



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF ADMINISTRATION
BUREAU OF BUDGET AND FISCAL MANAGEMENT

PURCHASING MEMORANDUM

DATE: January 8, 2014

PLEASE ADDRESS INQUIRIES TO:

Ron Wachenheim, *Purchasing Team Supervisor*
Telephone Number: 518/486-6669
E-Mail: ron.wachenheim@ag.ny.gov

BID NO.: 13-006

TITLE: IT Personal Services

BID OPENING: January 16, 2014

CONTRACT PERIOD: April 1, 2014 through March 31, 2019

SUBJECT: Answers to Questions/Inquiries

TO: ALL PROSPECTIVE BIDDERS

Due to the holiday season, wintry weather and to accommodate requests from several bidders, the following Key Date/Event is revised as follows:

- a) Bid Opening (Proposal Due Date): changed from January 16, 2014 to **January 21, 2014**.
(We are on a very tight schedule to ensure timely issuance of new contracts; so this is the best we can do)

In reference to the above bid solicitation, the following questions/inquiries were submitted by the January 6, 2014 deadline. We are hereby providing answers to each question below:

1. QUESTION: Please advise what specific details are required for the twenty (20) resources provided under each category (out of the six categories) for which we want to bid. Specifically:
- Kindly advise as to the chronological years during which we are expected to have provided these twenty (20) resources, under that category, and
 - Do you need phone numbers and project details for all twenty (20) resources provided for that category; or, will it suffice if we provide the manager's name, phone number, and the number of consultants who worked for him under that category?

ANSWER: a) Page 16, Section D, 1st paragraph indicates "within the last three years"; b) Page 16, Section D, 3rd paragraph already indicates minimum information to be provided.

2. QUESTION: Kindly advise if we can meet your requirement, by submission of a table for the past three (3) years, giving breakdown with client names/phone numbers, and number of candidate/resource provided for each client, for each category --with total number of resources provided-- equal to or in excess of twenty (20) resources required -- under that category. Do we need to provide phone numbers for each consultant—or only for the manager(s) for whom the resource(s) worked?

ANSWER: Use your discretion to present data in best (easy-to-read) format. Only contact information of company/agency is needed.

3. QUESTION: Kindly advise the number of years during which we are expected to have provided these twenty (20) resources under the category we are bidding for. --- - for instance, say during past 2 or 3 years?
- ANSWER: **See answer to Question #1a on Page 1 of this memo.**
4. QUESTION: Please advise if it is necessary to have all the required twenty (20) placements from NY State government/City agencies, or if we are allowed to have some of these references from private sector clients?
- ANSWER: **No; it is not necessary for all placements to be from NY State government/City agencies.**
5. QUESTION: Regarding the matter of providing twenty (20) references, kindly let us know, if we would be allowed to submit the references for three (3) consultants who are currently working for us at OAG – as a part of meeting the twenty (20) project references.
- ANSWER: **Current OAG consultants cannot be counted. Past consultants can be counted though.**
6. QUESTION: As regards the twenty (20) placements, please advise if a) we have to submit the resume of each resource (placement), and b) whether a resource (placement) can cover more than one category for which we want to submit our bid.
- ANSWER: **Resumes are not required; and the bidder must have placed 20 different resources. The only exception is as detailed on Page 16, Section D, 3rd paragraph, where “The resource (placement) must be unique to each category. Only in the “Development” and “Integration” categories may the resource appear in multiple categories.”**
7. QUESTION: A) Company agency name: We believe it is the client name for whom the resource worked. B) Contact information: Please advise what information we need to provide under this requirement. If it is the client name, location, we have that on file. If it is phone number of the resource, we can provide the phone number we have available on file. Kindly advise.
- ANSWER: **A) Correct; B) Company/agency contact information, not resource contact information.**
8. QUESTION: On pages 12 - 14, under section 4, the OAG Computing Environment is described. Would you provide a description of skills in which OAG currently utilizes consultants?
- ANSWER: **Consultants are used primarily as Subject Matter Experts for technologies listed in our Computing Environment, and are expected to be Mastery Level Users in those areas; and should hold current technical certifications and have years of experience using those technologies.**
9. QUESTION: As regards the three (3) client references to be provided for each category, we would like to know, if we can provide two (2) separate manager’s reference at a client site for that category, and whether these two (2) managers’ references will be counted towards meeting the total three (3) client references, for each category?
- ANSWER: **It has to be three (3) client references from three (3) different client sites/locations.**
10. QUESTION: Are these on-site rates at the location or can any of the work be completed remotely or off-shore?
- ANSWER: **Page 23, under Section 7.A.3, the RFP already indicates all consultants need to be physically able to be placed on-site in Albany, Troy and New York City offices.**
11. QUESTION: Is there a typical duration for an engagement? The sheet at the end lists 2000 hours (1 year). Will all awards be for a 1-year period?
- ANSWER: **There is no typical duration as it varies depending on the task assignment. The contract awards will be for five (5) years, but the duration of specific task assignments will vary.**
12. QUESTION: Can you provide the 2014 State reimbursement rates for travel expenses (Section E, page 7). Should travel expenses be included with rates or separate?
- ANSWER: **There is no Section E on Page 7. Nevertheless, travel expenses are not required for this RFP, and should not be included in proposed hourly rates.**

13. QUESTION: For documents the vendors will need to fill out, is it possible to get a Word version so we can edit more easily and provide a clear typewritten response?
ANSWER: **Bidders may, upon request, obtain a Word version of the RFP.**
14. QUESTION: Section 4.5.1; Requirement D: Please specify the information required beyond the resource/placement's name for the twenty (20) placements?
ANSWER: **Please see answer to Question #1b.**
15. QUESTION: Section 4.5.4; Requirement A: What information is required to be provided for sub-contractors identified in a bidder's response?
ANSWER: **Company name, contact information, and any basic information about sub-contractor(s).**
16. QUESTION: Section 5.3; The Price Quote Form has an estimated number of 2,000 hours listed for each Job Classification. Is this a per resource estimate or total overall usage? If per resource: What is the estimated budget for task orders under this contract annually per category? How many task orders do you anticipate issuing per year? What is the average number of resources engaged per task order?
ANSWER: **The 2,000 hours represents maximum per person/resource. Estimated budget is contingent on budgetary resources granted to the OAG for each fiscal year. Number of task orders depends on the projected length of the engagements/projects that occur during the life of the contract. Average number of resources depends on the size of the project. In some areas, we may have several resources, and others may only have one resource.**
17. QUESTION: Page 4, Section 1.2, Bid Opening; Will OAG publish the names of the responding companies via email or your website, or do vendors need to attend the opening to get this information?
ANSWER: **Attending the bid opening will be only way to know which bidders submitted proposals.**
18. QUESTION: Page 5, Section 2.2, D. Proposer References; Are references from other state Attorney Generals Offices more desirable than volume references?
ANSWER: **We have no preference; but at least one (1) reference needs to be from a governmental entity and all three need to be distinctly different proposer references.**
19. QUESTION: Page 5, Section 2.2, Bid Format and Content; Can 3-hole binders be used for the hard copy proposal submission?
ANSWER: **Yes, 3-hole binders are acceptable; so long as pages can be easily removed.**
20. QUESTION: Page 16, Regarding Placements; May a placement made prior to three years ago that still provided billable services during the 3 year placement period be counted?
ANSWER: **Page 16, Section D, 3rd paragraph already indicates this is acceptable.**
21. QUESTION: Page 16, References verification as needed; If a reference is being contacted for clarification will OAG inform the vendor of such efforts?
ANSWER: **No. Just like after someone interviews for a job, that person isn't notified their references were contacted.**
22. QUESTION: Page 14, In-house Developed Applications; Do these applications utilize Oracle Business Intelligence Enterprise Edition or Oracle Reports/Forms?
ANSWER: **Oracle Reports/Forms.**

23. QUESTION: General: Will experience as a vendor on the current OAG short-list contract be taken into consideration?
ANSWER: **No.**
24. QUESTION: Section 2.2, Letter D, Will OAG consider relaxing the requirement for signed references as many State Agencies require a lengthy approval process for signed references and/or use of letterhead?
ANSWER: **No, the Reference Forms on Pages 39-41 must be signed by the Reference contact answering the questions.**
25. QUESTION: Section 4.2, Scope of Work, which category does OAG utilize the most?
ANSWER: **If you mean most consultants or most task assignments, it would be Integration.**
26. QUESTION: Proposal Quote Form, Does OAG intend to let mini bids for a uniform amount of hours per category and job/expertise classification across the board of 2,000 hours annually?
ANSWER: **We cannot say it will be uniform amount of hours per category because it depends on the type of engagements requested on each of the task assignments.**
27. QUESTION: We assume that if a vendor is bidding on multiple Category of Expertise, they do not necessarily need to submit a separate proposal for each Category of Expertise. We assume that only unique information related to a particular Category of Expertise proposed needs to be provided multiple times; all other common information can be submitted once. Please confirm.
ANSWER: **Yes this is correct.**
28. QUESTION: Page 5, Section D. Please explain what is meant by independent in this item: (a) The minimum of three (3) references are independent of the twenty (20) resources (placements). For an example, if the 20 resources are placed at 4 different organizations/agencies, does this mean that these four organizations/agencies cannot be used as a reference for that specific category?
ANSWER: **The twenty (20) resources (placements) can be comprised of several organizations/agencies, meaning they do not necessarily have to only come from the three (3) references.**
29. QUESTION: Page 17, 2. Bidder Recruitment and Deployment, Section D. “Specialized training is the responsibility of the vendor to provide before and during the length of the engagement as required by the OAG. The contractor will not be allowed to bill the OAG while the contract staff is in training.”
Who is responsible for the cost of the training class? Who is responsible for the hourly wage rate while in training? What is considered necessary training before the training? How often or what is the history in sending consultants to specialized training?
ANSWER: **The contractor is responsible for any training/preparation (and all related costs) as may be required prior to the consultant starting work for the OAG.**
30. QUESTION: Page 17, 2. Bidder Recruitment and Deployment, Section D. In what format do you want the vendors to list their placements for the bidding categories?
ANSWER: **Use your discretion as to presenting the information in the best (easy-to-read) format.**
31. QUESTION: Page 18, Section 3B. Please explain the extent of written reports for vendors.
ANSWER: **This is a task for the consultant, to provide status of current project(s).**
32. QUESTION: Page 18, Section 4A. Can a vendor send in a subcontractor list at time of proposal submission for pre-approval?
ANSWER: **Bidders are required to identify all proposed sub-contracts with its proposal.**

33. QUESTION: Page 19, Section 5.3. In regards to travel expenses, this section states travel is included in the rate. However, Page 6 Section E states travel is excluded in the rate. Please clarify how travel is being handled.

ANSWER: **The word “travel” on Page 19, Section 5.3 is hereby deleted. Travel is not a required part of the RFP and should not be included in proposed hourly rates. During the Task Order solicitation process, the assignment will indicate if travel is required, but it will still not be included in any proposed hourly rates. It will be handled separately from the hourly rates.**

34. QUESTION: Page 24, Section 7A4. Can the Procurement Lobbying Form and the Data Confidentiality Agreement be submitted at Selection instead of Submission?

ANSWER: **All documentation is required to be submitted with bid proposal, as it will be part of the Mandatory Requirements review. See Page 21 under Proposal Evaluation Process.**

35. QUESTION: Page 25, Section B. Please define what is unacceptable in this paragraph: If on three (3) consecutive assignments, a qualified contractor submits a resource(s) that OAG finds unacceptable because the resource(s) did not meet the specific assignment requirements, OAG reserves the right to terminate the contractor from receiving future task order solicitations. Current resources will stay until their assignment is completed. Please note it is only in instances where the OAG had a resource working in our agency that was not meeting our needs does this count as one of the three (3) unsuccessful attempts.

ANSWER: **If the resource is not providing the mandatory/desired experience spelled out in the task assignment and/or is not completing the required project(s) to the satisfaction of the OAG, and if this occurs with 3 consecutive resources provided by the contractor to the OAG, the OAG can terminate the contractor from receiving future task order solicitations.**

36. QUESTION: Section 4.5 Specification Requirements - 1. Bidder Qualifications Requirement D - 4th Paragraph, the following was stated: "If two vendors are partnering, placements must be submitted by, and come from, only the primary Bidder. The primary Bidder must also list how placement numbers were compiled." I own a small MBWE firm and have 10 resources that I have placed within a specific category over the past three years through my company. Another small MBWE firm that I have worked with in the past also has 10 different resources that they have placed within the same category over the past three years. Can we submit a bid to this RFP and pool our resources to submit 20 resources to the specific category? One of us would be named on the bid as the Prime contractor.

ANSWER: **Yes, two vendors can partner and share resources; but only one vendor is permitted to be the primary bidder for this RFP. The other vendor cannot submit a bid.**

37. QUESTION: Section 1.1 / final paragraph, can you expand or clarify definition of minimal travel between Albany/Troy and New York City?

ANSWER: **Minimal means only on occasion (infrequent).**

38. QUESTION: Section 1.1, Bid Overview, “This bid solicitation is similar to the OAG’s immediate previous RFP #08-011”. Please provide information related to the number of consultants for each of the categories and the amount of budget that OAG spent under this previous contract.

ANSWER: **We have had a range from 11-37 consultants across all categories in the OAG at any one time during the life of the current contract. Expenditure information for all state contracts (not just the OAG) is available on the State Comptroller’s Office website.**

39. QUESTION: Page 27, will preferences be given to the incumbent 7 vendors or HBIT awardees?

ANSWER: **No.**

40. QUESTION: Although NYS OAG is not mandated to fulfill NYS Woman-Owned and Minority-Owned Goals, will you consider adding in these goals to this contract to benefit small, diversity-owned firms? If so, will you be utilizing the 20% goal or a different one?

ANSWER: **Since the OAG is indeed not mandated to follow these guidelines, no goals will be set; but Page 18, Section 4A indicates we still encourage bidders to work with MWBE firms.**

41. QUESTION: Will NYS OAG consider changing the number of placements required per category to 10 or change the qualification to a certain dollar amount of IT placements over the last 3 years instead? This would be more in line with the other personal services lists throughout the state of NY which allow for more small business participation. The 20 placement requirement, per category, eliminates many small businesses from qualifying.

ANSWER: **No, but please see answer to Question #36 on Page 5 of this memo.**

42. QUESTION: Regarding page 16, paragraph 4 that references vendors that are partnering, can you please clarify what is meant by “placements must be submitted by and come from only the primary bidder?”

ANSWER: **Only the primary bidder can submit the list of placements. The partnering vendor cannot submit a bid and provide their list of placements.**

43. QUESTION: Is it possible for two vendors to partner on this services opportunity and only use one as the prime but use both companies' placements over the last 3 years to meet the 20 person placement qualification per category or no? These placements have been contracted through each entity directly and not through one another.

ANSWER: **Please see answer to Question #36 on Page 5 of this memo.**

44. QUESTION: On page 6, it is stated that "one Reference Form cannot be used for multiple categories (only one per category)". Services for a client may span multiple categories (e.g. Development, Database/Application Server Administration and Management & Analysis). Is it possible to use the same client/reference in multiple categories using a separate Reference Form in each specific category?

ANSWER: **Yes, Page 16, right hand column, already indicates “The same reference may be used for more than one category.”**

45. QUESTION: Our experience with prior procurement efforts is that upon reviewing the formal agency responses to vendor questions, additional questions or further clarification may be needed based on the information provided in the responses. What process should the vendors follow in the event that such a situation arises?

ANSWER: **Only questions related to preparation of bid proposal may be submitted by e-mail for response. No other technical questions will be answered.**

46. QUESTION: Would you please identify the vendors to whom this RFP was distributed?

ANSWER: **We do not publish our bidder mailing list.**

47. QUESTION: On page 6 Section D paragraph c) It states that one reference form cannot be used for more than one category. On Page 16 Section D paragraph 1 (right side) it is stated that “the same reference can be used for more than one category”. Please clarify that we can use the same reference person for more than one category, however it must be a different form for each category.

ANSWER: **This is correct; different form for each category.**

48. QUESTION: On page 6 Section 2.3 It states that forms shall be completed in ink and manually signed. Is the proposer meant to print forms and fill them out completely in pen versus completing them on the computer and then printing them to be signed in pen?

ANSWER: **It can be done either way, so long as the original proposal is signed in pen/ink.**

49. QUESTION: On page 16 section D paragraph 3 (left side) please confirm the format for submitting the placement. The requested info is:

Company or Agency Name
Contact Info (Company contact or consultant contact)
Placement Resource
Category
Subcontractor Name

ANSWER: **Confirmed; and noting the contact info means the company contact.**

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50. QUESTION: On page 16 Section D paragraph 7 (left side) it states “The reference form may be submitted with the bid in original, photocopied or facsimile version.” Does this mean that the form submission is optional with the proposal and can be sent later? If so when are the references due?

ANSWER: **The reference form is required and needs to be submitted with the bid and is due by the bid opening date. The form itself can be returned to you (or submitted directly to the OAG) from the Reference in original, photocopied or facsimile version.**

51. QUESTION: On page 17 Section 2.A. It states that the proposer must submit its relevant standards and procedures. Please clarify if you are asking for the proposer’s internal procedures or an example of how the proposer would address the requested services? Additionally, what is the current number of consultants and what is the expected number of consultants?

ANSWER: **This Section already says “provide a sample”, meaning a sample of standards/procedures used in meeting this requirement. Current number of consultants is 11; but we do not yet know what the expected number of consultants will be as a result of this RFP.**

52. QUESTION: On page 18 in Section 3.B. It states that the Bidder’s Staff will meet weekly with an OAG staff member. Does this refer to the proposer’s consultant or fulltime staff of the proposer?

ANSWER: **The proposer’s consultant.**

53. QUESTION: On page 18 in Section 4.A. It states that the Bidder must notify and must identify all proposed sub-contractors and a description of how and to what extent the Bidder proposes to utilize sub-contractors. Are you requested specific information on the subcontractor or is there a form that must be filled out?

ANSWER: **We are requesting information about the sub-contractor(s). No forms are available or needed to fill out.**

All other terms and conditions of the bid solicitation remain the same.

This Purchasing Memorandum is to be signed, submitted and made a part of your bid. If you have any questions, do not hesitate to contact the person listed on top of this memorandum.

VENDOR: _____

ADDRESS: _____

SIGNATURE OF BIDDER: _____

DATE: _____