



Department of Health

Request for Proposals RFP #C042389R

Physician Workforce Studies Issued: May 13, 2026

PERMISSIBLE SUBJECT MATTER CONTACT:

Pursuant to State Finance Law§ 139-j(3)(a), the New York State Department of Health (hereinafter referred to as the "**Department**") identifies the following allowable person to contact for communications related to the submission of written bids, written questions, pre-bid questions, and debriefings.

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DESIGNATED CONTACT:

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

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1.0 CALENDAR OF EVENTS

RFP C042389R – PHYSICIAN WORKFORCE STUDIES	
<u>EVENT</u>	<u>DATE</u>
Issuance of Request for Proposals	5/13/2026
Deadline for Submission of Written Questions	Questions Due By 5/27/2026 4:00 p.m. ET
Responses to Written Questions Posted by the Department	On or About Responses Posted By 6/10/2026
Deadline for Submission of Proposals	Proposals Due On Or Before 6/24/2026 4:00 p.m. ET
<u>Anticipated</u> Contract Start Date	1/1/2027

2.0 OVERVIEW

Through this Request for Proposals ("RFP"), the New York State Department of Health (the "Department") is seeking competitive proposals from qualified bidders to provide the services as further detailed in Section 4.0 (Scope of Work). It is the Department's intent to award one (1) contract from this procurement.

2.1 Introductory Background

The New York State Department of Health, Office of Primary Care and Health Systems Management, Office of Health Care Workforce Innovation announces the opportunity for qualified vendors to contract to perform Physician Workforce Studies pursuant to Subdivision 5-a of Section 2807- m of New York State Public Health Law.

The New York State Department of Health is focused on achieving the highest level of health for all New Yorkers and will utilize efforts to address avoidable inequalities by equalizing conditions for access to health care for those who have experienced injustices, socioeconomic disadvantages, and systemic disadvantages. Health equity is about addressing the needs experienced by individuals and communities.

The Physician Workforce Studies scope of work is a critical component of The New York State Department of Health's commitment to health equity. Health disparities are measurable differences in health status, access to care, and quality of care as determined by race, ethnicity, sexual orientation, gender identity, a preferred language other than English, gender expression, disability status, aging population, immigration status, and socioeconomic status. Health disparities can result from multiple social determinants of health. Social determinants of health are the circumstances in which people are born, grow up, live, work, and age, as well as the systems put in place to deal with illness. To address health disparities, we must be able to identify and measure them. Having good data is critical to these efforts.

The objective of the Physician Workforce Studies contract is to identify communities in the state where a shortage of health care providers exists and to improve access to health care services in New York State communities that are underserved, isolated or medically vulnerable through identifying the shortage areas.

The awarded vendor will conduct statewide community health needs assessments, manage and coordinate shortage designation, assess the physician workforce available to meet the needs of underserved populations across New York State.

2.2 Important Information

The Bidder **must** review, and is requested to have its legal counsel review, [Attachment 8](#), the DOH Agreement (Standard Contract), as the successful Bidder must be willing to enter into the Contract awarded pursuant to this RFP in the terms of, **subject only to any amendments to the Standard Contract agreed by the Department during the Question and Answer Phase of this RFP**(see [Section 5.2](#)) Please note that this RFP and the awarded Bidder's Bid will become part of the Contract as Appendix Band C, respectively.

It should be noted that Appendix A of [Attachment 8](#), "Standard Clauses for New York State Contracts", contains important information, terms and conditions related to the Contract to be entered into as a result of this RFP and **will be incorporated, without change or amendment**, into the Contract entered into between the Department and the successful Bidder. By submitting a response to this RFP, the Bidder agrees to comply with all the provisions of the Contract, including all of the provisions of Appendix A.

Note, [Attachment 7](#), the Bidder's Certified Statements, **must** be submitted by each Bidder and includes a statement that the Bidder accepts, **without any added conditions, qualifications or exceptions**, the contract terms and conditions contained in this RFP including any exhibits and attachments, including, without limitation, [Attachment 8](#). It also includes a statement that the Bidder acknowledges that, should any alternative proposals or extraneous terms be submitted with its Bid, such alternate proposals or extraneous terms will not be evaluated by the Department.

Any qualifications or exceptions proposed by a Bidder to this RFP should be submitted in writing using the process set forth in [Section 5.2](#) (Questions) prior to the deadline for submission of written questions indicated in [Section 1.0](#) (Calendar of Events). Any such qualifications or exceptions that are not proposed prior to the deadline for the submission of written questions will not be considered by the Department after contract award. Any amendments the Department makes to the RFP as a result of questions and answers will be publicized on the Department's web site and will be available and applicable to all Bidders equally.

2.3 Term of the Agreement

The term of the Contract that will be entered into between the Department and the successful Bidder pursuant to this RFP will be for a period of five years commencing on the date shown on the Calendar of Events in Section 1, 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

The New York State Department of Health will only accept proposals from bidders with the following types and levels of experience as a prime contractor.

- The Bidder must have three (3) or more years of experience conducting health workforce research that required data analysis.

For the purposes of this Request for Proposal, 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

Bidders with the following experience are preferred.

- The Bidder has one (1) or more years' experience creating Statewide Community Health Needs Assessments.
- The Bidder has one (1) or more years' experience creating Statewide Rational Service Area (SRSA) plans.
- The Bidder has one (1) or more years' experience providing technical assistance to interested parties about the Health Professional Shortage Area designation process.

4.0 SCOPE OF WORK

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

PLEASE NOTE: Bidders will be 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

A. Manage New York's Processing of Federal Health Professional Shortage Area, Maternity Care Health Professional Target Area and Medically Underserved Areas/Populations Applications

The vendor will work with Department of Health staff in the Primary Care Office to manage the processing

of federal primary care, mental health, and dental Health Professional Shortage Areas (HPSAs), Maternity Care Health Professional Target Areas (MCTAs), primary care Medically Underserved Areas (MUAs), and Medically Underserved Populations (MUPs). The tasks associated with this project are as follows:

Task 1: Collect, Verify, and Maintain Data

Vendor will collect and validate physician and midwife practice information and update the Shortage Designation Management System. Vendor will identify providers who have retired, relocated, recently begun practicing in an area, or otherwise changed their practice hours using Internet searches, existing provider databases including but not limited to New York State licensure data, proprietary databases, and other publicly available data. This effort will also include contacting individual practices within potential or existing shortage areas to update the inventory of physicians in those practices and document their practice characteristics.

Vendor will consult New York State Medicaid claims data, health care organizations, and individual providers to ensure that the most accurate data is available for shortage area designations. Vendor will identify Medicaid visits for individual providers, including but not limited to primary care physicians, psychiatrists, and general dentists. Visits will be limited to providers practicing in ambulatory care settings, including federally qualified health centers (FQHCs), hospital outpatient clinics, private physician offices, and other appropriate settings. Additionally, New York State Medicaid claims data will be used to identify individuals who are enrolled in Medicaid by geopolitical subdivision, including by county, minor civil division (city or township), and census tract.

Vendor will update and verify, on an annual basis and more frequently as necessary, provider data in the Shortage Designation Management System (SDMS). Specifically, the vendor shall obtain, for all active physicians and dentists practicing in the state, information that documents their practice location(s), specialty, setting(s), practice hours, and other information as necessary to support shortage area designations. Staff will work with the New York State Office of Addiction Services and Supports to update and maintain substance abuse utilization data for mental health HPSAs and the New York State Department of Health to update and maintain fluoridation data for oral health HPSAs.

Task 2: Assess and Submit Shortage Area Applications for Existing Designations

Vendor will assess existing shortage area designations using updated provider and population information. In the first year of the contract in consultation with the New York State Department of Health, Primary Care Office, existing shortage area designations will be prioritized for review based on the date of the last designation and Department of Health program priorities. At the beginning of each subsequent year of the contract, vendor will review the initial prioritization and adjust as necessary. Additionally, existing shortage area designations will be reviewed as needed based on identified changes in the service delivery structure, i.e., hospital closures or mergers, provider retirements, or based on service obligated program commitments. Staff will communicate with contact persons listed for National Health Service Corps Active Sites, and any other stakeholders or providers identified in Task 6 below, on changes in status of their existing shortage area designation.

Task 3: Identify, Assess, and Submit New Shortage Area Applications

Vendor will examine areas that are not currently designated but are identified as high need and assess them for potential designation. Additionally, vendor will respond to stakeholder or provider requests for new designations on an as-needed basis. Vendor will communicate with stakeholders and providers on the progress of new shortage area applications. This task also includes communication with the Project Officer of Health Resources and Services

Administration aimed to provide comprehensive explanations for the rationale used to develop every new HPSA applications, as well as providing evidence, documentation, and data as necessary to support those applications.

Task 4: Work with the Department of Corrections and Community Supervision and the Office of Mental Health

Vendor will work with the New York State Department of Corrections and Community Supervision (DOCCS) and the Office of Mental Health (OMH) to review updated data to ensure continuation of existing facility designations as appropriate and to identify new potential facility designations. As part of this work, vendor staff will provide DOCCS and OMH with current shortage area designation guidelines and other materials and data as applicable.

Task 5: Provide Technical Assistance

Vendor will provide technical assistance on shortage area designation requirements, the status of current designations, available service obligated programs in New York State, and the link between shortage area designations and service obligated programs. Technical assistance shall include responding to specific requests received from a wide spectrum of stakeholders to provide the stakeholders specific answers to their questions, request for information and/or needs. The technical assistance requests and responses will be provided via email. The vendor may also establish a robust website where all basic information is provided regarding shortage designation and an overview of the processes involved. Technical assistance will be provided to many stakeholders including but not limited to the following:

- Statewide health facility membership organizations such as the Healthcare Association of New York State or the Community Health Care Association of New York State (CHCANYS);
- Statewide health facility membership organizations, e.g., Medical Society of the State of New York or the New York State Academy of Family Physicians;
- Community-based providers, including hospitals, Federally Qualified Health Centers, and private practitioner offices;
- Practitioners interested in service obligated programs; and
- State and local governments.

This work will include participating in trainings and meetings as described in tasks 7 and 8 below to ensure that the vendor has the most current information on shortage area designation policies and guidelines and on service obligated programs.

Task 6: Maintain a Record of Technical Assistance Provided

- As part of the technical assistance on shortage area designations and on service obligated programs, the vendor shall keep a record that documents the technical assistance provided, information on existing designations, and status of applications for new or existing shortage area designations. The record shall be used to provide information for the annual status report to the Health Resources and Services Administration (HRSA). In addition, vendor staff will develop a standardized report on shortage area designations for the Primary Care Office.

Task 7: Participate in Health Resources and Services Administration (HRSA) Training Programs

Vendor will participate in Health Resources and Services Administration (HRSA) training courses, including but not limited to web-based training modules, videoconferences, and the annual

Reverse Site Visit. Vendor will work closely with Health Resources and Services Administration (HRSA) staff to review and implement changes to SDMS and shortage designation policies.

Task 8: Participate in Health Resources and Services Administration (HRSA) Calls

Staff will participate in monthly Primary Care Office calls, quarterly calls with Project Officer/Regional Office, and any ad hoc calls ordered by HRSA.

Task 9: Prepare Quarterly Progress Report

Vendor staff will prepare a quarterly progress report describing its work on this component. The report will also include any challenges vendor staff experienced in preparing and submitting Health Professional Shortage Area (HPSA) designations and providing technical assistance and the steps taken to address those challenges.

Task 10: Assess and Submit Maternity Care Health Professional Target Area (MCTA) Applications

Vendor will assess and submit Maternity Care Health Professional Target Area (MCTA) applications. This includes:

- reviewing and assessing obstetrician, gynecologist, and midwife capacity (Full Time Equivalents),
- conducting analysis using the primary care Health Professional Shortage Area Rational Service Areas
- Reviewing and submitting Maternity Care Health Professional Target Area (MCTA) applications in the Shortage Designation Management System

B. Develop Needs Assessments and Statewide Rational Service Areas (SRSA's)

The Vendor will work with New York State Department of Health staff at the Primary Care Office to implement primary care, dental, and mental health needs assessments. The tasks associated with this project are as follows:

Task 1: Collect Data for Needs Assessments

The vendor will identify data elements that will be compiled, analyzed, and aggregated for the needs assessment. Such data will include demographics, transportation patterns, health care utilization patterns, health status and behavior, health care providers and facilities, and vital records such as births and deaths.

Task 2: Conduct Stakeholder Survey

The vendor will develop and administer a stakeholder survey assessing potential need and workforce issues. The vendor will work with Department of Health staff to identify the key stakeholders to be surveyed.

Task 3: Develop Needs Assessment Questions for Recruitment and Retention Surveys The vendor regularly surveys health facilities on current health workforce recruitment and retention issues. The vendor will work with DOH staff to identify questions and will add these questions to the recruitment and retention surveys.

Task 4: Link Needs Assessment Data to Rational Service Areas

Vendor staff will link the primary and secondary data used to understand need and access to care issues described above to appropriate (primary care, oral health, behavioral health) rational service areas and rank the areas based on the identified indicators. The ranking will determine those areas with the highest need.

Task 5: Draft Needs Assessment Report

Vendor staff will draft the needs assessment report. The draft will include a description of needs assessment methods and the qualitative and quantitative data collected through the surveys of stakeholders and health care facilities. Vendor staff will submit the draft report for DOH staff and selected stakeholder review.

Task 6: Finalize Needs Assessment Report

The vendor staff will incorporate edits and comments into a finalized report. The finalized needs assessment report will be submitted to DOH staff.

Task 7: Collect and Analyze Data for Rational Service Areas

The vendor will identify data elements that will be compiled, analyzed, and aggregated for the Statewide Rational Service Area Plan. Such data will include demographics, socio-economic, and health care utilization patterns, and geographic barriers such as mountains and rivers. After the data is compiled, the vendor will analyze the data and create Rational Service Areas covering all of New York State for primary care, mental health, and dental health.

Task 8: Write and Review Statewide Rational Service Areas Plan

The vendor will draft the Statewide Rational Service Area Plan report, which will include:

- a description of the methodology
- a list of the Rational Service Areas
- maps by region showing the Rational Service Areas

The vendor will work closely with the Health Services and Resources Administration Project Officer and New York State Primary Care Office to ensure that the analysis and methodology meet federal requirements. The vendor will enter the required data into the Shortage Designation Management System to complete the Statewide Rational Service Area plan to the New York State Primary Care Office, which will then forward the plan to the Health Resources and Services Administration.

Task 9: Develop Statewide Rational Service Areas and submit them via the Shortage Designation Management System (SDMS)

Using the Statewide Rational Service Area plan, the vendor will create primary care, mental health, and dental Rational Service Area records in the Shortage Designation Management System at least quarterly. Each record will include sufficient evidence, documentation, and supplemental information to justify the Rational Service Area. The vendor will also communicate with the Health Resources and Services Administration Project Officer to track the Statewide Rational Service Area submission dates and ensure the provided supplemental information meets Health Resource and Services Administration requirements.

C. Monitor the Outcomes of Graduate Medical Training in New York

Task 1: Review Resident Exit Survey Instrument for Potential Edits

In preparation for the annual administration of the survey, the instrument will be reviewed by vendor staff and key stakeholders to determine whether any edits need to be made. Criteria for editing or removing items include under performance of the question, lack of clarity, lack of relevance of the item to current policy issues and questions. Criteria for adding items include potential relevance to current policy issues and questions and new avenues of research on the outcomes of graduate medical education, demand for physicians, and experiences in the job market for new physicians.

Task 2: Distribute Survey of Residents and Fellows Completing Training in New York

In April and May of each year, vendor staff will distribute the survey of residents and fellows completing training in New York to institutions that sponsor graduate medical education across the state. Survey packages are distributed to Designated Institutional Officials (DIOs) or their administrative staff to further distribute them to physicians completing training at their institutions in a particular year. The survey is also made available to complete on the vendor's online survey platform.

Task 3: Collect and Process Survey Responses

As surveys are returned to institutional officials, they are to be collected and stored locally until the survey is closed in September. At that point, Designated Institutional Officials (DIOs) shall return all completed surveys to the vendor. These paper surveys shall be scanned into an electronic database and merged with the responses collected online.

Task 4: Prepare Survey Database for Analysis

Once merged, vendor staff shall process the responses, examining the data for outliers, incorrect data entry, and other common data entry/processing errors. The database shall then be cleaned and prepared for analysis.

Task 5: Analyze Data

Vendor staff will conduct analyses with the survey data. These shall include basic frequency and cross-tabulations, as well as creation of visualizations for the report. Further, the relative demand for physicians by specialty index will be calculated as part of this task. Data analyses will also be conducted to support the report on trends in demand for new physicians over the previous 5 years.

Task 6: Prepare Draft Report on Current Year Outcomes

The vendor will complete a draft of the outcomes of residency training in New York based on the survey results. The report will follow the current report template.

Task 7: Incorporate Feedback and Prepare Final Report on Outcomes

Vendor staff will conduct an internal review of the report for substantive and technical issues. Feedback will be incorporated and a final report on residency outcomes produced. The report will also be posted to the vendor's website.

Task 8: Prepare Draft Report on Trends in Graduate Training Outcomes

Vendor staff will draft a report on trends in the demand for new physicians by specialty over the past 5-year period. The report shall incorporate aggregated data from the survey of residents and fellows completing training in New York as well as data compiled from the American Medical Association on the estimated number of residents and fellows in training by specialty over time.

Task 9: Incorporate Feedback and Prepare Final Report on Trends in Graduate Training Outcomes

Vendor staff will conduct an internal review of the report for substantive and technical issues. Feedback will be incorporated and a final report on trends produced. The report will be posted to the Vendor's website.

Task 10: Update Online Graduate Medical Education (GME) Data Portal

Vendor staff will upload survey data to the online GME data portal (nygme.chwsny.org).

D. Support DOH on Health Workforce Related Issues, Inquiries and Activities

New York State Department of Health staff will routinely encounter issues requiring them to seek assistance from the vendor related to health workforce data analysis and/or environmental scans.

Task 1: Respond to DOH Health Workforce Inquiries

Upon receiving an inquiry from New York State Department of Health, vendor staff will conduct a literature search and/or compile secondary data to inform a response. The nature and complexity of the inquiry will determine the length of time required to develop the response as well as the form of the response. Vendor staff will assess the length of time required for the response and inform New York State Department of Health staff when they can expect the response.

Task 2: Maintain Log of Response Activities

Using an online tracking system vendor staff will maintain a log of their responses to New York State Department of Health staff inquiries. The log will be available for review at any time by New York State Department of Health program leadership.

Task 3: Prepare Quarterly Summary on Response Activities

Vendor staff will prepare a brief quarterly summary based on the activity log. The summary will also include any challenges vendor staff experienced in responding to New York State Department of Health inquiries as well as steps taken to address those challenges. This summary will be incorporated into the quarterly progress report describing activity in component A described above.

4.2 Staffing

1. The vendor shall ensure that they are consistently staffed with experienced and knowledgeable personnel who can perform the tasks and deliverables listed in Section 4.0 Scope of Work of this Request for Proposal throughout the duration of the resulting contract.
2. The vendor will conduct recruitment, organization and training efforts that will provide for an adequate number of appropriately trained and qualified individuals to coordinate, manage and complete the tasks and deliverables outlined in Section 4.0 Scope of Work of this Request for Proposal throughout the duration of the resulting contract. The vendor will ensure that the staffing needs of the program are met on an ongoing basis.
3. Within the first 30 days of receipt of the approved contract, the Contractor shall provide the Department a staffing plan identifying staff assigned to the tasks and deliverables outlined in Section 4.0 Scope of Work of this Request for Proposal. Such plan shall include detail that clearly explains, defines, and outlines an adequate number of staff possessing appropriate experience to fully fulfill the tasks outlined in Section 4.0 Scope of Work of this Request for

Proposal. Such staffing plan is subject to the review and approval of the Department of Health.

4. The Department reserves the right to review project staff prior to the start of work, and to reject project staff and any proposed personnel or subcontractors. In addition, the Department may require changes in staff based on performance and require replacement staff with equal or stronger qualifications.

4.3 Reporting

The following table summarizes the type of reports and frequency for each of the tasks listed in Section 4.1:

Task	Report	Frequency
A.1.	Develop a database of all active physicians and dentists practicing in the state that documents their practice location(s), specialty, setting(s), practice hours, and other information as necessary to support shortage area designations	Ongoing
A.2.	None	
A.3.	None	
A.4.	Provide DOCCS and OMH with current shortage area designation guidelines and other materials and data as applicable	Annually
A.5.	None	
A.6.	The vendor shall maintain an internal tracking system that documents the technical assistance provided, information on existing designations, and status of applications for new or existing shortage area designations. The system shall be used to provide information for the annual status report to the Health Resources and Services Administration (HRSA) as well as to provide periodic reports on the status of shortage area designations to key stakeholders.	Annually
A.7.	None	
A.8.	None	
A.9.	Vendor staff will prepare a quarterly progress report describing its work on this component. The progress report will include the standardized shortage area designation report noted in Task 6. The report will also include any challenges vendor staff experienced in preparing and submitting Health Professional Shortage Area (HPSA) designations and providing technical assistance and the steps taken to address those challenges.	Quarterly
A.10.	None	
B.1.	None	

B.2.	The vendor will develop and administer an online stakeholder survey assessing potential need and workforce issues. The vendor will work with Department of Health staff to identify the key stakeholders to be surveyed.	Annually
B.3.	None	
B.4.	None	
B.5.	None	
B.6.	The vendor staff will incorporate edits and comments into a finalized report. The finalized needs assessment report will be submitted to DOH staff.	Annually
B.7.	None	
B.8.	Statewide Rational Services Area Plan	Annually
B.9.	None	
C.1.	In preparation for the annual administration of the survey, the instrument will be reviewed by vendor staff and key stakeholders to determine whether any edits need to be made. Criteria for editing or removing items include under performance of the question, lack of clarity, lack of relevance of the item to current policy issues and questions. Criteria for adding items include potential relevance to current policy issues and questions and new avenues of research on the outcomes of graduate medical education, demand for physicians, and experiences in the job market for new physicians.	Annually
C.2.	None	
C.3.	None	
C.4.	None	
C.5.	None	
C.6.	None	
C.7.	Vendor staff will conduct an internal review of the report for substantive and technical issues. Feedback will be incorporated and a final report on residency outcomes produced. The report will also be posted to the vendor's website.	Annually
C.8.	None	
C.9.	Vendor staff will conduct an internal review of the report for substantive and technical issues. Feedback will be incorporated and a final report on trends produced. The report will be posted to the Vendor's website.	Annually
C.10.	None	
D.1.	Upon receiving an inquiry from New York State Department of Health, vendor staff will conduct a literature search and/or compile secondary data to inform a response. The nature and complexity of the inquiry will determine the length of time required to develop the response as well as the form of the response. Vendor staff will assess the length of time required for the response and inform New York State Department of Health staff when they can expect the response.	As needed
D.2.	Using an online tracking system vendor staff will maintain a log of their responses to New York State Department of Health staff inquiries. The log will be available for review at any time by New York State Department of Health program leadership.	Ongoing
D.3.	Vendor staff will prepare a brief quarterly summary based on the activity log. The summary will also include any challenges	Quarterly

	vendor staff experienced in responding to New York State Department of Health inquiries as well as steps taken to address those challenges. This summary will be incorporated into the quarterly progress report describing activity in component A described above.	
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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 Department (<https://its.ny.gov/policies>) and applicable State and Federal law and administrative guidance with respect to the performance of the Contract. The Contractor is required, if applicable, to execute a number of security and privacy agreements with the Department including a Business Associate Agreement (Appendix H) and a Data Use Agreement (DUA) at contract signing.

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

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

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 Department as well as with all applicable State and Federal requirements, in performance of the Contract.

4.5.1 Security and Privacy Requirements

The New York State Department of Health (the "Department" or "DOH") requires that vendors providing information technology (IT) and application services to the Department comply with the security and privacy

policies and controls outlined in this RFP and all other applicable New York State and federal laws, regulations, policies, and standards for IT systems that transfer, process, or store Department data, including but not limited to the Health Insurance Portability and Accountability Act (HIPAA) Omnibus Final Rule. Vendors are required to verify compliance with security and privacy requirements by providing the Department with documentation and artifacts that validate applicable standards and controls are in place.

4.5.2 Moderate-Plus Security Controls Baseline

The Department has defined a *Moderate-Plus Security Controls Baseline* based on, and consistent with the security provisions described in Centers for Medicare and Medicaid Services (CMS) Acceptable Risk Safeguards (ARS) and National Institute of Standards and Technology (NIST) Special Publication (SP) 800-53 at the Moderate level. Additionally, the Department has augmented these federal standards with New York State Policies and Standards. The *Moderate-Plus Security Controls Baseline* includes a System Overview document.

4.5.3 System Security Plan (SSP)

The Department requires the selected bidder/vendor to maintain a System Security Plan (SSP) that aligns with the *Moderate-Plus Security Controls Baseline* for any system that will transfer, process, or store Department data. The Department considers bidder responses to represent a commitment by the bidder to adhere to, and demonstrate compliance with, the *Moderate-Plus Security Controls Baseline*. The Department will provide necessary templates and guidelines with respect to SSP format to the selected bidder/vendor upon contract award.

4.5.4 Data Use Agreement (DUA) and Business Associate Agreement (BAA)

Selected bidder/vendor shall execute a Data Use Agreement (DUA) and Business Associate Agreement (BAA) and submit a System Security Plan (SSP) Attestation to the Department upon contract award. The SSP Attestation requires the selected bidder/vendor to certify to the Department that the selected bidder/vendor system adheres to the *Moderate-Plus Security Controls Baseline*.

4.5.5 FedRAMP Certified Cloud Solutions

If the selected vendor solution utilizes a FedRAMP Certified cloud solution, the vendor shall indicate how such cloud services are utilized, including the type of cloud service utilized (e.g. Infrastructure as a Service (IaaS), Platform as a Service (PaaS), and/ or Software as a Service (SaaS)).

Additionally, vendor shall provide a matrix that illustrates whether the vendor, or the cloud service provider, is responsible for each security control. Vendor shall also indicate if responsibility for a given control is shared between the vendor and the cloud service provider.

Selected vendor shall also provide evidence to the Department that the cloud service offerings have been certified against criteria consistent with the *Moderate-Plus Security Controls Baseline*. The scope of this certification shall include all locations that store, process, connect to, or provide access to Department data, whether at rest or in transit.

The Department reserves the right to request documentation to verify compliance with FedRAMP and FISMA Authorizations including but not limited to:

- System Security Plans
- Cloud Security Alliance ASA certification reports
- SOC audit reports
- Other independent security assessment results
- Artifacts employed in support of cloud provider certification
- Identification of cloud provider supply chain vendors and associated contracts as applicable

4.5.6 Department Templates

The DUA, BAA, SSP Attestation, *Moderate-Plus Security Controls Baseline* SSP templates, and POA&M templates will be provided to the selected bidder/vendor by the Department upon contract award.

4.5.7 Legal and Regulatory Compliance

Bidders/vendors should familiarize themselves with all applicable New York State and federal laws, regulations, policies, and standards for IT systems that transfer, process, or store Department data. Finally, systems addressed by this RFP may be subject to security and regulatory requirements including, but not limited to:

- All New York State ITS policies and standards (<http://its.ny.gov/eiso/policies/security>)
- The Health Insurance Portability and Accountability Act (HIPAA) Omnibus Final Rule
- All applicable State and federal laws and regulations related to privacy protections
- Section 367-b(4) of the NY Social Services Law
- New York State Social Services Law Section 369(4)
- Article 27-F of the New York Public Health Law (HIV/AIDS)
- 18 NYCRR 360-8.1
- NY Civil Rights 79-L
- Social Security Act, 42 USC 1396a(a)(7)
- Federal regulations at 42 CFR 431.302 and 42 CFR Part 2 (Substance Use Disorder)
- NYS Mental Hygiene Law Section 33.13
- 45 CFR Parts 160 and 164 (Privacy related sections for HIPAA)

4.6 Transition

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

The Contractor shall ensure that any transition to the Department, Departmental agency or successor Contractor be done in a way that provides the Department with uninterrupted Physician Workforce Studies 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 Department or another Department 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 Department to transition and assume contract requirements to the Department or another Department 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.

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 Department or another Department agent should that be required during or upon expiration of its

Contract. The plan and documentation must be submitted to the Department no later than twelve (12) months before the last day of its Contract with the Department or upon request of the Department.

4.7 Payment

Payment of invoices and/or vouchers submitted by the successful Bidder pursuant to the terms of the Contract entered into pursuant to this RFP by the Department shall be made in accordance with Article XI-A of the New York State Finance Law. Payment terms will be:

Payments will be made on a quarterly basis, according to deliverables that have been completed, submitted and approved by the DOH contract manager.

Full payment of vouchers may be impacted and/or delayed by the Department based on assessments by the Department of the Contractor's progress toward satisfactory accomplishment of Contract deliverables and established timelines.

The Contractor shall submit invoices and/or Claim for Payment to the State's designated payment office:

Preferred Method: Email a .pdf copy of your signed Claim for Payment to the Business Service Center (BSC) at: AccountsPayable@ogs.ny.gov and cc to your Contract Manager with a subject field as follows:

Subject: Unit **3450459**; Contract Number **C042389R**

Alternate Method: Mail signed, original Claim for Payment at the following U.S. postal address:

NYS Department of Health
Unit ID **3450459**; Contract Number **C042389R**
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 <https://www.osc.ny.gov/state-vendors>. 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

4.8 Subcontracting

Bidders may propose the use of a subcontractor. The Contractor shall obtain prior written approval from the Department before entering into an agreement for services to be provided by a subcontractor. The Contractor is solely responsible for assuring that all the requirements of this RFP is 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 Department and the Contractor. The Department reserves the right to request removal of any Bidder's staff or subcontractor's staff if, in the Department's discretion, such staff is not performing in accordance with the Contract.

NOTE: Subcontractors whose contracts are valued at or above \$100,000 will be required to submit the Vendor Responsibility Questionnaire upon selection of the prime Contractor.

4.9 Contract Insurance Requirements

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

4.10 Minority & Women-Owned Business Enterprise (M/WBE) Requirements

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

Business Participation Opportunities for M/WBEs

For purposes of this RFP, the Department hereby establishes an overall goal of 0% for M/WBE participation, 0% for Minority-Owned Business Enterprises ("**MBEs**") participation and 0% for Women-Owned Business Enterprises ("**WBEs**"), based on the current availability of qualified MBEs and WBEs and outreach efforts to certified M/WBE firms. The successful Bidder who becomes the Contractor under the Contract entered into with the Department pursuant to this RFP must document good faith efforts to provide meaningful participation by M/WBEs as subcontractors or suppliers in the performance of the Contract consistent with the M/WBE participation goals established for this procurement, and Contractor must agree that the Department may withhold payment pending receipt of the required M/WBE documentation. For guidance on how the Department will determine "good faith efforts," refer to 5 NYCRR §142.8.

The directory of New York State Certified M/WBEs can be viewed at: <https://ny.newnycontracts.com>. The directory is found 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 required, and all communication efforts and responses should be well documented to establish Contractor's "good faith efforts".

By submitting a Bid in response to this RFP, for contracts with an MWBE goal above, a Bidder agrees to complete and submit an M/WBE Utilization Plan ([Attachment 5](#), Form #1) prior to award. The Department will review the submitted M/WBE Utilization Plan. If the Plan is not accepted, the Department may issue a notice of deficiency. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days after Bidder's receipt of such notice.

The Department may disqualify a Bidder as being non-responsive to this RFP under the following circumstances:

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

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified in its M/WBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the Department 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 Department, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the M/WBE goals of the Contract.

If (a) the Department determines that the Contractor is not in compliance with the M/WBE requirements of the Contract and the Contractor refuses to comply with such requirements, or (b) the Department finds that the Contractor has willfully and intentionally failed to comply with the M/WBE participation goals established in the Contract, the Contractor may be required to pay to the Department liquidated damages and will be considered during future Vendor Responsibility Profile reviews should the bidder bid on future opportunities with the Department

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

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

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

4.11 Equal Employment Opportunity (“EEO”) Reporting

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

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

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

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

4.12 Participation Opportunities for NYS Certified Service-Disabled Veteran-Owned Businesses

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by NYS-certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”), thereby further integrating such businesses into New York State's economy. The Department 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 the Department's 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 proteges, or in other partnering or supporting roles.

For purposes of this procurement, the Department 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.

5.0 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 the Department and ending with the final contract award and approval by the Department and, where applicable, final contract approval by the Office of the State Comptroller.

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

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

5.2 Questions

Potential Bidders may submit written questions and requests for clarification pertaining to this RFP between the issuance of this RFP and the deadline for the submission of written questions specified in [Section 1.0](#) (Calendar of Events). All questions and requests for clarification of this RFP should cite the relevant RFP, including the RFP number and title (RFP # Physician Workforce Studies), the section and paragraph number of this RFP or of the Attachment to this RFP to which the question relates, where applicable, and must be submitted via email to sch_loan@health.ny.gov no later than the Deadline for Submission of Written Questions specified in [Section 1.0](#) (Calendar of Events). Questions received after the deadline **may not** be answered.

If a potential Bidder discovers any ambiguity, conflict, discrepancy, omission, or other apparent error in this RFP, the Bidder shall immediately notify the Department of such error in writing at sch_loan@health.ny.gov and request that the Department clarify or modify the Terms of this RFP. If, prior to the deadline for the Submission of Bids, a Bidder fails to notify the Department of a known error or an error that reasonably should have been known, the Bidder shall assume the risk of bidding notwithstanding such apparent ambiguity, conflict, discrepancy, omission or other error. If awarded the Contract pursuant to the terms of this RFP, the Bidder shall not be entitled to an amendment to the terms of the Contract to correct or clarify any such ambiguity, conflict, discrepancy, omission or other error nor to any additional compensation by reason of the error or its correction.

5.3 Right to Modify RFP

The Department 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 the Department, at any time prior to the Deadline for Submission of Proposals specified 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 the Department will be posted to the Department's website.

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

If, prior to the Deadline for Submission of Proposals, a bidder fails to notify the Department 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 The Department's Reserved Rights

The Department 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 Department'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 Department's request for clarifying information in the course of evaluation and/or selection under the RFP;
7. Prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available;
8. Prior to the bid opening, direct bidders to submit proposal modifications addressing subsequent RFP amendments;
9. Change any of the scheduled dates;
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective bidders;
11. Waive any requirements that are not material;
12. Negotiate with the successful bidder within the scope of the RFP in the best interests of the State;
13. Conduct contract negotiations with the next responsible bidder, should the Department be unsuccessful in negotiating with the selected bidder;
14. Utilize any and all ideas submitted in the proposals received;
15. Every offer shall be firm and not revocable for a period of three hundred and sixty-five days from the bid opening, to the extent not inconsistent with section 2-205 of the uniform commercial code. Subsequent to such three hundred and sixty- five days, any bid is subject to withdrawal communicated in a writing signed by the bidder; and,
16. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a bidder's proposal and/or to determine a bidder's compliance with the

requirements of the solicitation.

5.5 Debriefing

Pursuant to Section 163(9)(c) of the State Finance Law, once an award has been made, any unsuccessful bidder may request a debriefing regarding the reasons that the proposal or bid submitted by the Bidder was not selected for award. The debriefing will be limited solely to the Bidder's own Bid and will not include any discussion of other bids. Requests for a debriefing must be made within fifteen (15) calendar days of release of the written or electronic notice by the Department 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 non-award letter.

5.6 Protest Procedures

In the event an unsuccessful Bidder wishes to protest the award resulting from this RFP, the protesting Bidder must 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 OSC's Guide to Financial Operations, which is available on-line at: <http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>

5.7 Freedom of Information Law ("FOIL")

All Bids may be disclosed or used by the Department to the extent permitted by law. The Department may disclose a Bid to any person for the purpose of assisting in evaluating the Bid or for any other lawful purpose. All Bids will become State agency records, which will be available to the public in accordance with the New York State Freedom of Information Law. **Any portion of the Bid 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 Bid as specified in Section 6.1.2. of this RFP.** If the Department agrees with the proprietary claim, the designated portion of the Bidder's Bid will be withheld from public disclosure. Blanket assertions of proprietary material will not be accepted, and failure to specifically designate proprietary material may be deemed a waiver of any right to confidential handling of such material.

5.8 Piggybacking

New York State Finance Law section 163(10)(e) (see also <https://ogs.ny.gov/procurement/piggybacking-using-other-existing-contracts-0>) allows the Commissioner of the NYS Office of General Services to consent to the use of the Contract entered into pursuant to this RFP by other New York State Agencies, and other authorized purchasers, subject to conditions and the Contractor's consent.

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.

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

6.1.1 Bidder's Disclosure of Prior Non-Responsibility Determinations

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

6.1.2 Freedom of Information Law - Proposal Redactions

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

6.1.3 Vendor Responsibility Questionnaire

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

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

Bidders 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. Bidders should complete and submit the Vendor Responsibility Attestation, [Attachment 3](#).

6.1.4 Vendor Assurance of No Conflict of Interest or Detrimental Effect

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

6.1.5 M/WBE Forms

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

6.1.6 Encouraging Use of New York Businesses in Contract Performance

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

6.1.7 Bidder's Certified Statements

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

6.1.8 Diversity Practices Questionnaire

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

6.1.9 Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination

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

6.1.10 Executive Order 16 Prohibiting Contracting with Businesses Conducting Business in Russia

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

6.1.11 State Finance Law Consultant Disclosure Provisions

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

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

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

Comptroller, and Department of Civil Service.

Submit State Consultant Services Form A: Contractor's Planned Employment and Form B: Contractor's Annual Employment Report, available at:

<http://www.osc.state.ny.us/agencies/forms/ac3271s.doc> and

<http://www.osc.state.ny.us/agencies/forms/ac3272s.doc>.

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

Section 5-a of the Tax Law, as amended, effective April 26, 2006, requires certain Contractors awarded state contracts for commodities, services and technology valued at more than \$100,000 to certify to the Department of Tax and Finance (DTF) that they are registered to collect New York State and local sales and compensating use taxes. The law applies to contracts where the total amount of such contractor's sales delivered into New York State are in excess of \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and subcontractors whose sales delivered into New York State exceeded \$300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made.

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

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

Submit these Forms, available through these links:

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

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

6.1.13 Gender-Based Violence and the Workplace Certification

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

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 the Department 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.

6.2.1 Title Page

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

6.2.2 Table of Contents

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

6.2.3 Documentation of Bidder's Eligibility Responsive to Section 3.0 of RFP

Bidders must be able to meet all the requirements stated in Section 3.0 of the RFP. The bidder must submit documentation that provides sufficient evidence of meeting the criterion/criteria set forth in Section 3.0. This documentation may be in any format needed to demonstrate how the Bidder meets the minimum qualifications to propose.

New York State Department of Health will only accept proposals from bidders with the following types and levels of experience as a prime contractor.

- The Bidder must have three (3) or more years' of experience conducting health workforce research that required data analysis.

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.

Preferred Qualifications:

Bidders should submit documentation that demonstrates their experience with the following preferred qualifications as stated in Section 3.2 of this RFP. The Bidder must clearly document their type (s) and level of experience and submit documentation that provides evidence of meeting the preferred qualifications..

- The Bidder has one (1) or more years' experience creating Statewide Community Health Needs Assessments.
- The Bidder has one (1) or more years' experience creating Statewide Rational Service Area (SRSA) plans.

- The Bidder has one (1) or more years' experience providing technical assistance to interested parties about the Health Professional Shortage Area designation process.

6.2.4 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:

- 1) Describe your capabilities, knowledge, experience with coordinating and managing Health Professional Shortage designation applications and providing technical assistance to stakeholder, including your proposed approach to meeting the Department's needs in these areas.
- 2) Describe your capabilities, knowledge, and experience with developing and conducting Statewide Community Health Needs Assessments and designating Statewide Rational Service Areas, including your proposed approach to meeting the Department's needs in these areas.
- 3) Describe your capabilities, knowledge, and experience with monitoring outcomes of Graduate Medical Education (GME), including your proposed approach to meeting the Department's needs in these areas.
- 4) Describe your capabilities, knowledge, and experience with health workforce data analysis, including your proposed approach to meeting the Department's needs in these areas.
- 5) Describe your staffing plan, including detail that clearly explains, defines, and outlines an adequate number of staff possessing appropriate experience to fully fulfill the tasks outlined in Section 4.0, including your proposed approach to meeting the Department's needs in these areas.
- 6) Describe your capabilities, knowledge, and experience in producing reports resembling those reports listed in section 4.3 Reporting, including your proposed approach to meeting the Department's needs in these areas.
- 7) Describe how you will meet the NYS security policies and standards listed at <http://its.ny.gov/tables/technologypolicyindex.htm>, including your proposed approach to meeting the Department's needs in these areas.
- 8) Describe how all privacy and security policies and procedures of the Department (<https://its.ny.gov/policies>) will be met throughout the contractual engagement. Include how you will ensure all staff will protect all sensitive data, including your proposed approach to meeting the Department's needs in these areas.
- 9) Describe the proposed staff positions responsible for transition to the Department, another Department agent or successor Contractor during or at the end of the Contract Term, including your proposed approach to meeting the Department's needs in these areas.

- 10) Describe how the transition activities will be performed to the successor contractor(s) or Department staff, including your proposed approach to meeting the Department's needs in this area.

6.2.5 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 RFP and in Attachment B. Failure to comply with the format and content requirements may result in disqualification.

There are three (3) tabs in the Cost Proposal:

Tab 1 - Instructions - this tab is only a guide. No data should be entered on this tab.

Tab 2 - Input Bid - Bidders are to enter data in the green cells only. All green cells on this tab must be completed.

Tab 3 - Summary of Bid - print the name of the individual authorized to submit the bid.

Bidders are directed to print tabs 1-3 and use a wet ink signature on the last page and scan the pages from tabs 1-3 to submit your cost proposal.

The bid price is to cover the cost of furnishing all of the product(s)/ services sought to be procured, including but not limited to travel, materials, equipment, overhead, profit and labor to the satisfaction of the Department 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. The table below outlines the requested format and volume for submission of each part. Proposals should be submitted in all formats as prescribed below.

	Electronic Submission
Administrative Proposal	1 email PDF(s) labeled "Administrative Proposal" containing a standard searchable PDF file with copy/read permissions only.
Technical Proposal	1 email PDF(s) labeled "Technical Proposal" containing a standard searchable PDF file with copy/read permissions only.
Cost Proposal	1 email PDF(s) "Cost Proposal" containing standard searchable PDF file(s) with copy/read permissions only.

1. Submit three (3) separate, searchable, and open and permission password protected, PDF proposals in three (3) separate emails to: sch_loan@health.ny.gov. Use this naming convention for the subject line of each email: <Type of Proposal Submission, Bidder Name, RFP# C042389R >.

2. Include, as attachment to each email, the distinct PDF file labeled "Administrative Proposal", "Technical Proposal", or "Cost Proposal" followed by Company name and RFP number. Example: "Technical Proposal Submission, ABC Company, RFP#12345".
3. All electronic bid submissions should be clear and include page numbers at the bottom of each page.
4. All electronic bid submissions should be in PDF Optical Character Recognition (OCR) searchable format.
5. The body of the email should also include the password to the file, contact information, and indicate the total number of pages intended, and, where indicated, each subset of pages listed. **Example: Administrative Proposal 14 pages total, Attachment 3 – 1 page.**
6. A font size of eleven (11) points or larger should be used. All submitted documents should contain appropriate header and footer information.
7. In the event an electronic submission cannot be read by the Department, the Department reserves the right to request a hard copy and/or electronic resubmission of any unreadable files. Offeror shall have 2 business days to respond to such requests and must certify the resubmission is identical to the original submission.
8. Where signatures are required, the proposals should have a handwritten signature (wet ink) and be signed in blue ink. A scan of the handwritten (wet ink) signature can be used for electronic submission in the PDF. The Department reserves the right to request hard copy originals of all signature pages at any time.
9. The Department discourages overly lengthy Bids. Therefore, marketing brochures, user manuals or other materials beyond that sufficient to present a complete Bid, are not desired and will not be reviewed or evaluated. Elaborate artwork or expensive paper is not necessary or desired. In order for the Department to evaluate bids fairly and completely, all Bids should follow the format described in this RFP and provide all requested information and no extraneous or additional information or material.
10. Audio and/or videotapes are not allowed. Any submitted audio or videotapes will be ignored by the evaluation teams.

The proposal must be received by the New York State Department of Health, no later than the Deadline for Submission of Proposals specified in [Section 1.0](#), (Calendar of Events). Late bids will not be considered.

7.1.1 No Bid Form

Bidders choosing not to bid are requested to complete the No-Bid form, [Attachment 2](#). Although not mandatory, such information helps the Department direct solicitations to the correct bidding community.

8.0 METHOD OF AWARD

8.1 General Information

The Department 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 offerors" shall be selected for award (State Finance Law, Article 11, §163(1)(j)).

The Department, at its sole discretion, will determine which proposal(s) best satisfies its requirements. The Department 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 RFP 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 **75%** of a proposal's total score and the information contained in the Cost Proposal will be weighted **25%** of a proposal's total score.

Bidders may be requested by the Department to clarify the contents of their proposals. Other than to provide such information as may be requested by the Department, 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 M/WBE participation.

8.2 Submission Review

The Department 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 the Department, 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 Department will review and evaluate all proposals.

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

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

The scores will be normalized by using the following formulas:

$$Z = (X/Y)*75$$

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

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

Z is the Total Technical Score.

The Technical Proposal evaluation is **75% (up to 75 points)** of the final score.

8.4 Cost Evaluation

The Cost Evaluation Committee will examine the Cost Proposal documents. The Cost Proposals will be opened and reviewed for responsiveness to cost requirements. If a cost proposal is found to be non-

responsive, that proposal may not receive a cost score and may be eliminated from consideration. The Cost Proposals will be scored based on a maximum cost score of 25 points. The maximum cost score will be allocated to the Cost Proposal with the lowest all-inclusive not-to-exceed maximum price. All other responsive proposals will receive a proportionate score based on the relation of their Cost Proposal to the Cost Proposal(s) offered at the lowest final cost, using this formula:

$$C = (A/B) * 25$$

A is Total price of lowest Cost Proposal;

B is Total price of Cost Proposal being scored; and

C is the Cost score.

The Cost Proposal evaluation is **25% (up to 25 points)** of the final score.

8.5 Composite Score

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

8.6 Award Recommendation

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

The Department will notify the awarded Bidder(s) and Bidders not awarded. The awarded Bidder(s) will enter into a Contract substantially in accordance with the terms of Attachment 8, DOH Agreement, to provide the required product(s) or 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 Determinations](#)
2. [No-Bid Form](#)
3. [Vendor Responsibility Attestation](#)
4. [Vendor Assurance of No Conflict of Interest or Detrimental Effect](#)
5. [Guide to New York State DOH M/WBE Required Forms & Forms](#)
6. [Encouraging Use of New York Businesses in Contract Performance](#)
7. [Bidder's Certified Statements](#)
8. [DOH Agreement](#) (Standard Contract)
9. [Diversity Practices Questionnaire](#)
10. [Executive Order 177 Prohibiting Contracts with Entities that Support Discrimination](#)
11. [Executive Order 16 Prohibiting Contracting with Business Conducting Business in Russia](#)
12. [Attachment 14 - State Finance Law 139M Attestation Gender Based Violence](#)

The following attachment is attached and included in this RFP:

- A. Proposal Document Checklist

The following attachment is provided as a separate file and has been posted along with this RFP at <https://www.health.ny.gov/funding/>.

- B. Cost Proposal

ATTACHMENT A
PROPOSAL DOCUMENT CHECKLIST

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

RFP C042389R – Physician Workforce Studies		
FOR THE ADMINISTRATIVE PROPOSAL		
RFP §	SUBMISSION	INCLUDED
§ 6.1.1	Attachment 1 - Bidder's Disclosure of Prior Non-Responsibility Determinations	<input type="checkbox"/>
§ 6.1.2	Freedom of Information Law – Proposal Redactions (If Applicable)	<input type="checkbox"/>
§ 6.1.3	Attachment 3 - Vendor Responsibility Attestation	<input type="checkbox"/>
§ 6.1.4	Attachment 4 - Vendor Assurance of No Conflict of Interest or Detrimental Effect	<input type="checkbox"/>
§ 6.1.5	M/WBE Participation Requirements:	<input type="checkbox"/>
	Attachment 5 - Form 4	<input type="checkbox"/>
	Attachment 5 - Form 5	<input type="checkbox"/>
§ 6.1.6	Attachment 6 - Encouraging Use of New York Businesses	<input type="checkbox"/>
§ 6.1.7	Attachment 7 - Bidder's Certified Statements	<input type="checkbox"/>
§ 6.1.8	Attachment 10 - Diversity Practices Questionnaire	<input type="checkbox"/>
§ 6.1.9	Attachment 11 - EO 177 Prohibiting Contracts with Entities that Support Discrimination	<input type="checkbox"/>
§ 6.1.10	Attachment 12 – EO 16 Contracting with Businesses Conducting Business in Russia	<input type="checkbox"/>
§ 6.1.11	State Finance Law Consultant Disclosure	<input type="checkbox"/>
§ 6.1.12	Sales and Compensating Use Tax Certification	<input type="checkbox"/>
§ 6.1.13	Attachment 14 - State Finance Law 139M Attestation Gender Based Violence	<input type="checkbox"/>
FOR THE TECHNICAL PROPOSAL		
RFP §	SUBMISSION	INCLUDED
§ 6.2.1	Title Page	<input type="checkbox"/>
§ 6.2.2	Table of Contents	<input type="checkbox"/>
§ 6.2.3	Documentation of Bidder's Eligibility (Requirement)	<input type="checkbox"/>
§ 6.2.4	Technical Proposal Narrative	<input type="checkbox"/>
FOR THE COST PROPOSAL REQUIREMENT		
RFP §	REQUIREMENT	INCLUDED
§ 6.2.5	Attachment B- Cost Proposal	<input type="checkbox"/>