



NEW YORK STATE
 OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
 40 NORTH PEARL STREET
 ALBANY, NEW YORK 12243-0001

Andrew M. Cuomo
 Governor

Kristin M. Proud
 Commissioner

OTDA RESPONSES TO QUESTIONS

OTDA Temporary Personnel Services IFB

Question 1. Can you provide the addresses of the OTDA locations for each Region?

OTDA Response:

<u>Region 1</u>	<u>Region 2</u>	<u>Region 3</u>	<u>Region 4</u>	<u>Region 5</u>	<u>Region 6</u>	<u>Region 7</u>
One Commerce Plaza 99 Washington Avenue Albany, NY 12210	100 Church Street NY, NY 10007	50 Clinton Street Hempstead, NY 11550	Glendale Technology Park 2001 Perimeter Road, East Endicott, NY 13760			Buffalo Ellicott Square Building 295 Main Street Buffalo, NY 14203
Ten Eyck State Office Building 40 N Pearl Street Albany, NY 12243	Harlem Center 317 Lenox Avenue New York, NY 10027		Hughes State Office Building 333 East Washington Street Syracuse, NY 13215			Swan Tower Building 290 Main Street Buffalo, NY 14203
Riverview Center 150 Broadway Albany, NY 12204	Gertz Plaza 92-31 Union Hall Street Jamaica, NY 11433					Monroe Square 259 Monroe Avenue Rochester, NY 14607
93 Broadway Albany, NY 12204	14 Boerum Place Brooklyn, NY 11201					

PLEASE NOTE: There are no OTDA locations in Regions 5 and 6, so please exclude Lots One and Two for these regions. They will not be included in the evaluation and selection, and no contract will be awarded in Regions 5 and 6. There will be no award for the title of Speech Language Pathologist (SLP), will be removed from the IFB.

Question 2. Thank you for providing this information regarding the staffing RFP. My NYS WBE certification is not currently active, however, my national WBENC certification has been granted through July 2014. Would I be eligible to participate in this RFP with the WBENC certification? Please advise.

OTDA Response: As a NYS Agency, the OTDA is required to use the MWBE definition set forth in NY State Finance Law (Section 163), which incorporates a specific reference to NYS Executive Law Article 15-A. The OTDA encourages firms who may qualify, to obtain their New York State Certification as a Minority Woman Owned Business Enterprise (MWBE). In order to streamline the certification process for firms seeking certification with NYS, the NYS Division of Minority and Women’s business Development (DMWBD) has created various ‘short form applications’ (Fast Track Applications) for firms that hold other

certifications. Firms using a Fast Track Application are subject to all NYS eligibility requirements, and may be denied certification with NYS, even if certified by one of our certification partners. In all instances, NYS reserves the right to request additional documents, or a full application from any applicant, regardless of application type or method.

New York State has four applications for first time applicants seeking certification with NYS. Please review all four options located at <http://esd.ny.gov/mwbe/getcertified.html> to determine which type of application your firm can submit. For assistance with the NYS MWBE certification process, please phone Emily Pagan at (212) 961-8214.

As stated in section 2.16.2.1 of the IFB: For purposes of this solicitation, OTDA hereby establishes an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises (“MBE”) participation and 10% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that OTDA may withhold payment pending receipt of the required MWBE documentation. The directory of New York State Certified MWBEs can be viewed at: <http://www.esd.ny.gov/mwbe.html>.

Question 3. Para 1.4.7.2 (page-6) mentions that “Contract is expected to begin on or about October 1”; whereas, para 1.4.7 mentions 01 Dec as date of Award of Contract. There seeming to be an typo-error in chronology here. Please clarify.

OTDA Response: The contract commencement date of October 1, 2013 found in Para 1.4.7.2 on page 6 is an error. The anticipated Contract Award Date is December 1, 2013, the contract commencement date will occur at this time or upon receipt of contract approval from the New York State Comptroller, whichever is later.

Question 4. Is this requirement/contract is fresh one or is an existing one with an incumbent?

OTDA Response: There have been temporary personnel agencies who have provided services for titles that are included or are similar to some of the titles included in this IFB.

Question 5. Can we know the allocated budget (not to exceed) for this Project?

OTDA Response: There is no “not to exceed” budget.

Question 6. Para 3.3.1 (page-37) says that “The OTDA shall have the right to interview a Candidate to determine his/her qualifications”. Will the interviews be conducted telephonically OR do you mandate the candidate to be physically present at your location?

OTDA Response: An interview with a Candidate to determine his/her qualifications will be done face to face and the Candidate must be physically present at OTDA’s work location for the interview.

Question 7. In Lot 2, you have (another) need for Disability Review Physician Specialists. What type of physician are you looking for to fill this need?

OTDA Response: 3.1.2.2 (pages 33-34) Lot 2 Disability Review Physician Specialist must meet the minimum qualifications of a license to practice medicine in the United States plus Board Certification, Board Eligibility or possession of a Workers Compensation Specialty Rating. Physicians with a wide variety of medical specialties including Pediatrics may be needed.

Question 8. My firm only specializes in management level construction positions. Will there be any need for that type of temporary personnel?

OTDA Response: No, construction management is not included in any of the titles listed in the OTDA Temporary Personnel Services IFB.

Question 9. Do the forms ST-220-CA with the OTDA and ST-220-TD with the NYS DOF need to be filed by the due date of bid for OTDA? If bidder doesn't submit or file the form before the date of the bid, are they considered a bidder non-responsive? According to the instructions of the forms, the forms are required for awarded state contracts before the contract executed. Therefore, will it be okay to file the ST-220-TD form with the NYS DOF after the bid is awarded? We would like to make sure about the "timing". Your advice will be greatly appreciated.

2.10 Tax Law §5-A : Each Bidder is required to file the completed and notarized Form ST-220-CA with the OTDA certifying that the Bidder filed the ST-220-TD with the NYS Department of Taxation and Finance (DTF). Bidders shall take the necessary steps to provide properly certified forms within a timely manner to ensure compliance with the law. Failure to make either of these filings may render a bidder non-responsive. Website links to the Contractor certification forms and instructions are provided below.

OTDA Response: The IFB requirement is that the completed forms be submitted, notwithstanding any instructions that may be found on the forms themselves.

Question 10. I do not have a NYS Vendor ID Number, however. The form indicated I should email you a NYS substitute W9 form so one can be provided. It's attached. Please advise if you need anything further in order to be set up as a vendor.

OTDA Response: Vendors submitting a Substitute W-9 will be assigned a New York State Vendor ID Number. Upon receipt of their Vendor ID, vendors should log into the Statewide Financial System located at <http://www.sfs.ny.gov/> to become familiar with the system. Vendors are responsible for monitoring and updating the information in order to ensure accurate billing and payment instructions are available.

Question 11. Section 2.6.2: Will the ODTA allow for an adjustment in rates when the Affordable Care Act goes into effect in 2014?

OTDA Response: No, per 2.6.2 of the IFB, the hourly rates submitted by bidders for each item listed on the Appendix C. Rate Schedule, once approved by the OTDA and the Office of

the State Comptroller, are fixed for the entire term of the project and are not subject to change other than as permitted in section 2.6.4 and 2.7 of this IFB.

Question 12. Section 3.3.9.2: Will temporary employees be expected to work on holidays?

OTDA Response: The OTDA offices are not open on the holidays listed in 3.3.10 of the IFB.

Question 13. What are the current rates the ODTA are using from the current vendor?

OTDA Response: Information related to current rates can be obtained by filing a Freedom of Information Law (FOIL) by contacting the New York State Office of Temporary and Disability Assistance's Public Information Office at nyspio@otda.ny.gov. For more information on filing a FOIL request, please visit <http://otda.ny.gov/legal/FOIL/>.

Question 14. Section 3.8.1.4: Are contractors required to conduct background checks prior to submitting a candidate for submission?

OTDA Response: Per 3.3.5 of the IFB, the Contractor shall provide appropriate background checks for each Candidate for all Job Titles, prior to the start of their employment.

Question 15. Is there an incumbent? If yes, please identify.

OTDA Response: Information related to current providers of temporary personnel services can be obtained by filing a Freedom of Information Law (FOIL) by contacting the New York State Office of Temporary and Disability Assistance's Public Information Office at nyspio@dfa.state.ny.us. For more information on filing a FOIL request, please visit <http://otda.ny.gov/legal/FOIL/>.

Question 16. How should the impact of the Affordable Health Care Act costs to be included in the cost presentation? Will not impact 2014, however will impact remaining 4 years.

OTDA Response: Bidders should consider this when calculating rates for bid submissions.

Question 17. In various sections there is mention of email, however 1.6.4.1 clearly states E-mail bid submissions are not acceptable and will not be considered. Please confirm.

OTDA Response: Per 1.6.4.1 of the IFB, Facsimile and E-mail bid submissions are not acceptable and will not be considered. The bid package must be hand-delivered or sent by certified mail as instructed in 1.6.4.2 of the IFB.

Question 18. Where should qualifications be included per section 1.3.1? Section 1.6.1.3 Bidder's Qualifications and Bid Submission Checklist does not allow for this.

OTDA Response: **Correction:** Section 1.3.1 of the IFB should state: "Upon request by the OTDA, a Bidder shall submit satisfactory evidence that it has had previous experience, adequate financial resources, and organization to perform the type, magnitude, and quality of work specified in this IFB."