
BIDDERS' CONFERENCE
STATEWIDE UTILIZATION
MANAGEMENT PROGRAM
RFP 2015-03

LOCATION: NYS DOCCS Training Academy
1134 New Scotland Road
Room 123
Albany, New York

DATE: April 17, 2015

PRESENT: Kathleen Kiley - Assistant Counsel DOCCS Counsel's Office
Kathleen Gallagher - Contract Procurement Unit DOCCS
Carol Turo - Contract Procurement Unit DOCCS
Glenn Kreig - Budget Medical Bill DOCCS
Brooke Blaise - Assistant Director Health Services DOCCS
Nancy Lyng - Director Health Services Operation &
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Darlene Horner - Budget DOCCS
Deborah Jackson - Contract Procurement Unit DOCCS
Lori Lombardi - Supervisor Utilization Management DOCCS

Katherine McCracken - APS Healthcare
Cynthia Weinmann - APS Healthcare
Karen Rapoch - Correctional Medical Care
Michele O'Brien - Correctional Medical Care
Deb Grier - HMS

HEARING REPORTER: AnnMarie Testa

1 MS. GALLAGHER: We have a Transcriptionist here who is going to be
2 recording verbatim what is being said here today and a copy of the transcript will be
3 posted and made available, will be on the Community Supervision website, as well as the
4 New York State Contractor Reporter website.

5 So, welcome to the New York State Department of Corrections and
6 Community Supervision Bidders' Conference for request for Proposal Number 2015-03
7 for Statewide Utilization Management Program.

8 Before we kind of get going, I would like to just go around the room and
9 start with myself and just introduce yourself clearly, what your name is, where you are
10 coming from.

11 So I am Kathleen Gallagher, and I am from the Department Contract
12 Procurement Unit.

13 MS. KILEY: I am Kathleen Kiley, Assistant Counsel from Counsel's Office
14 for the Department of Corrections and Community Supervision.

15 MS. BLAISE: I am Brooke Blaise, Assistant Director for Health Services
16 for the Department of Corrections and Community Supervision.

17 MS. LYNG: My name is Nancy Lyng, Director of Health Services
18 Operation and Management.

19 MS. LOMBARDI: I am Lori Lombardi, I am Supervisor from Utilization
20 Management for the Department of Corrections.

21 MS. JACKSON: I am Debbie Jackson, I also work in Contract
22 Procurement Unit with Kathy Gallagher.

23 MS. GRIER: I am Deb Grier, Vice-President with HMS.

24 MS. RAPOCH: Karen Rapoch, Correctional Medical Care of Blue Bell,
25 PA. I am the Director of Quality Improvement.

1 MS. O'BRIEN: I am Michele O'Brien, Correctional Medical Care. I am the
2 Regional Manager.

3 MS. WEINMANN: Cynthia Weinmann, Vice-President of Development
4 for APS Healthcare.

5 MS. McCracken: Katherine McCracken, Clinical Director/Operations
6 Manager for APS Healthcare.

7 MS. HORNER: Darlene Horner, H-o-r-n-e-r, Department of Corrections
8 and Community Supervision, Budget.

9 MR. KREIG: Glenn Kreig, Department of Corrections and Community
10 Supervision, Budget Medical Bill Payment.

11 MS. TURO: Carol Turo, Department of Corrections, Supervisor of the
12 Contract Unit and climate control. I tried to find out what we can do. It is noisy because
13 this building is the training center for our recruits that are coming to be trained for
14 correction officers. Many of them are leaving for the day, which is the rolling baggage
15 that you just heard. If it quiets down, we'll open the door and get a cross breeze.
16 Basically, they said it is the hottest room in the building and not a lot that they can do, but
17 welcome anyway.

18 MS. GALLAGHER: As I said, this is a request for Proposal 2015-03
19 Statewide Utilization Management Program for New York State Department of
20 Corrections and Community Supervision.

21 Our Agency is responsible for the confinement and rehabilitation of
22 approximately 53,000 inmates that are confined at 54 State correctional facilities
23 throughout the State. The Agency provides medical care for them, so this is going to
24 procure services for the Utilization Management Program for inpatient and outpatient
25 speciality care that is provided to the inmates.

1 What we are going to do with the RFP documents, and hopefully everybody
2 has a copy, we are going to go section by section and just quickly kind of review what is
3 within that document. We are not going to go line by line. We'll address probably some
4 of the key components within that section just to make sure that everybody has a clear
5 understanding of what the Department's requirements are so we can make sure that you
6 guys submit a good, clean proposal to us.

7 We'll accept questions. So if we get to a section and you have a question,
8 feel free to ask. We ask that when you do ask a question, identify yourself again and
9 clearly state it so we can get it recorded on to the transcript.

10 Along with the RFP document that has been issued, we have issued two
11 addendums. The first addendum addresses change in the bidders' conference date and the
12 second one addresses a change to the minimum bidder qualifications.

13 MS. TURO: Is there anyone that is not aware or needs a copy? I have
14 additional copies.

15 MS. RAPOCH: I would like a copy. I didn't print it off, but I remember
16 reading it.

17 MS. TURO: These are important because you have to acknowledge the
18 information, you have to acknowledge the understanding of it and receipt of it. There is a
19 signature page, so it is important that you have that and submit it with your proposal.

20 MS. GALLAGHER: Okay. I think if we can quickly just start with the
21 Glossary of Terms, which is on Page 3. Just quickly take a look at them. They are on
22 three and four, Pages 3 and 4. Hopefully you don't have any questions regarding our
23 terms.

24 Page 7 will provide the Overview.

25 Page 8, Designated Contacts. That lists the only two people that you are

1 allowed to have correspondence with during this procurement. So initially, from the time
2 when the bid is posted and issued, until the contract approval by the Office of the State
3 Comptroller, these are the two individuals that you are only allowed to have
4 correspondence or communication with. So, I am the primary. If you are not able to
5 contact me or get ahold of me, Carol is the secondary. Unfortunately, if a bidder fails to
6 follow this, the proposal may be disqualified. So if you have a question, we'll definitely
7 get the answer to you and we'll be issuing -- I believe the deadline for all submitted
8 written questions is May 4th by 3 p.m. and then the plan is to issue responses to all of
9 those questions, and it is estimated to be May 13th, 2015.

10 MS. TURO: I was just going to say, people should feel free, if you have
11 questions, don't wait until May 4th, go ahead and get them in. The sooner you know
12 what the questions are, submit them, and it gives us more time to respond to those
13 questions.

14 MS. GALLAGHER: The answers to those questions will also be posted on
15 the Community Supervision website as well as the New York State Contractor Reporter
16 website.

17 Page 9, Key Events/Dates. We already noted the deadline for questions and
18 when the responses will be issued. Proposals are due by May 29th, 2015, by 3 p.m..
19 Anything coming in after 3 p.m. will not be considered. That is Eastern Standard Time,
20 if anybody is wondering. The successful bidder selection is estimated to be June 15th,
21 2015, and the contract start date is December 1st, 2015. This will be a five-year contract.

22 Page 11, Minimum Bidder Qualifications. As we indicated, there has been
23 an addendum issued regarding the second bullet, so that second bullet has been revised
24 and the addendum addresses that.

25 Does anybody have any questions?

1 MS. RAPOCH: I do have a question regarding that bullet.

2 MS. GALLAGHER: Please, your name?

3 MS. RAPOCH: Karen Rapoch, CMC. The question I have is what model
4 of URAC are you looking for accreditation?

5 MS. LYNG: What model of URAC for accreditation?

6 MS. WEINMANN: Or credentially, there are several?

7 MS. LYNG: Nancy Lyng. We'll get back to you.

8 MS. GALLAGHER: Any other questions?

9 Scope of Services. I just want to take a look at that, and that is Pages 11
10 through 13. This is a pretty important.

11 MS. TURO: This is an important part. I know you have read the RFP, but
12 now would be a really good time for you to take a few minutes to rescan that section.
13 This is a good time to ask any questions, and don't consider any question to be a stupid
14 question, we would rather you ask.

15 MS. GRIER: Deb Grier, HMS. I was interested in the volume of the
16 referral request by emergent, urgent, soon, routine, and assigned, do we have that?

17 MS. LYNG: Nancy Lyng, Health Services. We have been preparing that
18 data and we have that and we have shared that with the Contract Procurement Unit.
19 Emergent 1,175; urgent 3,514; soon 14,350; routine 59,630; and assigned 77,332. We'll
20 follow up with that in writing, as well. That is for Calendar Year 2014, the most recent
21 that we have available.

22 MS. GRIER: Again Deb Grier with HMS. Question on the last bullet on
23 Page 11. Can we define the word verify that is used in verify all inpatient and outpatient
24 medical and oral surgery claims?

25 MR. KREIG: Glenn Kreig. That is a matter of going on the FHS1 System

1 and DOCCS System, looking at the referrals on the system, comparing them with the
2 claims that we enter to verify that the services took place. It may involve, Health
3 Services may want to interject with this, I am not sure, it may involve, if there is nothing
4 on the system, may involve contacting the facility that the service did take place, to see if
5 they can verify the service from their schedules; and if not, they will be returned to us to
6 ask for reports from the provider.

7 MS. GRIER: Thank you. How was this different from -- Deb Grier HMS
8 again -- from the first bullet on Page 12, talking about conducting a preliminary review?

9 MR. KREIG: Glenn Kreig. That would be a little different. This is a
10 review for those claims that may have potential for recovery of overpayments.

11 MS. GRIER: The third bullet -- Deb Grier, HMS. Third bullet on Page 12,
12 what is the current volume of inpatient admissions as it relates to inpatient stays?

13 MS. LYNG: Nancy Lyng, Health Services. We are looking -- we are
14 preparing the data for you. We did get that question in advance in writing and we are
15 preparing it and it will be out shortly.

16 MS. GRIER: Thank you.

17 MS. WEINMANN: Cindy Weinmann with APS. I have a question about
18 the DRGs in general. Is the DRG System specific to the Department or are you using the
19 same system as New York State or a diversion?

20 MR. KREIG: Glenn Kreig. We go by the Medicaid, New York State
21 Medicaid DRG.

22 MS. WEINMANN: And a follow-up question from Cindy Weinmann has
23 to do with payment of cost for day outliers.

24 MS. LYNG: Could you repeat that?

25 MS. WEINMANN: The cost within the DRG system, do you pay costs for

1 outliers or day outliers?

2 MR. KREIG: Glenn Kreig. We would pay based on whatever the Medicaid
3 guidelines are and right now we currently use both, the APDRG and DRG systems.

4 MS. WEINMANN: Thank you.

5 MS. GRIER: Deb Grier HMS. Page 13 bullet four, give some explanation
6 around appropriate personnel, what qualifications are you looking for?

7 MS. RAPOCH: That is a very good question.

8 MS. LOMBARDI: Lori Lombardi from Health Services. We are looking
9 for the nurses, the reviewers, and certainly when appropriate, a physician.

10 MS. GRIER: Thank you. Deb Grier HMS. Ninth bullet Page 13. What is
11 meant by performance evaluations, when traveling out for training, what is the
12 expectation?

13 MS. LYNG: We received that question in advance and we are working on a
14 response to it.

15 MS. GRIER: Thank you again.

16 MS. GALLAGHER: Do we have any additional questions for this section?

17 Okay. Moving on to the next section, which is Requirements on Page 14,
18 indicates what the bidder must demonstrate. The third bullet talks about Appendix A,
19 which is located in Attachment A, and those are the standard clauses for New York State
20 Contracts and those clauses are nonnegotiable.

21 Next bullet talks about M/WBE Compliance. Executive Law 15A deals
22 with opportunities, promoting opportunities for minority and women-owned businesses.
23 Participation goal for this contract is 30 percent, 15 towards M/WBE -- or 15 percent
24 towards minority and 15 percent towards women-owned business. There are, as we
25 proceed in the document, there are attachments in the package, one of the attachments

1 pertains to the required documentation that should be submitted with your bid regarding
2 the M/WBE requirement. The expectations that we are looking for, the possibility that
3 you could subcontract with a M/WBE, and we are looking for good faith efforts on your
4 part in searching for M/WBE vendors that you could subcontract with.

5 MS. TURO: You have to be certified as M/WBE and certified in New York
6 State.

7 MS. GALLAGHER: Page 17 talks about Executive Order Number 38,
8 Limits on State-Funded Administrative Costs and Executive Compensation, the law that
9 went into effect on July 1st, 2013.

10 MS. TURO: These are the links to the specific laws.

11 MS. GALLAGHER: The next or the second bullet on Page 17, Vendor
12 Responsibility. Section X talks about the legal forms, required forms regarding vendor
13 responsibility. For us vendor responsibility is a very big thing for us, we want to make
14 sure that we are contracting with somebody who is a responsible vendor.

15 MS. KILEY: Kathy Kiley from Counsel's Office. With respect to the
16 Vendor Responsibility Form. You have to be legally, financial, ethically responsible. It
17 is an entire form that you have to review very, very carefully. Make sure you answer
18 every question very carefully. This is something that is reviewed not only by us, but also
19 reviewed by the Office of the State Comptroller, and they look at it very carefully. They
20 look back at your history, in general as far back as your business goes. So if they have
21 any questions or any issues, they will bring it to our attention, so just make sure that you
22 fill everything out, that is really the key thing pertaining to the form.

23 MS. TURO: Answer all the questions, even if it is not one of you who does
24 this. Sometimes with your company it is your legal office or somebody in your business
25 office that completes the forms, but answer every question accurately and truthfully. And

1 I don't mean to be disparaging to say that people would not be answering truthfully, but
2 sometimes there is a nuance in understanding a question. If you are unsure, try to find
3 out the answer rather than guess. Because our Comptroller, as Kathy said, they do a
4 pretty thorough investigation with the companies that we consider doing business with
5 and if there is something out there that they find that is not consistent with an answer on
6 your Vendor Responsibility Form, even if it is just an honest mistake in the way it was
7 answered, it raises a bunch of red flags and then they start asking us to clarify a lot of
8 information. So if you are not sure, try to get more information. We always encourage
9 people don't just guess at the answer and don't dismiss this as an insignificant
10 requirement. It is a big deal in New York State. Also, whoever signs the document, the
11 statement is that they are certifying that it is true and accurate, that is an important
12 caution for everybody to be aware of.

13 MS. GALLAGHER: Does anybody have any questions regarding
14 Requirements contained within Section 7, Pages 14 through 17?

15 MS. TURO: Back to Vendor Responsibility Section X, I am sorry, does
16 that give them the link to do it electronically?

17 MS. GALLAGHER: Yes.

18 MS. TURO: Vendor Responsibility, it is far better if you file it
19 electronically, and Kathy verified the link.

20 MS. GALLAGHER: And the advantage of doing it electronically, you do it
21 once; and if there is any changes that ever need to be done to it, you do that particular
22 section and recertify it, as opposed to the paper forms, you have to completely fill it out.
23 There is an advantage to doing it online.

24 On to the next section, Administrative Information, starting on Page 18.
25 This is a service contract, so it is awarded based on best value. We have a predetermined

1 score and method and that is disclosed further on in the RFP document and when we get
2 to that, we'll discuss it a little more then.

3 Price. Attachment C is the Cost Proposal Form. That is the form that you
4 will fill out for your costing, pricing, and it must be separate in a sealed envelope labeled
5 RFP 2015-03 Cost Proposal. It cannot be included within the technical proposal, it must
6 be separate.

7 MS. TURO: It can be mailed in the same box, and it should be, so it does
8 not become separated, but there should be no mention of costs in any of your technical
9 proposals. Put all of that material right in a separate envelope and put it right in the box.

10 MS. GALLAGHER: As I mentioned earlier, the term of this contract is five
11 years commencing on December 1st, 2015.

12 Does anybody have any questions on this section?

13 The next section is Contract Clauses starting on Page 19. I just want to note
14 on Page 20 under Subcontractors, any known/planned use of a subcontractor must be
15 disclosed in detail with the bid submission.

16 I just want to make sure that you pay attention to the Termination language
17 that is in the document on Page 21.

18 MS. KILEY: Kathy Kiley, Counsel's Office. One thing that I do want to
19 mention is the fact that termination clauses are nonnegotiable. As harsh as they are, it is
20 from the Office of the State Comptroller that makes us have these clauses in there, so you
21 should be aware of that fact ahead of time.

22 MS. GALLAGHER: On Page 22, New York State Vendor File
23 Registration. I want to make you aware that if you are not already registered with
24 New York State Vendor File, upon notice of contract award, you will be requested to
25 complete a subsequent W9 to get registered and get a New York State Vendor ID. The

1 State is no longer using the Federal ID Number on their contracts. They are using a new
2 ten-digit assigned number called New York State Vendor ID within that New York State
3 Vendor File Registration. Letter G is explaining the process if you want to get assigned a
4 number ahead of time, how to do so, and there is link in there to do so.

5 Do you have any questions regarding the Contract Clauses from Page 19
6 through Page 23?

7 Legal Required Forms Page 23. Required Forms, Attachment F and
8 Attachment G contain a lot of the documentation that we are requiring that you complete
9 and submit. Some of it we require that you submit at time of the bid and the other part of
10 it we ask that you submit at point of notice of contract award. Be aware, we have this
11 section broken down into two sections. The earlier part is what must be submitted with
12 the bid and as we move into the section, you see there is documentation and requirements
13 that you must do after notice of contract award.

14 The first item is Procurement Lobbying Act. There is a form available in
15 one of the attachments, that you must complete this and submit it with your bid. This is
16 all about certain restrictions on communications between our Agency and bidders during
17 the process. As I said earlier, it starts from the time that the bid document is issued until
18 contract approval by the Office of the State Comptroller.

19 Carol briefly talked about the vendor responsibility questionnaire in a
20 previous section, this is where you can find the links. The links are actually located on
21 Page 24 or you can actually fill the online questionnaire out.

22 MS. TURO: Another point about that -- this is Carol Turo -- I would
23 encourage people not to wait until close to the due date to start addressing the forms.
24 New York has a lot of forms. We have a lot of requirements with our procurement. I
25 have seen sometimes bidders get caught short with time at the end. They spent a lot of

1 time preparing their proposal and thought the forms were just pro forma things that you
2 are going to sign, but they do require a little time and attention, often by somebody else in
3 your company. If you have not already done so, I would encourage when you are back to
4 work next week, that you take a close look at all the legal forms, get them to the right
5 person in your company so they can start addressing them.

6 MS. GALLAGHER: The other remaining items that should be included
7 with your bid, Encouraging Use of New York State Businesses in Contract Performance.
8 New York State is encouraging bidders with New York State to subcontract a portion of a
9 contract, so if you can obviously do that, that would be great. Attachment F contains the
10 form regarding that.

11 Then we have the M/WBE - EEO Policy Statement and then the EEO
12 Staffing Plan. Both of those are located in Attachment G.

13 Does anybody have any questions on the required documentations that must
14 be submitted with your bid?

15 Then Item B is the information and documentation that should be submitted
16 upon notice of contract award. We have the Insurance Requirements, that starts on
17 Page 25 to Page 28.

18 Then there are requirements pertaining to, also listed on Page 28,
19 requirements pertaining to Workers' Compensation and Disability Benefits Insurance.
20 This section tells you what forms are acceptable as proof of compliance with this
21 requirement. I just want to make note that ACORD forms are not acceptable.

22 MS. TURO: This may be kind of Greek to some of you, but trust me, your
23 insurance companies know about this. These are forms that you may necessarily not have
24 anything to do with, your company will contact the insurance agent and they will know
25 what your requirements and statuses are.

1 MS. GALLAGHER: Then on Page 30, Department of Taxation and
2 Finance Contractor Certification, Forms ST-220-CA and ST-220-TD. It will explain and
3 has links available where you can get information and also complete those forms. Those
4 forms are also contained within Attachment F.

5 Number 4, Consultant Disclosure Legislation Requirement. All State
6 contractors, including subcontractors, have to provide information on the employment for
7 their -- they are going to have an employment category within the contract, number of the
8 employees employed who provided the services under the contract, the number of hours
9 that they worked, and the total compensation under the contract for those employees. So
10 at the beginning of the contract you will be completing Form A, which is your Planned
11 Employment, Contractor's Planned Employment, and then annually, at the end of the
12 State Fiscal Year, after March 31st, you will be reporting and completing Form B. You
13 will be reporting the actual information as to what was, like, how many employees did
14 you actually have, what was actually paid to those employees, what was the actual
15 amount paid under the contract, and that will be done annually and must be submitted
16 every year by May 15th.

17 Then we have Number 5, Non-Disclosure Agreement, that is on Page 31.

18 We have Number 6, M/WBE Utilization Plan. This plan you will complete
19 and it will indicate the M/WBEs that you possibly intend to use and form under the State
20 contract.

21 MS. TURO: Just to reiterate, that last group of requirements starting on
22 where -- where was the page, that last group?

23 MS. GALLAGHER: Starting on Page 25.

24 MS. TURO: These are the items that are only submitted once a company is
25 notified of a tentative award. Be careful that you pay attention as to what you send

1 exactly with your bid. You don't need all of those unless you are offered a contract.

2 MS. GALLAGHER: So do we have any questions on those requirements,
3 Page 25 through Page 31?

4 Next section is Procurement Rights as indicated on Page 32, they go
5 through to Page 34, Page 32 through 34 Procurement Rights. I want you to take a
6 moment just to read those.

7 MS. RAPOCH: I have a question. Is there any liquidated -- Karen Rapoch.
8 Is there any liquidated damages in this proposal for failure to execute anything?

9 MS. KILEY: That is perhaps going to be in the contract, but we'll have to
10 respond to that in writing. Okay?

11 MS. RAPOCH: Okay.

12 MS. GALLAGHER: Do we have any further questions with regard to
13 Procurement Rights listed on Pages 32 through 34?

14 Okay. Next section is the Proposal Content starting on Page 35. As
15 indicated earlier, this is based on best value and we have numerical scoring that has been
16 assigned for the technical and cost proposals that will be submitted. So the technical
17 proposal is 68 percent, the cost proposal is 30 percent, and then we have 2 percent going
18 toward M/WBE or SBE Certification, Minority/Women-Owned Business Enterprise or
19 Small Business Enterprise Certification.

20 What that means is if you happen to be a minority or women-owned
21 business enterprise or a small business enterprise, you will be awarded 2 points -- or not
22 2 points, 2 percent.

23 MS. WEINMANN: Cindy Weinmann. I thought I was following that. Is
24 that awarded only to firms that are or was it awarded to bids that included firms that are?

25 MS. GALLAGHER: It is awarded to only firms that are.

1 MS. WEINMANN: So even if you have a M/WBE participation in your
2 bid, you would not be eligible for those 2 points?

3 MS. TURO: Correct, because everybody is required to make a good faith
4 effort to do that.

5 MS. GALLAGHER: With minority and women-owned business
6 enterprises, they must be New York State certified and certification is through the
7 New York State Department.

8 MS. TURO: If you do decide to engage with someone that tells you that
9 they are certified, ask for evidence of that. Sometimes they were certified once and it is
10 no longer in effect, they never recertified. Always ask.

11 MS. GALLAGHER: So Section A on Page 35, we have the Mandatory
12 Requirements, these are the pass/fail requirements. What that means is if you do not pass
13 these requirements, you do not meet what we are asking and you will not pass and you
14 will not move on to review of your technical proposal. So take a look at the Mandatory
15 Requirements, Pages 35 through 36, Items 1 through 5.

16 MS. WEINMANN: This is Cindy Weinmann with APS. Can I ask a
17 clarifying question about Item B Page 37? The first bullet says documentation of the
18 bidders' policies and procedures that covers all aspects of the utilization review process,
19 so if we were doing a quarterly report would you look to see, for example, the year-end
20 compliant policies and procedures, would you look to see global operating documents
21 specific to New York DOCCS or what, what kind of documentation would the vendor
22 provide in its quarterly report around that information?

23 MS. GALLAGHER: Refer that to Health Services.

24 MS. LYNG: Nancy Lyng, Health Services. The response to that is in part
25 of the seven bullets following that. The question is, the documentation of the bidders'

1 policies and procedures that cover all aspects of the utilization review process?

2 MS. WEINMANN: Yes, and I am asking what do you mean by
3 documentation. Would you like to see the policies and procedures themselves included
4 with each quarterly report?

5 MS. LYNG: Versus what?

6 MS. WEINMANN: Because I think that submitting the same policies and
7 procedures on a quarterly basis, that could be -- that is going to be quite a lot of
8 information, because the policies and procedures are very specific and address, as you
9 require, each aspect of it. So is that something, I guess, is the documentation that you
10 require the actual policies and procedures on a quarterly basis?

11 MS. LYNG: No.

12 MS. WEINMANN: So would you like to see, for example, some
13 certification that the activities being recorded are compliant with those policies and
14 procedures?

15 MS. LYNG: Yes.

16 MS. WEINMANN: Thank you.

17 MS. GALLAGHER: Okay. Just double checking, Mandatory
18 Requirements, anybody have any questions on those before we move forward?

19 Item B, Technical Proposal. The assigned weight given for that is
20 68 percent. Take a look at the items on Pages 36 through 38.

21 MS. WEINMANN: This is Cynthia Weinmann again with APS. Item D on
22 Page 37, I understood that to mean that what you would like to see, for example, would
23 be a copy of the Quality Assurance Program attached to our proposal?

24 MS. LOMBARDI: Lori Lombardi of Health Services. Yes.

25 MS. GALLAGHER: Does anybody have any questions on the Technical

1 Proposal Requirements as noted on Pages 36 through 38?

2 Item C, Cost Proposal. The assigned weight for that is 30 percent, that is
3 listed on Pages 38 through 39. The Cost Proposal Form in Attachment C is what shall be
4 completed.

5 Does anybody have any questions regarding the Cost Proposal as noted on
6 Pages 38 through 39?

7 The next section is Proposal Submission starting on Page 39. This section
8 outlines the questions and clarifications. So if you have a question, it indicates where you
9 can send that question and how to send it.

10 MS. TURO: Again, that deadline was what, Kathy?

11 MS. GALLAGHER: May 4th by 3 p.m., Eastern Standard Time.

12 MS. GRIER: Deb Grier, HMS. Will all questions be answered at one time
13 or will they be coming back periodically?

14 MS. TURO: The formal addendum will be posted on the New York State
15 Contractor Reporter website and the DOCCS website with all the questions and answers.

16 MS. GRIER: Thank you.

17 MS. GALLAGHER: Also, Proposal Packaging and Submission
18 Requirements is noted on Page 39. This tells you, starting on Page 40 -- actually starting
19 on Page 39, it will tell you how it is supposed to be packaged, how many copies are
20 required. Again, it indicates that the cost proposal must be separate from the technical.
21 Proposals will not be accepted via fax or e-mail.

22 MS. WEINMANN: This is Cindy Weinmann with APS Healthcare. If we
23 complete the electronic submission of the compliance and information, should we also
24 include a printed copy with the proposal or is the online submission sufficient?

25 MS. TURO: You are talking about the Vendor Responsibility?

1 MS. WEINMANN: Yes, the Vendor Responsibility.

2 MS. GALLAGHER: I don't need the paper copy. What we can do is we
3 can go on to the OSC website and check to see if you are there. Make sure, if you are
4 doing it for the first time online, make sure that you fully complete and certify it, because
5 we cannot view it until it is officially certified by you.

6 MS. TURO: Actually, let me just adhere one kind of caveat to that. A lot
7 of times people will just print out the last page that shows the certification date. If you go
8 ahead and just send that in, that is very helpful for us to get. That is also your check and
9 balance to make sure that you are certified, it will print an electronic date on there.

10 MS. GALLAGHER: Do we have any questions regarding the Proposal
11 Packaging and Submission Requirements?

12 Item C on Page 40, Proposal Due Date. Bids must be received no later than
13 3 p.m. on May 29th.

14 MS. TURO: I was just fishing for my calendar. Is that the Memorial Day
15 weekend?

16 MS. WEINMANN: I believe it is the Friday after.

17 MS. LYNG: It is the Friday after Memorial Day.

18 MS. GALLAGHER: Let me just remind you of something. When you are
19 submitting your proposal, if you are going to submit it by Fed Ex or UPS or whatever,
20 just make sure that we need it by 3 p.m. on the 29th. If for some other reason they do not
21 deliver it on time, whether you indicated or paid for it to be on time and they don't, we'll
22 not be accepting it, so you have to make sure that it is there on time. You are more than
23 welcome to shoot off an e-mail asking if it was received just to verify that we did get.

24 Do we have any questions on the Proposal Due Date?

25 The next section is Proposal Evaluation Criteria and Selection Process, that

1 is on Page 41. This talks about how the proposal will be evaluated and scored. And
2 when you look at this section, you will see that it is broken out into different phases.

3 Phase 1 is the Preliminary Review, which is pass/fail criteria. Phase 2 on
4 Page 42 is the Technical Proposal Submittal. Phase 3 is for M/WBE or Small Business
5 Enterprise Certification. Phase 4 is the Cost Proposal Submittal. These are all located on
6 Pages 41 through 43. So we have a pass/fail checklist on Page 41, continued on Page 42.
7 So, only proposals that meet the submission mandatory requirements will move on to
8 Phase 2.

9 MS. RAPOCH: I have a question. On Page 41, it talks about a committee
10 that will be evaluating the technical portion of the proposal. How large is this committee
11 and are these committee members transferred over to the evaluation of the cost portion or
12 independent of each other?

13 MS. GALLAGHER: They are independent of each other.

14 MS. TURO: Typically we use about six reviewers and they are people who
15 have knowledge of -- they have some subject matter expertise in utilization review. We
16 don't assign random people. We pick people who actually understand what it is that is the
17 subject of the procurement. So that would be mostly people from -- well, would be all
18 people from our Health Services, either people who work within our Central Office
19 Health Service's Office or sometimes people who may work in a facility but have
20 expertise in this area.

21 Do you want to expand on that, Nancy?

22 MS. LYNG: Sure. You hit the nail on the head. We have physician
23 review, we have nursing review, we have administrator review, and the team that is
24 reviewing the technical proposal is all from the Division of Health Services, New York
25 State DOCCS Division Health Services, and there are seven people.

1 MS. TURO: Is it seven? We typically use six to seven.

2 MS. LYNG: Six with one alternate. So, all staff with the Division of
3 Health Services who have a variety of experience in administration, nursing, and medical.
4 They are separate and distinct and do not see the cost proposal at all.

5 MS. TURO: That is right, they do not, that stays sealed. When we go sit
6 with the reviewers, Kathy Gallagher will provide some training to them in advance. The
7 reviewers have a copy of the RFP in advance so they are educated in what they will be
8 reviewing, but the cost proposal packets don't even leave our office when we work with
9 the team to train them.

10 MS. RAPOCH: Thank you.

11 MS. GALLAGHER: Any questions on the section relating to Proposal
12 Evaluation Criteria and Selection Process as noted on Pages 41 through 43?

13 MS. WEINMANN: Cindy Weinmann again with APS Healthcare.
14 Phase 4 on top of Page 43, it says the cost proposal with the lowest total fee will be
15 awarded the maximum possible points, which makes sense based on the PLDM. Does
16 that also -- if I understand correctly, looking at the attachment for the cost proposal,
17 bidders are proposing a percentage of retaining for the other two components, which is
18 not necessarily submitting the cost, it is more submitting the projected sharing, so is that
19 something that would also be evaluated based on the lowest percentage? It seems as if
20 there is some apples and oranges pricing, which is perfectly fine, but we just want to
21 make sure that we understand how to propose it so that it gets evaluated the way it should
22 be.

23 MR. KREIG: Glenn Kreig. This is my first time doing these, I would have
24 to find that information out, I am not sure what percentage.

25 MS. LYNG: Could you repeat that, please?

1 MR. KREIG: This is my first time reviewing these and I would have to find
2 out what percent is factored into the cost proposal. I want to verify that and I will include
3 that.

4 MS. TURO: Cindy, would you mind submitting that in writing as a formal
5 question, I think it would allow us to better address it so we answer the exact question?

6 MS. WEINMANN: Will do.

7 MS. LYNG: You are asking per member per month lowest cost versus the
8 savings factored into per member per month cost and which number is evaluated?

9 MS. WEINMANN: Well, I would think all of them would be evaluated
10 because those are going to be very important percentages, but the description of how it is
11 evaluated does not quite align all the way through with the percentages, so I will ask the
12 question and then you guys can just tell us how you want that to be.

13 MS. TURO: Okay.

14 MS. GALLAGHER: Any other questions for this section?

15 So, we are going to move on and quickly review the attachments that are
16 included with this RFP.

17 The first one is Attachment A, which is Appendix A, Standard Clauses for
18 New York State Contracts. As I indicated earlier, these are nonnegotiable clauses.

19 The next attachment is Attachment B, the Application Cover Sheet.

20 MS. TURO: Just one thing about the Application Cover Sheet, it does ask
21 for the New York State Vendor ID Number. If you already have one, put it in there. If
22 you don't, don't worry about it, we'll be arranging to get one if you are awarded the
23 contract.

24 MS. GALLAGHER: Next attachment is Attachment C, the Cost Proposal
25 Form.

1 MS. GRIER: Deb Grier from HMS. Is this the same cost model that
2 depicts the M/WBE and SBE?

3 MR. KREIG: Glenn Kreig. Yes.

4 MS. GRIER: Thank you.

5 MS. GALLAGHER: The next attachment is Attachment D, as in dog, the
6 Bid Declination Form. If you decide not to submit a proposal, we just ask that you fill it
7 in and send it in so we can find out why you were not interested in the procurement.

8 The next attachment is Attachment E, M/WBE or Small Business Enterprise
9 Certification Form. So if your company is a New York State Small Business or
10 New York State Certified Minority or Women-Owned Business, fill this out.

11 Next attachment is Attachment F, Legal Required Forms. This will indicate
12 all the forms that will either need to be submitted with your proposal or need to be
13 submitted upon notice of tentative award. The forms that are indicated on Attachment F
14 are either in this attachment or there are links where you can get access to these forms.
15 These are forms that are typically required from all State contractors.

16 The next form -- or next attachment rather is Attachment G, M/WBE
17 Requirements and Forms. Again, it specifies which forms need to be submitted with your
18 bid and which ones are due upon notice of contract award.

19 The next attachment is Attachment H, the Bid Submission Checklist. This
20 is a checklist just to certify that everything is in the proposal that has been asked for.

21 The next attachment is Attachment I, which is New York State DOCCS
22 Facilities and Regional Map.

23 The last attachment is Attachment J, the DOCCS Directive 2216.

24 MS. WEINMANN: This is Cindy Weinmann with APS again. Can I ask a
25 question about the map? I love the map, but -- I am very appreciative of having the

1 training be in each of the hubs twice year one and then annually. Should a vendor expect
2 to present the training in one of the facilities or should the selected site be independent of
3 the system?

4 MS. LYNG: I think we can mutually agree upon that upon contract award.
5 We have the option to present trainings in QWL buildings, which are Quality of Work
6 Life buildings, which brings multiple facilities together into one area, or we have some
7 facilities that have training labs, if you will, that have computers set up where we could
8 access the technology for multiple facilities to hub in to. It will be dependent on what the
9 training needs are. There might be a meet and greet, it might be an actual hands-on, and
10 we can determine that as a contract is awarded.

11 MS. WEINMANN: Thank you.

12 MS. GALLAGHER: Do we have any further questions regarding any of the
13 attachments?

14 MR. RAPOCH: I have a question about the training. Is the training
15 supposed to -- what is the audience we are looking at for the training?

16 MS. LYNG: Primarily health professionals.

17 MS. RAPOCH: That is making the clinical decisions to put the referral in?

18 MS. LYNG: Yes. We have physicians, New York State Department of
19 Corrections and Community Supervision physicians, State employees, and we have the
20 same with nursing personnel, and our health units are staffed with a team of ancillary
21 staff that work together for referrals. So in some cases, we have physicians entering their
22 own referrals and in other cases, although it might not be per policy, we have other staff
23 in our health units doing the data entry of a referral. So the target audiences would be
24 health unit staff, nurses and physicians.

25 MS. RAPOCH: The audience is that. Now, the subject of the training, is it

1 just to input or is it to educate them to manage care onsite, or different?

2 MS. LYNG: Our staff are currently inputting referrals, so it would not be
3 educating them on how to enter a referral. It would be working with them on any
4 questions and our trainings would be mutually negotiated as we go along. It is a matter of
5 having a presence, a matter of knowing who you are working with. If a criteria set
6 changes, we need to be educated on different criteria set if it is something other than what
7 we are currently working with, et cetera.

8 MS. RAPOCH: So, associated with the process? It is not educating a group
9 of nurses about diabetic foot care?

10 MS. LYNG: Correct. Do you want to add anything, Lori or Brooke?

11 MS. BLAISE: Sometimes it is educating about what they need to put into
12 the referral, what is necessary to get a certain case approved so it can be reviewed
13 properly to get the end result.

14 MS. RAPOCH: It is not a symposium or anything like that?

15 MS. LYNG: No, it is not a symposium on diabetic care, et cetera, et cetera.

16 MS. RAPOCH: Okay. Thank you.

17 MS. GALLAGHER: Any further questions?

18 I am going to turn it over to Kathleen Kiley.

19 MS. KILEY: I am Kathleen Kiley from Counsel's Office. Just to wrap up
20 with the contract in the RFP, Carol Turo and I, we work very closely together. Carol is
21 actually the supervisor of the Contract Procurement Unit and I am actually the attorney to
22 the Contract Procurement Unit. She and I deal with a lot of issues that happen all the
23 time with contracts and bid proposals.

24 Here are some things that I would really like to drive home, but you seem
25 very savvy and have read this very clearly, so it is not to insult anyone, but please make

1 sure you read through this RFP very, very thoroughly and make sure that you answer
2 every single question very thoroughly.

3 We have had debriefings, discussions with vendors in the past where they
4 say we comply and they got maybe a lower score or something like that. Depending on
5 who actually is scoring it, they may look at it and say there is not good enough detail. I
6 would say try to provide as much detail as possible, try to provide as much information as
7 possible.

8 Make sure that you review your bid prior to submission, make sure
9 everything is signed, make sure everything is as per the pass/fail checklist. We have had
10 bids where we had to reject bids because it was not signed. That is sad, that is a lot of
11 work and it is a loss of a contract for you.

12 The other thing I want to drive home is State Financial Laws Section 139 J
13 and K, that has to do with the context of who you talk to in the Department of Corrections
14 with respect to this RFP and Proposal. Again, we have to talk to either Kathy or Carol,
15 those are your representatives. So make sure that you do talk to them if you have any
16 questions or anything like that. They are the people that you talk to with respect to this
17 RFP and the bid. Because, we have had some issues in the past where if somebody talks
18 to somebody outside of that unit regarding the RFP or bid, we have to have an ethics
19 investigation and sometimes that could disqualify your bid. That could be bad for your
20 Vendor Responsibility Form, just bad all the way around. If you have already a
21 preexisting contract and are talking to somebody within the Department of Corrections
22 regarding that contract, that is a different story whatsoever. I just want to make sure that
23 is very clear here.

24 Other than that, make sure you read everything over. If you have questions,
25 ask them now, ask them for the Q and A so you don't have anything afterwards. Okay.

1 MS. TURO: Good luck everyone.

2 MS. GALLAGHER: Thank you.

3 (Whereupon the conference concluded.)

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