courses
- D. Sample Evaluation Survey Tool
- E. Needs Assessment Survey

**Attachment A
PROPOSAL DOCUMENT CHECKLIST**

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

RFP20064 – Early Intervention Statewide Web-Based Training		
FOR THE ADMINISTRATIVE PROPOSAL		
RFP §	SUBMISSION	INCLUDED
§ 6.1.A	Attachment 1 – Bidder’s Disclosure of Prior Non-Responsibility Determinations, completed and signed.	<input type="checkbox"/>
§ 6.1.B	Freedom of Information Law – Proposal Redactions (If Applicable)	<input type="checkbox"/>
§ 6.1.C	Attachment 3- Vendor Responsibility Attestation	<input type="checkbox"/>
§ 6.1.E	Attachment 4 - Vendor Assurance of No Conflict of Interest or Detrimental Effect	<input type="checkbox"/>
§ 6.1.F	M/WBE Participation Requirements:	<input type="checkbox"/>
	Attachment 5 Form 1	<input type="checkbox"/>
	Attachment 5 Form 2 (If Applicable)	<input type="checkbox"/>
§ 6.1.G	Attachment 6- Encouraging Use of New York Businesses	<input type="checkbox"/>
§ 6.1.H	Attachment 7 - Bidder’s Certified Statements, completed & signed.	<input type="checkbox"/>
§ 6.1.I	Attachment 9 – References	<input type="checkbox"/>
§ 6.1.J	Attachment 10 - Diversity Practices Questionnaire	<input type="checkbox"/>
§ 6.1.K	Attachment 11 - Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination	<input type="checkbox"/>
FOR THE TECHNICAL PROPOSAL		
RFP §	SUBMISSION	INCLUDED
§ 6.2.A	Title Page	<input type="checkbox"/>
§ 6.2.B	Table of Contents	<input type="checkbox"/>
§ 6.2.C	Documentation of Bidder’s Eligibility (Requirement)	<input type="checkbox"/>
§ 6.2.D	Technical Proposal Narrative	<input type="checkbox"/>
§ 6.2.E	<<List any Required Attachments to Complete Technical Proposal>>	<input type="checkbox"/>
FOR THE COST PROPOSAL REQUIREMENT		
RFP §	REQUIREMENT	INCLUDED
§ 6.3	Attachment B- Cost Proposal	<input type="checkbox"/>