

## APPENDIX U

### Evaluation Criteria for Evaluating Proposals Responding to the Request for Proposals Buffalo and/or Rochester and/or Utica Consultative Examination 2016

#### I. Introduction

The Evaluation Team (consisting of the Technical Evaluation Committee and the Cost Evaluation Committee, evaluate each proposal based on the “Best Value” concept. 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)).

Proposals failing to meet the requirements of the RFP may be eliminated from consideration. All proposals deemed to be responsive to the requirements of this procurement will be evaluated and scored for technical merit and cost. The Evaluation Team may request clarification of a proposal. Other than to provide such information as may be requested by the Team, no Offeror will be allowed to alter its proposal or add information after the Deadline for Submission of Proposals.

#### II. Initial Screening/Submission Review

Proposals received by the time/date specified in **SECTION 1** (Calendar of Events) of the Request for Proposals for Buffalo, Rochester and/or Utica Consultative Examination will be opened. No information discovered in the Cost Proposal will be shared with the Technical Evaluation Committee prior to completion of the Technical Evaluation. The Cost Proposals will be secured by the Contracting Officer for independent review as specified in **SECTION 7.4** Financial Evaluation. Proposals received after time/date specified in **SECTION 1** (Calendar of Events) of the RFP, may be rejected.

An Initial Screening/Submission Review (Submission Review) of the proposals will be done to ensure that each one meets the Proposal Submission Requirements and any other proposal requirements as described in **SECTION 5.0** Proposal Content of the RFP. Verification that the RFP Proposal Requirements have been followed and all forms are completed and signed by an authorized representative for each offeror and that all required certifications were included with the Vendor’s Proposal. Proposals that are incomplete or non-responsive may be disqualified. The Technical Proposals deemed responsive will be transferred to the Technical Evaluation Committee. The Technical Evaluation Committee members will conduct independent Technical Evaluations in accordance with the procedures outlined in this evaluation document.

The Technical Evaluation Committee review of Minimum Qualifications, Requirements and Cover Letter Review will be conducted on a pass/fail basis and documented on the RFP Technical Evaluation Form.

A determination that a Technical Proposal failed to meet the minimum qualification requirements will result in that proposal being disqualified.

#### III. Technical Evaluation

The Technical Evaluation Committee will independently evaluate and score each proposal that has not been disqualified during the Initial Screening/Submission Review and Preliminary Evaluation. The scoring will be based on the information required by **SECTION 5.2** Technical Proposal of this RFP. The technical score will be weighted at 70 percent of a proposal’s Final Composite Score.

Each member of the Technical Evaluation Committee will independently allocate all or a portion of the maximum point value for each scoring evaluation criteria. In particular OTDA will assess each Offeror’s ability to perform the required services and meet the required contract terms.

If a Technical Proposal is unclear, the Technical Evaluation Committee may, where appropriate, obtain clarification from the Offeror.

#### Evaluator Discussion

Once the individual Technical Evaluation Committee members have separately completed their scoring, the Committee will meet either in person or telephonically to discuss the pros and cons of each proposal. Individual

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scores will not be shared at this meeting; the discussion session is designed to ensure only that evaluators have obtained a uniform understanding of the proposals (some team members may observe details that others may miss).

During this meeting, the Technical Evaluation Committee will also determine: if any information submitted in the proposals needs to be clarified by reference check or otherwise to complete the evaluation process. Reference checks and interviews will only be used to clarify or validate information submitted in the proposals and will not be used to solicit new information not included in the original proposals.

After the meeting, individual members may reassess the scores they have assigned to proposals based on the understanding gained in the meeting

### **Cost Evaluation**

The Cost Evaluation Committee will independently review the Cost Proposals for compliance with RFP requirements.

Financial proposals will be reviewed by the Financial Evaluation Committee to determine the Offeror's ability to implement the services and to financially support the requirements of this RFP. The Offeror's financial solvency, strength and stability will be evaluated to ensure that the Offeror can be relied upon to perform the terms and requirements of the Contract resulting from this RFP without financial difficulties that could impede contractual performance. Responsive financial proposals will be compared to determine total contract cost and will be ranked from the lowest bid to the highest bid.

The Dun and Bradstreet report submitted by the Offeror will be reviewed to ensure that the Offeror demonstrates that it meets the required working capital requirement. If the Dun and Bradstreet report submitted by the Offeror includes ratings that call into question the Offeror's financial stability to front-end the funding needed to support projected contract expenses for a minimum of 3 months, then the OTDA will issue a request for clarification to the Offeror requiring that they submit a letter from their accounting firm documenting how they will meet RFP requirement in **SECTION 5.3 D** Financial Status. Offerors which submit the required letter from their accounting firm providing the information required in the letter is deemed to pass this portion of the evaluation. Unless unmet by all Offerors, an Offeror failing to submit one of the required Dunn and Bradstreet Reports or the clarification letter, if required, may be disqualified if not cured within one attempt by OTDA to obtain the required documentation (ie. one cure attempt for the report and one cure attempt for the clarification letter, if applicable).

The Cost Committee will score all responsive cost proposals based on information required by **SECTION 5.3** Financial Proposal and provided in **Appendix B** and **C** of the RFP. The Cost Committee evaluators will reach consensus on such scoring. The proposal with the lowest total overall cost will receive a score of 30 points and all other proposals will receive a proportionate score based on the following formula (the Cost Score will be carried out to 1 decimal place; e.g. 25.0):

Cost Score = 30 x (Lowest Total Proposal Cost/Cost Being Evaluated)

### **Cost Results**

Cost scores are to remain confidential until the final Technical and Cost Scores have been submitted to and reviewed by the Selection Committee.

OTDA reserves the right to reject any financial proposal which offers service fees for mandatory and optional services in excess of DDD's fee schedule. DDD's fee schedule is included in **Appendix N**.

## **IV. Preliminary Composite Score**

The Cost and Technical Evaluation scores will be combined to arrive at a Preliminary Composite Score for each proposal. The Proposals will be ranked based on the total combined score. If two proposals are found to be substantially equivalent, price shall be the basis for determining the award recipient. The basis for the award shall be documented in the procurement record.

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### V. **Award**

Prior to award approval, the Offeror with the highest Final Composite Score will undergo a responsibility and conflict determination review.

If the Awardee is found to be Responsible, the successful Offeror will be notified of their award through a notification selection letter. Offerors not selected will also be advised through letters from the Bureau of Contracts Office.

Upon award approval, the successful Offeror will then enter into a contract to provide the required services as specified in the RFP. The contract will be final only after approval of the Attorney General and OSC Bureau of Contracts.

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**Technical Evaluation Instructions**

The following is intended to guide the Technical Evaluation Committee members in determining the score for each evaluation criterion. Each Committee member will adhere to this document in scoring each proposal. Scores must be determined based on documentation available to all evaluators; only the proposal submitted by the Offerors, the discussion among the evaluators, and, in regard to Finalists, the reference checks and interviews, will influence the Committee members in their utilization of this scoring guide.

As outlined below, each major category and its respective sub-categories will be allocated a maximum point value. Each evaluator will award none, all, or a portion of the maximum points available for each evaluation criteria using the scoring information provided in each category. Each evaluator must record an Offeror's strengths/weaknesses in the comments section of the evaluation form. Additionally, evaluators must justify (in the comments section) their rating score.

The evaluator will assign points to each component within a category using the matrix below as a guide. These points are assigned in a range of 0 to 10 based on the evaluator's assessment of the proposal. The points are defined as follows:

Points	Description	Discussion
0 - 1.9	Less Than Marginal	The Offeror has omitted any discussion of this requirement or the information provided is of no value.
2 - 6.9	Marginal	The Offeror has not fully established the capability to perform the requirement, has marginally described its approach, or has simply restated the requirement.
7 - 8.4	Average	The Offeror has a moderate capability to meet this category and has described its approach in sufficient detail to be evaluated.
8.5 - 9.5	Above-Average	The Offeror has demonstrated an above-average capability or approach and has provided a complete description of the capability or approach.
9.6 - 10	Superior	The Offeror has provided an innovative, detailed efficient approach or established, by references and presentation of material, far superior capability in this area.

After assigning a point value (using the matrix above as a guide) to the proposal's component, the evaluator will determine the final score for that component. To determine the final score to assign to each component, the evaluator will need to convert the point value they have assigned the component into the proper value using the assigned point value from the Technical Evaluation Form. For example, the Offeror has given a description of the Examination Site: Appearance. The evaluator assigns the Offeror's proposal a score of 8 (average range 7-8.4 from the matrix above) for this component (Examination Site: Appearance). The score of 8 is 80% or .8 of the possible points for this component. The evaluator will then multiply the maximum points for Examination Site Appearance by 80% or .8 to get the final score of 2 for this component. The final score of 2 is entered into the Technical Evaluation Form for the component of Examination Site: Appearance.

If the score results in a decimal point, the evaluator is to go out a maximum of four decimal places. The fourth decimal is rounded up if the fifth decimal place is the number 5 or higher. The fourth decimal stays as is if the fifth decimal is 4 or less.

Example: 2.13456 would be 2.1346  
2.13454 would be 2.1345

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The Technical Evaluation Committee will assign scores based on the following criteria:

**a. EXAMINATION SITE (30 points)**

- Appearance (2.5)
- Location (5)
- Facility Capacity (5)
- Excess Capacity (2.5)
- Section II (Statement of Work, H. Facility Requirement description (5)
- Lease Commitments (5)
- Equipment (Appendix H) (5)

**b. STAFFING (10)**

- Identification of Chief Medical Officer (1)
- Appendix I completion (minimum hours to perform required exams) (3)
- 4095 original form and Physician Background Questionnaire completed within 3 months of bid due date and current license/registration (4)
- Backup Staff for each Mandatory specialty (1)
- Languages spoken by staff performing CE's (1)

**c. SERVICE PLAN AND RESPONSIVENESS (30)**

- Offeror's Response to RFP Section 5.2 G Service Plan including meeting the requirements of RFP Attachment I. Statement of Work (25)
- Detailed plan for meeting the time standards specified in RFP Attachment 1. Statement of Work (5)

**d. EXPERIENCE (20)**

- Processing Times and Volumes (10)
- Quality of Sample reports (10)
- Appendix L (-20)\*

\*Appendix L Contractor/Subcontractor Background Questionnaire and/or the Physician Background Questionnaire can result in up to minus 20 points deducted based on non-submission and/or adverse response(s).

**e. DIVERSITY PRACTICES (10)**

Appendix X Diversity Practices Questionnaire will be scored by use of the attached "How to Score Diversity Practices" and "New York State Diversity Practices Scoring Matrix". Enter the weighted Diversity Practices Score in the box above.

## How to Score Diversity Practices

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

OTDA 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.

### Question 1

Points for a response to question 1, will be given if the respondent provides all of the information requested, including evidence of initiatives performed by the chief diversity officer. Merely identifying a chief diversity officer without providing the requested information should result in a score of zero.

### Questions 2 and 3

Points for a response to questions 2 and 3, will be given if the respondents provide information on the share of expenditures that the respondents made with MWBEs. Only the prior fiscal year of a respondent will be taken into account when assigning a score to questions 2 and 3.

### Question 4

Points will be given for response to question 4 to respondents who identify industry-specific technical training of MWBEs. Technical training is specific to the industry in question, and does not include generic training in skills that are transferrable across industries. Examples of trainings that do not qualify as technical training include trainings in managerial skills and leadership, effective communication, and professional development and networking. Examples of technical training topics include the use, installation, or safe handling of particular products, the use of industry-specific IT, and industry-specific sales and customer service strategies.

In assessing the robustness of a respondent’s technical training, the duration of the technical training program, the number of MWBEs served, and the total number of hours devoted to technical training of MWBEs will be taken into account. The characteristics of a robust technical training program will vary based upon the nature of the industry and the associated opportunities for MWBE training. However, characteristics of technical training programs fitting the “minimum” scoring criterion will typically be that the respondent has been providing technical training for one year or less, that the respondent has provided fewer than one hundred hours of technical training, or that the respondent has provided technical training to only one MWBE firm in a contracting area for which there is significant MWBE availability.

### Question 5

Points will be given for responses to question 5, if the respondent provides documentation demonstrating its participation in a mentor-protégé program approved by a governmental entity. Such governmental entity need not necessarily be the State of New York. Appropriate documentation of the existence of a mentor-protégé program will vary based upon the approving governmental entity. Only documents generated by a governmental entity will be accepted to demonstrate the existence of a mentor-protégé program. A robust mentor-protégé program must include the following elements:

The mentee must be able to meaningfully participate in the delivery of contract requirements.

For services contracts: at least one element of the scope must be performed by the MWBE with the Prime serving as mentor. Multi-year contracts must have a plan in place to expose the MWBE to each element of the scope through the lifetime of the contract. Mentor and mentee must enter into an agreement, approved by a

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governmental entity, which outlines the expectations of each party. Specific metrics must be identified which will be used to measure the effectiveness and success of the Mentor/Protégé relationship.

Points for Question 6 will be given to respondents who demonstrate both the existence of MWBE goals on the part of the respondent in its own contracting, and the respondent's achievement of these goals. Whether a goal is robust depends on the availability of MWBEs in the industry in question. The analysis, to the extent possible, will be based upon subcontracting activities that are available in the industry in which the respondent is engaged, not solely on the availability of MWBE subcontractors for the procurement being made.

The share of the goal that the respondent has achieved will be taken into account. A respondent will only receive a robust score if the respondent has achieved a significant portion of an appropriate goal; achieving a small percentage of a robust goal will not entitle a respondent to a robust score.

Question 7 points will given if the respondent has an immersive, formal program to promote the use of MWBEs as suppliers. A formal supplier diversity program must be documented via a program policy manual or similar document describing the requirements for participation and elements of the program, as well as documentation of program activities.

Characteristics of a supplier diversity program meeting the minimum requirement for the respondent to be awarded points could include a supplier diversity program with weak verification procedures focused solely on creating a list of diverse suppliers from which the respondent may procure goods or services. A robust supplier diversity program may be characterized by rigorous verification of MWBE status, plans for outreach to MWBE suppliers, and training and education programs designed to increase the capacity of MWBE suppliers.

Question 8 points will be given for the use of MWBEs on the procurement for which diversity practices are being scored. This is the only criterion that considers the circumstances of the procurement exclusively, without regard to the respondent's other activities to promote MWBEs. The robustness of a utilization plan will be assessed based upon the availability of MWBEs to perform as subcontractors and suppliers to the respondent on the procurement

### **Determine the Weighted Score**

Once the scores for all eight questions for a respondent are added, the total will be multiplied based upon the weight assigned to diversity practices on the procurement. For example, if diversity practices account for 8% of the available points on your RFP and a respondent achieves a total score of 50 points for diversity practices on the diversity practices matrix, that respondent's weighted score is the product of 50 points and .08, or 4 points.