

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
Attachment 6 - Technical Proposal	[1]	[Redacted] (1) - Please clarify that, vendor need to provide the same number of IT staff for which he/ she have provided invoices to fulfill the "Mandatory Minimum Requirements" for "IT Staff" in Attachment 3. (2) - Number of Placement to be inserted in Attachment 6, Cell # 1 should be from Prime Contractor only. Or, both Prime & Sub placement can combine and included in this section?	(1) A Bidder may but is not required to include the same IT staff placements used in Attachment 3 - Mandatory Minimum Qualifications at their discretion. Please note, that Attachment 6 - Technical Proposal will be evaluated independently from revised Attachment 3 - Mandatory Minimum Qualifications. (2) IT staff placements can be direct and/or indirect.
Attachment 6 - Technical Proposal	10	[Redacted] Do we need to provide only those Subcontractor information which we used to provide IT Staff Placement for NY Government entity clients? Or, subcontractor used for other states will also work. Please specify?	Within the last 24 months (December 22, 2016, through December 21, 2018), Bidder needs to be provide a list of ALL subcontractors they hired to provide IT Staff placements regardless of state and/or governmental entity.
Attachment 6 - Technical Proposal	Questions # 1 and #11	Do you want us to enter the total number of IT staff placements in the NYS Regions listed on the left side or only the placements for the specific town or city listed to the right of each dash? For example for item 9 "Long Island-Melville", do you want us to enter the total number of Long Island placements for the 24 month period specified or only the placements in Melville? Melville is only one town in Long Island's Nassau and Suffolk counties.	Any placements within any of the towns, cities, etc. within the regions as outlined in Empire State Development's website at: https://esd.ny.gov/regions will meet the requirement as outlined in revised Attachment 6 - Technical Proposal.
Attachment 6 - Technical Proposal	Item 10	The Attachment states that all invoices must include certain information. One item is "name of business entity". (1) Is the business entity defined as our end client for whom the services are provided? (2) If so, how should we enter the "business entity contact person name and phone number" [Redacted].	(1) The business entity represents the end client for whom the services are being performed. (2) When applicable, additional information should be legibly typed and/or printed on the qualifying invoices and supplied as per revised Attachment 6 - Technical Proposal.
Attachment 6 - Technical Proposal	Item 10	(1) Please define the terms: "name of business entity" and (2) "business entity contact person".	(1) The business entity represents the end client for whom the services are being performed. (2) Business entity contact person represents the individual OGS should contact if additional information is required.
Attachment 6 - Technical Proposal	Item 10	In the event that the subcontractor invoice did not include all the information requested by RFP 23158 on the invoice, is it permissible for the bidder to add any missing information to the subcontractor invoice?	OGS will accept qualifying invoices which include additional information legibly typed and/or printed on the qualifying invoices and supplied as per revised Attachment 6 - Technical Proposal.
Attachment 6 - Technical Proposal	Item 1	The Attachment requests that the bidder report the total number of IT Staff placements within the scope of the Solicitation provided to NYS government entities in each of the regions. Please define the term: " within the scope of this Solicitation". To count as an IT Staff Placement for RFP 23158, does the placement have to be one of the job titles mentioned in Section 1.4 of the RFP 23158?	No, please refer to Attachment 9 - Job Titles, Skill Levels, Regions for titles that are within the scope of this Solicitation.
Attachment 6 - Technical Proposal	Question 1 and 2	The technical proposal template is asking for the number of placements in ten regions of NY State. Since the actual filled task orders in over six years of the HBITS contract have been nearly 100% in two of the regions (Capital Region and New York City), would OGS please revise the criteria for this this question to reflect the regions actually being used by buyers?	OGS respectfully declines to make the requested revision. Section 1.3 Scope, states in part, "The Contractors will be awarded statewide Contracts to provide Hourly Based IT Services across three (3) Regions in New York State. Region 1 includes all Counties in New York State that are not included in Region 2 or Region 3. Region 2 includes Dutchess, Orange and Putnam Counties. Region 3 includes Nassau, Rockland, Suffolk, Westchester, Bronx, Kings, New York, Queens and Richmond Counties."

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Attachment 6 - Technical Proposal	Question 11	Question 11 in the technical proposal template again requests data and will apparently score vendors based on placements in regions of NY State that history shows are not users of the HBITS contract. Would OGS please revise the question to measure placements in regions that are users of the HBITS contract, and are therefore relevant to score for the purposes of evaluating vendor capability to deliver on the HBITS contract?	OGS respectfully declines to make the requested revision. Section 1.3 Scope, states in part, "The Contractors will be awarded statewide Contracts to provide Hourly Based IT Services across three (3) Regions in New York State. Region 1 includes all Counties in New York State that are not included in Region 2 or Region 3. Region 2 includes Dutchess, Orange and Putnam Counties. Region 3 includes Nassau, Rockland, Suffolk, Westchester, Bronx, Kings, New York, Queens and Richmond Counties."
Attachment 6 - Technical Proposal		Are all questions on the technical proposal weighted equally?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	[Question 10]	[Redacted] Is there a specific methodology for assigned points for this portion of the response? Will vendors with 25 subcontractors utilized be scored higher than those with 15?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Requirements 10-14	Are placements made through subcontractors evaluated equally to those made by the prime contractor? If not, how will they be scored differently?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Requirements 1-5	Are the number of placements made that are greater than the five (5) required by the RFP evaluated more favorably than meeting, or near the minimum requirement?	Attachment 6 - Technical Proposal is unrelated to the requirements outlined in Sections 2.1.2 IT Staff Placements and 2.1.3 Verifiable IT Staff Placement Sales.
Attachment 6 - Technical Proposal	Requirement 3	(1) Since the requirements stated in the RFP Section 2.1.2 specifies only placements made to or in New York State, will placements made to other government or commercial entities be evaluated? (2) If so, how will these placements be scored versus New York State placements?	(1) Attachment 6 - Technical Proposal is unrelated to the requirements outlined in Sections 2.1.2 IT Staff Placements and 2.1.3 Verifiable IT Staff Placement Sales. (2) See Solicitation Section 5.3 Proposal Weighting.
RFP Main Document	Section 2.3	Is the Technical Proposal requirement simply completing the requirements of Attachment 6? Is there any narrative response required? If not, can the bidder provide a narrative to distinguish themselves from other bidders with similar number of placements?	Refer to Section 3 Bid Submissions.
RFP Main Document	Section 5.3	How will OGS evaluate the Technical Proposal? Are all 26 questions weighted equally? For example, is Question 13 - "When working with subcontractors, do you perform background checks as the contract holder or do your subcontractors perform these checks?" Scored the same as Question 1? If not, how does OGS intend to weigh the responses to each of the 26 questions?	See Solicitation Section 5.3 Proposal Weighting.
RFP Main Document	Section 5.5.3	Please clarify the statement - "The criteria will be weighted as deemed appropriate by the Technical Evaluation Team prior to the bid opening." What criteria will OGS use to evaluate the Technical Proposal? Are all 26 questions weighted equally? If not, how does OGS intend to weigh the responses to each of the 26 questions?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 1	Is the city specified within each region representative of the region, or does OGS only want counts of consultants assigned to those specific cities?	Any placements within any of the towns, cities, etc. within the regions as outlined in Empire State Development's website at: https://esd.ny.gov/regions will meet the requirement as outlined in revised Attachment 6 - Technical Proposal.
Attachment 6 - Technical Proposal	Question 10	Does OGS expect that the prime contract holder will provide subcontractor invoices to OGS as part of this requirement?	Yes, per revised Attachment 6 - Technical Proposal, Question 10, "If yes in question 9 above, provide a list of ALL subcontractors. You must provide this list using the Attachment 6 - Technical Proposal, Question 10 Response Tab. Provide ONE invoice (in searchable PDF format) from EACH subcontractor relationship..."

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Attachment 6 - Technical Proposal	Question 10	Does OGS want a sample of a subcontractor invoice? What criteria should the prime use to select an invoice that meets OGS' expectations?	Per revised Attachment 6 - Technical Proposal, Question 10, "If yes in question 9 above, provide a list of ALL subcontractors. You must provide this list using the Attachment 6 - Technical Proposal, Question 10 Response Tab. Provide ONE invoice (in searchable PDF format) from EACH subcontractor relationship..."
Attachment 6 - Technical Proposal	Question 10	[Redacted] Will the bidder not be evaluated as highly as a competitive bid if information on the subcontractor invoice is missing?	Per revised Attachment 6 - Technical Proposal, "All invoices must have the following information legibly typed and/or printed: name of Bidder, name of subcontractor, name of business entity, business entity contact person name and phone number. If any of the required information is not included on the invoice, Bidder may print or legibly write the information on the invoice. "
Attachment 6 - Technical Proposal	Question 10	[Redacted] Are more subcontractors scored higher than fewer subcontractors?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 10	Are more than 20 subcontractors scored differently than 20 or less?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 10	How many points are associated with this response?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 10	Are large company subcontractors scored more highly than small company subcontractors?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 10	Are M/WBE subcontractors scored more highly than other subcontractors?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 10	Are SDVOB subcontractors scored the same as M/WBE subcontractors?	See Solicitation Section 5.3 Proposal Weighting.
RFP Main Document	Section 5.3	Based on the 26 questions in [Attachment 6], how will OGS calculate the 30 point technical score?	See Solicitation Section 5.3 Proposal Weighting.
RFP Main Document	3.3 Format and Content Bid Submission	Is there a page limit to response for technical?	No, there are no page limitations, however, additional materials not requested shall not be evaluated.
Attachment 6 - Technical Proposal	Training, question 8	(1) Where the State requests, "Describe your training program...": Given the character limit, we want to ensure we provide a relevant and targeted response. (2) We have robust training available that we tailor to our engagements. Are there any specific areas the State wants to ensure consultants are trained on regularly?	(1) Please see revised Attachment 6 - Technical Proposal for expanded character limit. (2) Revised Attachment 6 - Technical Proposal, Question 8 states: "Describe your training program, if any, that your company provides in-house and/or outsourced."
Attachment 6 - Technical Proposal	Capacity, question 10	Where the State requests, "Within the last 24 months (December 22, 2016 through December 21, 2018), provide a list of ALL subcontractors you hired to provide IT Staff placements," is there a maximum number of subcontractors, i.e., a cutoff, the State would like us to adhere to? We have several hundred subcontractors within this parameter but want to be efficient in our response.	No, there is no maximum number of subcontractors.
Attachment 6 - Technical Proposal	Capacity, question 12	Where the State states, "Bidder participates in the NYS M/WBE Mentor-Protégé Program," this program only applies to vendors currently engaged in a prime contract with the State. Is it the State's intention to provide a higher score in this instance based on current contracts with the State, or are other examples of mentor/protégé relationships with DMWBE in the greater NY area permissible (i.e., would those examples garner points)?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Capacity, questions 9 and 10	With regard to the use of the term "subcontractor" in these questions, is the State referring to the companies that we have entered agreements with to act as subcontractors, or with the individual technical professionals employed within those companies? Please clarify.	Refer to Solicitation Section 1.12 for the definition of "Subcontractor", which states, "shall mean any entity providing services to the Contractor under a Contract."

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Attachment 6 - Technical Proposal	Capacity Question #1	We request that OGS reconsiders this question and instead of asking for total # of placements within specification geographices in State of New York ask for number of consultants available for deployment in each of these locations. [Redacted]	OGS respectfully declines this request.
Attachment 6 - Technical Proposal	Capacity Question # 4	We request that OGS reconsiders this question and instead of asking for average duration of contract specifically with NYS aegencies; ask for avegrage duration of contract with any US State government agency. [Redacted]	OGS respectfully declines this request.
Attachment 6 - Technical Proposal	Capacity Question # 5	We request that OGS reconsiders this question and instead of asking for total sales specifically with NYS aegencies; ask for total sales with any US State government agency. [Redacted]	OGS respectfully declines this request.
RFP Main Document	Section 5.5.3 Technical Proposal Evaluation	What criteria will be used by OGS to ensure that a prospective vendor has the breadth and depth necessary to meet the volume of task orders and the diverse skills required by its Authorized/Non-Authorized Users?	Per Section 5.1 New York State Philosophy, "Pursuant to Article XI of the New York State Finance Law, New York State evaluates bids for services in an objective, comprehensive manner designed to benefit both the State and participating Bidders. Through this process the State identifies Contractors who will best meet its needs and will be the most cost effective..."
Attachment 6 - Technical Proposal		Can the character limits be changed to word limits in areas that written response is required?	Character limits for Questions 8 and 10 were expanded. Refer to revised Attachment 6 - Technical Proposal.
Attachment 6 - Technical Proposal	Question 10	How many points are being used for scoring this section?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 6	Does OGS want vendors to indicated the background check procedures that are done pre-submittal or post-submittal?	Refer to revised Attachment 6 - Technical Proposal, Question 6, which states, "Which of the following are performed as part of your standard background check procedures prior to placing a selected candidate?"
Attachment 6 - Technical Proposal	Question 6	How is OGS defining candidate submittal?	Refer to revised Attachment 6 - Technical Proposal, Question 6, which states, "Which of the following are performed as part of your standard background check procedures prior to placing a selected candidate?"
Attachment 6 - Technical Proposal	Question 6	Is the state seeking to know a vendors background checking options or just when checks are completed?	Refer to revised Attachment 6 - Technical Proposal, Question 6, which states, "Which of the following are performed as part of your standard background check procedures prior to placing a selected candidate?"
Attachment 6 - Technical Proposal	Questions 1-4 Capacity	Please clarify if a prime vendor can include IT Staff Placement numbers for subcontractors when responding to these questions.	Placements made and invoiced independently by a Bidder's subcontractor with no involvement by the Bidder are not eligible for purposes of demonstrating the Bidder's IT Staff Placements.
Attachment 6 - Technical Proposal	Capacity, Questions 1-3	Regarding "IT Staff Placements" Dec. 22, 2016 through Dec. 21, 2018, does this include placements originally placed before Dec. 22, 2016 but who are still in place through and beyond Dec. 21, 2018?	Any IT staff placements performing services that are within the scope of this Solicitation within the 2 year date range of December 22, 2016 to December 21, 2018.
Attachment 6 - Technical Proposal	Capacity, Questions 4	Regarding the "average engagement length in months", does this include engagements started before Dec. 22, 2016 which are still ongoing through and beyond Dec. 21, 2018? Should the months before Dec. 22, 2016 and after Dec. 21, 2018 be included in the average as this would be the most accurate representation of our average engagement length?	There is no date range specified for question 4.
Attachment 6 - Technical Proposal	Capacity, Question 5	Regarding the "total amount of IT Staff sales" within Dec. 22, 2016 through Dec. 21, 2018, is this the total amount of sales for a particular engagement only during this period, or the total sales amount of these engagements which are still ongoing to date before Dec. 22, 2016?	Any sales for IT staff services within the scope of this Solicitation within the 2 year date range of December 22, 2016 to December 21, 2018.
Attachment 6 - Technical Proposal	Candidate Management Question 6	Please clarify if the question is asking if these background checks are done before we submit a candidate to you via resume, or as a common industry practice that we perform these checks when you request to interview the candidate?	Refer to revised Attachment 6 - Technical Proposal, Question 6, which states, "Which of the following are performed as part of your standard background check procedures prior to placing a selected candidate?"

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Attachment 6 - Technical Proposal	Training, Question 7	Is this question asking if we only perform the Annual training in the categories in Question 7a, or any technical, industry or other training as well?	If the answer to question 7 is "Yes", then check all that apply in question 7a.
Attachment 6 - Technical Proposal	Training, Question 8	Is this question only asking about our training program in the categories in Question 7a, or any technical or industry or other training as well?	No.
Attachment 6 - Technical Proposal	Subcontractor Management Questions 9-11.	Does this include subcontractors we've hired and IT Staff Placements through these subcontractors that started prior to Dec 22, 2016 that are still place through and beyond Dec 21, 2018?	Refer to Revised Attachment 6 - Technical Proposal, Questions 9-11.
Attachment 6 - Technical Proposal	Tech Proposal Evaluation	If we didn't have placements in one of the regions, how will it impact our proposal score/technical proposal evaluation	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Tech Proposal Evaluation	RFP 2.1.2 states minimum requirements as 5 placements in last 2 years. However, technical proposal attachment 6 question 1 lists 9 regions. If our proposal listed 5 placements in only 2 regions, would we receive full score in our technical proposal evaluation for that question 1?	A Bidder may include the same IT staff placements used in Attachment 3 - Mandatory Minimum Qualifications at their discretion. Please note, that Attachment 6 - Technical Proposal will be evaluated independently from Attachment 3 - Mandatory Minimum Qualifications.
Attachment 6 - Technical Proposal	Tech Proposal Evaluation	If we did not check all boxes in Question 6 (Candidate Management->Background Checks), would we less score than another vendor who checked all boxes?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Tech Proposal Evaluation	Main RFP states 30 points for Technical Proposal evaluation. Please provide a breakdown of technical proposal evaluation - i.e. breakdown of maximum score per question in attachment 6. Also, if a question has option to provide multiple responses, is each response equally weighted. For example, question 6 has upto 8 responses. If our proposal had 5 responses checked, would we receive 5/8th of score for that question?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	1/16/2019	We have partnered with over 100 agencies to provide similar services. It would be impossible to provide invoices for each, should we provide for any 10?	Please follow instructions provided in revised Attachment 6 - Technical Proposal for answering all questions.
Attachment 6 - Technical Proposal	Question 1	When listing the IT placements made by NYS region within the last 24 months, is this restricted to government entities or may private sector staffing counts be used here as well?	Revised Attachment 6 - Technical Proposal, Question 1 states in its entirety, "Within the last 24 months (December 22, 2016 through December 21, 2018), for each of the below NYS regions, enter the total number (rounded to the nearest whole number) of IT Staff placements within the scope of this Solicitation provided to NYS government entities in each of these regions below."
Attachment 6 - Technical Proposal	Question 10	When listing the subcontractors we have hired to provide IT Staff Placements, is this restricted to government entities or may private sector staffing counts be used here as well?	Question 10 is not restricted to government entities.
Attachment 6 - Technical Proposal	Question 10	Can you please provide insight into the scoring process you allude to in Question 10?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Question 11	When listing IT staff placements made through subcontractors by NYS region, is this restricted to government entities or may private sector staffing counts be used here as well?	Question 11 is not restricted to government entities.
Attachment 6 - Technical Proposal	Questions 21-26	Is this response restricted to government entities or may private sector staffing counts be used here as well?	Questions 21-26 are not restricted to government entities.
Attachment 6 - Technical Proposal	Capacity	What will be evaluated more favorably: a longer or shorter average engagement duration?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Candidate Management	Can the form be changed to allow elaboration regarding background screenings? These are often performed to the preferences of the client.	OGS respectfully declines this request.
Attachment 6 - Technical Proposal	Candidate Management	Will firms be evaluated negatively if they do not always provide fingerprinting and bonding? These are not typically required for IT consultants.	See Solicitation Section 5.3 Proposal Weighting.

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Attachment 6 - Technical Proposal	Subcontractor Management	Is it necessary to list every subcontractor? There could be dozens, if not hundreds.	Please follow instructions provided in revised Attachment 6 - Technical Proposal, Subcontractor Management Section.
Attachment 6 - Technical Proposal	Subcontractor Management	Does OGS consider more subcontractors to be a positive evaluation factor?	See Solicitation Section 5.3 Proposal Weighting.
Attachment 6 - Technical Proposal	Subcontractor Management	Can subcontractor invoices be redacted to hide financial and consultant information?	Please see revised Attachment 6 - Technical Proposal, which states, "All required information contained in the above documentation must be free of restrictions on confidentiality or claims of confidentiality. OGS Procurement Services shall not enter into a Non-Disclosure Agreement (NDA) for Bidders who assert that information contained in the above IT Staff documentation is confidential."
Attachment 6 - Technical Proposal	Subcontractor Management	Does OGS expect to contact subcontractors?	OGS reserves the right to request any additional information pertaining to the Bidder's ability, qualifications, financial capacity, financial stability, and procedures used to accomplish all work under the resulting Contract as it deems necessary to ensure safe and satisfactory work.
Attachment 6 - Technical Proposal	Subcontractor Management	In question 11, how does OGS define "placements made through subcontractors"? Does this mean the number of placements our subcontractors have made in total (whether or not in partnership with our firm)? Or does it mean how many of our own placements were consultants procured from subcontractors?	Placements made and invoiced independently by a Bidder's subcontractor with no involvement by the Bidder are not eligible for purposes of demonstrating the Bidder's IT Staff Placements.
Attachment 6 - Technical Proposal	Subcontractor Management	For question 13, the answer may vary depending on the requirements of the contract and subcontractor agreement. Can the form be changed to provide for variable answers?	OGS respectfully declines this request.
Attachment 6 - Technical Proposal	Candidate Qualifications	Can question 23 be changed to include video interviews, as candidates may not always be local?	OGS respectfully declines this request.
Attachment 6 - Technical Proposal	General	We are concerned that the lack of narrative ability within Attachment 6 may limit proposers' ability to demonstrate unique value. Will OGS consider allowing a narrative proposal component of limited length in addition to this attachment?	OGS respectfully declines this request.
RFP Main Document	3.2.1.1 Administrative & Technical Proposals. 2.b.1	Searchable PDF's for invoices. - We understand that OGS requires the searchable invoice PDF for clarification but, some of our clients provides us a scanned JPEG image of the invoices. Will that work?	No, please refer to revised Section 3.2.1.1 Administrative & Technical Proposals.
RFP Main Document	3.2.2 Hardcopy Submissions 3.2.2.1 Administrative & Technical Proposals 3.2.2.2 Financial Proposal	Wet Blue Ink Signature to be done on all the forms and notarized documents. Yes or No?	Blue or black ink signatures are acceptable as stated in Section 3.2.2.1 Administrative & Technical Proposals.
RFP Main Document	5.5.4 Financial Proposal Evaluation. 3	Please specify the Percentage of Median Permitted for the pricing calculation?	OGS respectfully declines to provide the percentage. Please refer to Section 5.5.4, which states in part "A pre-determined Percentage of Median Permitted as deemed appropriate by the Financial Evaluation Team, but which shall be determined prior to the Bid opening and applied equally for all Bidders, shall be applied above and below the Median Bid to obtain a Low Acceptable Bid and a High Acceptable Bid."

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RFP Main Document	5.5.4 Financial Proposal Evaluation	Will the Market Basket sampling be distributed equally across all regions?	OGS respectfully declines to provide the regional distribution. Please refer to Section 5.5.4, which states in part "A pre-determined Percentage of Median Permitted as deemed appropriate by the Financial Evaluation Team, but which shall be determined prior to the Bid opening and applied equally for all Bidders, shall be applied above and below the Median Bid to obtain a Low Acceptable Bid and a High Acceptable Bid."
RFP Main Document	5.5.4 Financial Proposal Evaluation	How many market basket items will be in the pre-determined list?	OGS respectfully declines to provide the number of market basket items.
RFP Main Document	Section 5.5.4 Financial Proposal Evaluation	How will OGS ensure that the median Market Basket bid rate appropriately aligns with market rates for the skills associated with the corresponding Job Title given today's economy, high demand for IT talent and shrinking workforce?	Each Bidder must determine it's own cost structure independently based on market conditions.
RFP Main Document	5.5.4 Financial Proposal Evaluation	Will the pre-determined market basket include market pricing based on the current private sector demand and pricing for the job title in a region?	The market basket pricing is based on all Bidders' bids. Each Bidder must determine it's own cost structure independently based on market conditions.
RFP Main Document	5.5.4 Financial Proposal Evaluation	Can you explain the methodology OGS will use to determin inordinately low or high bids?	This is a reserved right to be exercised at OGS' discretion. Refer to Section 5.5.4 Financial Proposal Evaluation, which states in part "OGS Procurement Services reserves the right to exclude any unbalanced, unrealistic or inordinately low or high bids from the following calculations if, in the judgment of OGS Procurement Services, the bid would skew the results."
RFP Main Document	7.24 Non-Compete Agreements	Would OGS consider removing this section? The non-compete and restrictive covenant that many bidders have in place is based on best practices.	OGS respectfully declines this request.
RFP Main Document	7.24 Non-Compete Agreements	Based on staffing best practices as defined by national staffing organizations, non-compete agreements are held in high regard to assist clients in reducing contractor turnover and minimizing contractor price escalation to job titles with higher prices within the original contract duration which ultimately increases client costs. Will NYS consider eliminating this requirement for vendors to not follow this best practice?	OGS respectfully declines this request.
RFP Main Document	7.24 Non-Compete Agreements	Would the State consider allowing limited duration (6 months following an expired placement) non-compete agreements to afford a contractor the ability to preserve retention and training investments?	OGS respectfully declines this request.
RFP Main Document	7.24 Non-Compete Agreements	The potential result of removing non compete agreements is that every consultant in a particular job title may seek to optimize their pricing by moving to the vendor with the highest pricing in that respective title. Will NYS consider changing this requirement to keep costs in line ?	OGS respectfully declines this request.
RFP Main Document	7.24 Non-Compete Agreements	Are non-solicitation clauses in contracts between Contractors and their placed consultants acceptable?	Section 7.24 Non-Compete Agreements states, "...The Contractor further agrees that, to the extent a Candidate may be restricted by a pre-existing non-compete agreement or restrictive covenant, the Contractor or Subcontractor (as applicable) agrees not to enforce any such restrictions for purposes of work performed under any contract resulting from this Solicitation..."

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RFP Main Document	7.24 Non-Compete Agreements	Basically NYS is allowing our competitors to solicit and take our consultants. In cases where this happens, will NYS automatically waive the 80 free hours of consulting for the replacement.	Attachment 12 - HBITS Process, Section 1.8 Selected Candidate Replacements/Cancellations, states in part, "...the Authorized User has the right to request up to two (2) working weeks (80 hours) of work from the replacement Selected Candidate at no cost to the Authorized User during a transition/ramp-up period. The Authorized User may waive this right in whole or in part if it is determined that the need to replace the Selected Candidate was beyond the Control of the Contractor."
RFP Main Document	7.24 Non-Compete Agreements	This will encourage vendors to recruit from the current NYS consultant pool first. Shouldn't vendors be encourage to recruit from the open marketplace first, to bring new talent to NYS agencies?	OGS respectfully declines to speculate on the recruiting practices of Contractors. Refer to Attachment 12 - HBITS Process, Section 1.3.3.3 Additional Submission Requirements, which sets forth limitations and restrictions on submitting Candidates who are already placed on an existing Task Order.
RFP Main Document	7.24 Non-Compete Agreements	Vendors and their subcontractor may have consultant agreements that restrict mobility as a result of H1B and Green Card sponsorships. Can these agreements still be enforced?	Section 7.24 Non-Compete Agreements states, "...The Contractor further agrees that, to the extent a Candidate may be restricted by a pre-existing non-competete agreement or restrictive covenant, the Contractor or Subcontractor (as applicable) agrees not to enforce any such restrictions for purposes of work performed under any contract resulting from this Solicitation..."
RFP Main Document	7.24 Non-Compete Agreements	Contracts between Prime vendors and their subcontractor often contain restrictions on hiring each other's employees, thus restricting mobility. Would these restrictions still be acceptable?	Section 7.24 Non-Compete Agreements states, "...The Contractor further agrees that, to the extent a Candidate may be restricted by a pre-existing non-competete agreement or restrictive covenant, the Contractor or Subcontractor (as applicable) agrees not to enforce any such restrictions for purposes of work performed under any contract resulting from this Solicitation..."
RFP Main Document	7.24 Non-Compete Agreements	Contracts between Prime vendors and their subcontractor often contain non-solicitation clauses. Are these okay?	Section 7.24 Non-Compete Agreements states, "...The Contractor further agrees that, to the extent a Candidate may be restricted by a pre-existing non-competete agreement or restrictive covenant, the Contractor or Subcontractor (as applicable) agrees not to enforce any such restrictions for purposes of work performed under any contract resulting from this Solicitation..."
General Questions	7.24 Non-Compete Agreements	Q&A process in the cancelled solicitation 23096 had numerous questions relating to non-competete issue. To avoid creating burden on OGS to revisit and have the vendors ask the same questions again, can we assume responses provided by OGS in that cancelled solicitation process regarding the non-competete issue to still be valid, considering no significant changes were made to the underlying matter in the new solicitation 23158?	No, Bidders should not assume that answers to the prior Solicitation number 23096 are valid. Solicitation number 23158 is a separate and distinct Solicitation. Solicitation number 23096 was cancelled.
RFP Main Document	2.2.8 MWBE 100 (MWBE Utilization Plan)	We have submitted our registration for the MWBE certification from the State of New York and are about to receive the copy of certificate soon as well. If we don't receive the active certificate by the due date and provide our copy of registration for MWBE certificate to the state; are we eligible to fulfill the goal of 15% MBE and 15% WBE or do we need to have an active NYS certified MWBE at the time of bidding?	A Bidder must be NYS certified in order to fulfill the M/WBE goal. As a NYS certified M/WBE you can get credit for either the 15% MBE portion of the goal or the 15% WBE portion of the goal but not both.
General Questions		Please clarify the below-mentioned situation: - For example:- We have used 2 subcontractors to fulfill the DBE & SDVOB goal as specified by the OGS. One (1) of them is awarded as a Prime Contractor for HBITS contract. Do we still get the consideration for fulfilling the subcontracting requirement with that vendor or the percentage utilized for subcontracting will be of no use?	OGS does not understand the question and is therefore unable to provide the requested clarification.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	1.9 MWBE and SDVOB Interest in Subcontracting with Bidders	Will OGS release a listing on Prime Contractors intending to Bid so as MWBE and SDVOB companies may do direct reach out to Primes?	This information can be found at: https://www.ogs.ny.gov/purchase/biddocument/23158bid.asp
RFP Main Document	7.11 Contractor Requirements and Procedures	Can an MBE company tie up for the 15% subcontract goal with multiple companies and provide its name to multiple prime vendors who are submitting their proposal as a prime vendor for this RFP and looking for a tie up with a MBE firm, if multiple prime vendors have approached the same MBE firm?	There is no restriction on the number of Bidders using the same M/WBE Subcontractor.
RFP Main Document	7.11 Contractor Requirements and Procedures	Being an MBE organization and submitting the proposal as a prime contractor then do we need to subcontract with some other MBE organization or can we fulfill the 15% MBE goal within our organization being the MBE certified?	As a NYS Certified MBE you can get credit for the 15% MBE portion of the goal, however you are still required to utilize a NYS Certified WBE to meet the remaining 15% WBE Goal.
RFP Main Document	Cover Page	Does OGS intend to set-aside prime contract awards for MBE, WBE or SDVOB firms or will these goals be met solely through prime contractor utilization?	No. Goals will be met through direct Contractor sales and/or with use of M/WBE and SDVOB Subcontractors.
General Questions		Would OGS consider including NYS Certified DBEs (Disadvantaged Business Enterprise) on this contract as a preferred designation for firms that can provide these services?	OGS respectfully declines this request.
RFP Main Document	2.2.8 MWBE 100 (MWBE Utilization Plan)	As a NYS Certified WBE, does a bidder need to complete the MWBE 100 (MWBE Utilization Plan)? If so, how does the bidder reflect this information in consideration of the bidder's own certification?	Yes, refer to Sections 2.2.8 MWBE 100 (MWBE Utilization Plan) and 7.11 CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE CERTIFIED MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN.
RFP Main Document	2.2.8 MWBE 100 (MWBE Utilization Plan)	If a bidder is a NYS Certified WBE, does the bidder need to name a MBE as part of the Utilization?	Yes, as a NYS Certified WBE you can get credit for the 15% WBE portion of the goal, however you are still required to utilize a NYS Certified MBE to meet the remaining 15% MBE Goal.
RFP Main Document	2.2.7 EEO 100 (Equal Employment Opportunity Staffing Plan)	Would OGS like the EEO 100 filled out for just this contract or for the entire company?	Refer to Section 2.2.7 EEO 100 (Equal Employment Opportunity Staffing Plan), number 3.
RFP Main Document	7.11 MWBE Participation	Would the State consider the inclusion of DBEs (Disadvantage Business Enterprise) specifically to better serve those agencies that are recipients of Federal funds and subject to DBE regulations.	OGS respectfully declines this request.
RFP Main Document	2.2.8 MWBE 100 (MWBE Utilization Plan)	Please clarify or confirm that we are required to have a minimum of one (1) MBE and one (1) WBE, and if a firm is certified as both, that we can only declare one or the other for that firm, or does one firm with both certifications completely satisfy this requirement?	A NYS Certified M/WBE can get credit for either the 15% MBE portion of the goal or the 15% WBE portion of the goal but not both.
RFP Main Document	5.3	We submitted our application to NYS for MBE certification and currently app status is "Pending". Would we be eligible to receive Quantitative Factor score as MBE certified company? [Redacted]	No, a Bidder must be NYS certified in order to receive quantitative factor points.
RFP Main Document	5.3 & 5.5.3 (MWBE Quantitative Factor)	We submitted our application to NYS ESD for M/WBE certification. The status is "Pending" and ESD is experiencing major backlog in reviewing or approving applications. Would we get credit for M/WBE certification, if our application with NYS ESD is in pending status?	No, a Bidder must be NYS certified.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	Section 2.1.2	The RFP states "Bidder shall only utilize one (1) IT staff at one (1) placement to satisfy this requirement. If Bidder utilizes one (1) IT staff at multiple placements, it shall only be counted once towards meeting the requirement." How will replacemtns for a consultant who leaves before teh expiration of the Task Order (e.g. backfills) be counted?	A replacement Candidate will not be considered a new placement.
RFP Main Document	2.1.3 Verifiable IT Staff Placement Sales	Please confirm the 2-year date range (Dec 22, 2016 to Dec 21, 2018) should reflect when services were performed and not when services were invoiced.	The invoice date must be within the 2 year date range of December 22, 2016 to December 21, 2018. Refer to revised Solicitation Section 2.1.3 Verifiable IT Staff Placement Sales.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	As we have limited placements in the State of New York and won't be able to cover the demonstration of \$1,000,000 so, can we verify our sales by providing details regarding the types of IT Staff mentioned in the solicitation that are placed on different Statewide contracts and other large-sized government agencies?	Per Section 2.1.3 Verifiable Sales, "Bidder must demonstrate a minimum of at least \$1,000,000 in verifiable sales for providing IT staff placements within the scope of this Solicitation to Governmental Entities within New York State as the Contract holder (direct), the Subcontractor (indirect), or through the combination of both (direct or indirect) within the last two (2) years (December 22, 2016 – December 21, 2018)..." Per Solicitation Section 1.12 Definitions - " Governmental Entity " shall mean an entity at the federal, state, county, city or provincial level."
RFP Main Document	2.1.3 Verifiable Sales	Is the only allowable verifiable sales for providing IT staff placements for Governmental Entities within New York State?	Yes. Per Section 2.1.3 Verifiable Sales, "Bidder must demonstrate a minimum of at least \$1,000,000 in verifiable sales for providing IT staff placements within the scope of this Solicitation to Governmental Entities within New York State as the Contract holder (direct), the Subcontractor (indirect), or through the combination of both (direct or indirect) within the last two (2) years (December 22, 2016 – December 21, 2018)..."
RFP Main Document	2.1.3 Verifiable Sales	Please clarify that, Prime Vendor can fulfill their mandatory requirement by working as a subcontractor with any vendor for NY Governmental Entities? And please clarify that, Prime vendor can also use Subcontractors (used for this OGS RFP) invoices with NY Governmental Entities for fulfilling this requirement?	For purposes of demonstrating verifiable sales, if the Bidder was the direct service provider or contract holder and the services were provided directly from the Bidder to the Governmental Entity (without the use of any subcontractors), the qualifying invoices must be from the Bidder to the Governmental Entity. Similarly, if the Bidder was the service provider or contract holder but the services were provided indirectly to the Governmental Entity (through the use of one or more subcontractors), the qualifying invoices must be from the Bidder to the Governmental Entity. If the Bidder acted as a subcontractor in providing the services, the qualifying invoices must be from the Bidder to the service provider or contract holder of the Governmental Entity. Sales made and invoiced independently by a Bidder's subcontractor with no involvement by the Bidder are not eligible for purposes of demonstrating the Bidder's verifiable sales. Please see revised Solicitation Section 2.1.3 Verifiable Sales.
RFP Main Document	2.1.3 Verifiable Sales	Is the only allowable verifiable sales for providing IT staff placements for Governmental Entities within New York State?	Yes.
RFP Main Document	2.1.3 Verifiable IT Staff Placement Sales	Please confirm that this bid is limited to ONLY those existing companies that have provided over \$1 million in services to government entities within New York State. As per section 2.1 Mandatory Minimum Requirements - Bidders must meet the mandatory minimum qualification of the RFP in order to be evaluated for award. A qualified vendor that has not performed work to government entities within the New York State will not have the right to compete for this opportunity and provide a response to this RFP?	In order to be evaluated for award, Bidders must meet all Requirements detailed in Solicitation Section 2.1 Mandatory Minimum Requirements.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	2.1.3 Verifiable Sales	Section 2.1.2 says that we should have provided 5 placements in US however in Section 2.1.3 we need to provide invoices of placements with government entities in NY. Can you please confirm is it acceptable if we provide invoices of placements in Government agencies across US?	No, per revised Solicitation Section 2.1.3 Verifiable Sales, "Bidder must demonstrate a minimum of at least \$1,000,000 in verifiable sales for providing IT staff placements within the scope of this Solicitation to Governmental Entities within New York State as the Contract holder (direct), the Subcontractor (indirect), or through the combination of both (direct or indirect) within the last two (2) years (December 22, 2016 – December 21, 2018)..."
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	In the RFP the criteria is \$1 million but in the example on the spreadsheet it says \$500K. Please clarify.	The requirement for verifiable sales is \$1,000,000. Please see revised Attachment 3 - Mandatory Minimum Requirements, Example - Verifiable Sales tab.
RFP Main Document	2.1.3 Verifiable Sales	The section 2.1.3 is requiring \$1m revenue from NY government entities [Redacted]. We would like to request you to waive this mandatory requirement. Please revert this to earlier RFP criteria that includes sales from any government entity (just not NY alone) that way we can still meet sales criteria. Expecting your kind consideration in allowing us to participate to help provide our services to the state.	OGS respectfully declines to waive this requirement.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	Where do we need to provide the qualifying invoices? Can we provide the invoices within technical proposal?	Bidder shall utilize revised Attachment 3 – Mandatory Minimum Qualifications to provide Verifiable IT Staff Placement Sales information. Invoices should be provided as directed in revised Attachment 3 - Mandatory Minimum Requirements.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	If a company has low amount invoices for ex. 10k, 15k, 20k then for \$1,000,000 it will be around 60-70 invoices so do we need to add all the invoices within technical proposal?	OGS will accept as many invoices as needed to demonstrate \$1,000,000 in verifiable sales. Invoices should be provided as directed in revised Attachment 3 - Mandatory Minimum Requirements.
RFP Main Document	2.1.2 IT Staff	If we don't have these 4 titles (Project Manager, Technical Architect, Programmer, & Business Analyst) deployed in any government entity but have deployed other resources similar to as mentioned in attachment 9 then can we provide the invoices for those resources or do we need to provide the invoices for only those 4 titles that are mentioned above. Please clarify.	Only those four titles or their equivalents are acceptable. Pursuant to revised Solicitation Section 2.1.2 IT Staff, "If the Job Title on the invoice does not exactly match the Job Titles listed above, the Vendor must include the Job Title listed above in the 'Job Title' Column and the Job Title appearing on the invoice along with a detailed explanation as to how this Job Title equates to the above Job Titles in the 'Invoice Job Title & Explanation' Column in order for OGS Procurement Services to make a determination as to whether the Job Title is deemed equivalent."
2. Bidder Qualification	2.1 Mandatory Minimum Requirements	Do all the IT Placements Sales have to be for agencies/departments in New York State in order to meet the requirement of 1 million USD sale during the required time period?	Revised Solicitation Section 2.1.3 Verifiable Sales refers to Governmental Entities within New York State. Per Solicitation Section 1.12 Definitions - " Governmental Entity " shall mean an entity at the federal, state, county, city or provincial level."
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	Can some of the IT Placements Sales in other states beside New York State be used to meet the requirement of 1 million USD sale during the required time period?	No.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	The change in mandatory minimum requirements from the old RFP and the new RFP is significant in term of the verifiable sale revenues and the type of end clients, does OGS intend to eliminate proposers that are not from NYS originally?	No, OGS will accept proposals from all Bidders.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
Attachment 3 - Mandatory Minimum Qualifications	2.1 Mandatory Minimum Requirements	It seemed the new mandatory minimum requirements are easily attainable for the incumbents and not for new out-of- state proposers. Is it correct?	The solicitation contains no mandatory requirement regarding a Bidder's location.
RFP Main Document	Section 2.1.3 Verifiable Sales	Do we need to provide all invoices for the specified period, or only enough to show the \$1,000,000.00 in IT staffing sales?	Bidders need only to provide invoices that demonstrate the mandatory minimum requirement of \$1,000,000 as outlined in revised Solicitation Section 2.1.3 Verifiable Sales. For example, if you have an invoice that is for \$1,200,000 in IT staff placement sales then you only need to submit that invoice.
RFP Main Document	Section 2.1.3 Verifiable Sales	Will OGS or members of the Evaluation Team contact prime contractors for verification of IT Staff placements with that prime?	Per revised Solicitation Section 2.1 Mandatory Minimum Requirements, "OGS Procurement Services reserves the right to request any additional information pertaining to the Bidder's ability, qualifications, financial capacity, financial stability, and procedures used to accomplish all work under the resulting Contract as it deems necessary to ensure safe and satisfactory work..."
RFP Main Document	Section 2.1.3 Verifiable Sales	If Non-Disclosure Agreements (NDA) or other confidentiality clauses are already in place, can the prime provide a waiver letter to the subcontractor for purposes of evaluation of this solicitation?	With respect to verifiable sales documentation, OGS has no standing in the relationship between a Bidder and their subcontractor regarding Non-Disclosure Agreements (NDA's) or confidentiality clauses.
Attachment 3 - Mandatory Minimum Qualifications	IT Staff Tab, Direct or Indirect Sales Column	Please clarify the definition of "Direct Sales and "Indirect Sales".	Sales are considered "direct" when made by the Bidder to the Governmental Entity without the use of any subcontractors. Sales are considered "indirect" when made by the Bidder to the Governmental Entity through the use of one or more subcontractors, or when the Bidder itself acted as a subcontractor in providing the services. Please see revised Solicitation Section 2.1.2 IT Staff. Revised Solicitation Section 2.1.3 Verifiable Sales states in part - Each qualifying invoice must contain or be accompanied by all the following information:
RFP Main Document	Section 2.1.3 Verifiable Sales	Each qualifying invoice must contain or be accompanied by all the following information: Placement Type (Direct or Indirect), Job title, Invoice Date, Invoice Number, Invoice Total, and Government Entity Name within NY State. If our invoice doesn't have the placement type listed, will it will be counted as a non-qualified invoice?	<ul style="list-style-type: none"> •Placement Type (Direct or Indirect) •Job Title within Scope •Invoice Date •Invoice Number •Invoice Total •Governmental Entity Name within New York State**
RFP Main Document	Section 2.1.2 IT Staff	In the Prior RFP for HBITS Section 2.1.2 had the following requirement: "Bidders who hold other contracts with OGS may provide contract sales reports in lieu of invoices. OGS reserves the right to request invoices if OGS determines that the contract sales reports are insufficient." Would OGS allow the sales report in lieu of invoices for this solicitation?	No. The referenced clause is not in Solicitation #23158.
Attachment 3 - Mandatory Minimum Qualifications	IT Staff Tab	In the pre-bid webinar, we thought the speaker said that we only should show the 5 qualifying placements. Is that correct?	A minimum of five (5) IT Staff Placements must be provided to meet this requirement. Please see revised Solicitation Section 2.1.2 IT Staff.
Attachment 3 - Mandatory Minimum Qualifications	IT Staff Tab	(1) If the bidder is only required to show 5 placements, how will the bidders be differentiated for technical evaluation purposes? (2) Is it correct to say that since this is the minimum requirement, all companies meeting 5 qualified placements will be scored the same?	Please see Solicitation Section 5.5.3 Technical Proposal Evaluation (Maximum of 30 Points) for details regarding the Technical Evaluation.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	2.1.3 Verifiable Sales	Does the govt entity that we have served, does it need to be based in NYS or does a percentage need to be based there?	Per revised Solicitation Section 2.1.3 Verifiable Sales, "Bidder must demonstrate a minimum of at least \$1,000,000 in verifiable sales for providing IT staff placements within the scope of this Solicitation to Governmental Entities within New York State as the Contract holder (direct), the Subcontractor (indirect), or through the combination of both (direct or indirect) within the last two (2) years (December 22, 2016 – December 21, 2018)..." Per Solicitation Section 1.12 Definitions - " Governmental Entity " shall mean an entity at the federal, state, county, city or provincial level.
RFP Main Document	2.1.2 IT Staff	Can position requirements (PM, Tech Architect, Programmer and BA) be satisfied through a prime's subcontractor teaming partners?	For purposes of demonstrating IT Staff Placements, if the Bidder was the direct service provider or contract holder and the services were provided directly from the Bidder to the Governmental Entity (without the use of any subcontractors), the qualifying invoices must be from the Bidder to the Governmental Entity. Similarly, if the Bidder was the service provider or contract holder but the services were provided indirectly to the Governmental Entity (through the use of one or more subcontractors), the qualifying invoices must be from the Bidder to the Governmental Entity. If the Bidder acted as a subcontractor in providing the services, the qualifying invoices must be from the Bidder to the service provider or contract holder of the Governmental Entity. Sales made and invoiced independently by a Bidder's subcontractor with no involvement by the Bidder are not eligible for purposes of demonstrating the Bidder's IT Staff Placements. Please see revised Solicitation Section 2.1.2 IT Staff.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	Are copies of invoices to show proof of payment to be included in the submission or just noted through invoice #, name of govt entity, amount, etc.?	Invoices should be provided as directed in revised Attachment 3 - Mandatory Minimum Requirements.
RFP Main Document	2.1.3 Verifiable Sales	Please clarify if you will accept total \$\$ value of all purchase orders received within the specified duration in lieu of total value of qualified invoices submitted to NYS government agency?	No, revised Solicitation Section 2.1.3 Verifiable Sales does not include a Purchase Order as a means of providing verifiable sales.
RFP Main Document	2.1.3 Verifiable Sales	We request that OGS reconsider the minimum qualifying criteria of \$1 Million in verifiable sales specific to NYS Government Agencies and instead consider \$1 Million in verifiable sales, direct or indirect to any State Government agency within USA. [Redacted]	OGS respectfully declines to make the requested change.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	Do the invoices submitted need to state "Direct" or "Indirect"?	The Bidder must indicate whether the invoices are direct or indirect, and the information contained in the invoices must support that indication. Please see revised Solicitation Section 2.1.3 Verifiable IT Staff Placement Sales.
RFP Main Document	2.12 & 2.13	RFP states that if Government Entity name is not mentioned in invoice, we should provide Entity Name and Contact Information. How do we provide this extra information in Attachment 3 as there are no columns for contact name	Invoices should be provided as directed in revised Attachment 3 - Mandatory Minimum Requirements. When applicable, additional information should be legibly printed on the qualifying invoices.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	2.1.2 IT Staff and 2.1.3 Verifiable Sales	RFP states that if Government Entity name is not mentioned in invoice, we should provide Entity Name and Contact Information. Would "Contact" information be treated confidentially, as our clients may not allow this information to be revealed publicly or using FOIL?	Sections 2.1.2 IT Staff and 2.1.3 Verifiable Sales contain the following, "All required information contained in the above documentation must be free of restrictions on confidentiality or claims of confidentiality. OGS Procurement Services shall not enter into a Non-Disclosure Agreement (NDA) for Bidders who assert that information contained in the above IT Staff documentation is confidential." In addition, refer to Attachment 4 - Administrative Information, FOIL Redaction tab.
Attachment 3 - Mandatory Minimum Qualifications	Invoices	How do we include invoice images? If we created another worksheet tab in Attachment 3, and embedded PDF files in there, would this be acceptable?	Invoices should be provided as directed in revised Attachment 3 - Mandatory Minimum Requirements.
Attachment 3 - Mandatory Minimum Qualifications	Sample Invoices	Some of our invoices contain consultant names. Can we black out these names to keep their identity confidential, as a FOIL process will arm some unethical firms with consultant names and their bill rates to solicit and steal our staff?	All documents provided to meet the requirements set forth in Solicitation Sections 2.1.2 IT Staff and 2.1.3 Verifiable Sales must be free of restrictions on confidentiality or claims of confidentiality.
RFP Main Document	2.1.2 IT Staff	Can one invoice showing multiple placements be used, such as a current HBITS invoice?	Yes, per revised Solicitation Section 2.1.2 IT Staff, "Bidder must have provided at least five (5) IT staff placements to Governmental Entities within the United States in any combination of the four (4) highest-demand New York State Job Titles (defined in Attachment 9 – Job Titles, Skill Levels, Regions) listed below (or deemed to be equivalent at OGS Procurement Service's sole discretion) – through direct placements as the Contract holder, through indirect placements as the subcontractor, or through the combination of both – within the last two (2) years (December 22, 2016 – December 21, 2018)..." For example, Bidder shall only provide invoices that demonstrate the mandatory minimum requirement of five (5) IT staff placements as outlined in revised Solicitation Section 2.1.2 IT Staff Placements. Once you reach at least five (5) IT staff placements in Attachment 3 - Mandatory Minimum Qualifications, IT Staff tab, you may stop. For example, if you have one (1) invoice that is for seven (7) IT staff placements then you only need to submit that one (1) invoice.
Attachment 3 - Mandatory Minimum Qualifications	2.1.2 IT Staff	Can NYS OGS please provide better job title descriptions for the four highest job titles so that we may better explain how our job titles align with them?	Please refer to Attachment 9 - Job Titles, Skill Levels, Regions.
Attachment 3 - Mandatory Minimum Qualifications	2.1.2 IT Staff	Is Listing more than 5 placements allowed as a means of ensuring at least 5 are acceptable?	Yes.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	Is Listing more than \$1,000,000 in verifiable sales allowed as a means of ensuring at least \$1,000,000 in verifiable sales are acceptable?	Yes.
RFP Main Document	2.1.3 Verifiable Sales	Can we request the minimum threshold of \$1 M Verifiable sales in New York State be reduced to \$500,000 or if we can add sales from other private corporations to reach \$1 M threshold.	OGS respectfully declines to make the requested change.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	2.1.3 Verifiable Sales	Does the MWBE Subcontractor also need to show sales of \$1M separately in order to be considered.	In order to be evaluated for award, Bidders must meet all Requirements detailed in revised Solicitation Section 2.1 Mandatory Minimum Requirements.
Attachment 3 - Mandatory Minimum Qualifications	Attachment 3	Can vendor use same invoices to meet requirements mentioned under tab "IT Staff" and "Verifiable Sales"?	Yes, but they must be submitted independently for each mandatory minimum requirement and labeled accordingly.
RFP Main Document	Attachment 3	Would it be legit to provide invoices from federal agencies which reside in NY state?	Yes, sales to Federal Governmental Entities would be allowed for revised Solicitation Sections 2.1.2 IT Staff and 2.1.3 Verifiable Sales.
RFP Main Document	2.1.3 Verifiable Sales	We feel that the \$1,000,000.00 NYS requirement is both unreasonable & unnecessary. This requirement has limited the pool of quality of proposed vendors and hurts NYS agencies get the best vendors. Will HBITS Vendors reconsider lifting the NYS portion of this requirement?	OGS respectfully declines to make the requested change.
Attachment 3 - Mandatory Minimum Qualifications	2.1.3 Verifiable Sales	Would you prefer we list all qualifying verifiable sales over the time period stated or only enough to get to the \$1MM requirement?	Bidder shall only provide invoices that demonstrate the mandatory minimum requirement of \$1,000,000 as outlined in Section 2.1.3 Verifiable Sales. Once you reach \$1,000,000 in IT staff placement sales the "Total of Qualifying Invoices" box in Attachment 3 - Mandatory Minimum Qualifications, Verifiable Sales tab, changes color from red to black. Once you have reached \$1,000,000 in IT staff placement sales you may stop. For example, if you have one (1) invoice that is for \$1,200,000 in IT staff placement sales then you only need to submit that one (1) invoice.
Attachment 3 - Mandatory Minimum Qualifications	2.1.2 IT Staff	Can OGS Make the 2 Year Mandatory Qualifications period on IT Staff Placements and Verifiable Sales period starting from January 2016 to January 2018	OGS respectfully declines to make the requested change.
RFP Main Document	2.1.3 Verifiable Sales	If bidding as a prime vendor, will our subcontractor's invoices be considered to meet the minimum qualification criteria of \$1,000,000 verifiable sales for providing IT Staff Placements to Governmental Entities within New York State?	For purposes of demonstrating verifiable sales, if the Bidder was the direct service provider or contract holder and the services were provided directly from the Bidder to the Governmental Entity (without the use of any subcontractors), the qualifying invoices must be from the Bidder to the Governmental Entity. Similarly, if the Bidder was the service provider or contract holder but the services were provided indirectly to the Governmental Entity (through the use of one or more subcontractors), the qualifying invoices must be from the Bidder to the Governmental Entity. If the Bidder acted as a subcontractor in providing the services, the qualifying invoices must be from the Bidder to the service provider or contract holder of the Governmental Entity. Sales made and invoiced independently by a Bidder's subcontractor with no involvement by the Bidder are not eligible for purposes of demonstrating the Bidder's verifiable sales. Please see revised Solicitation Section 2.1.3 Verifiable Sales.
RFP Main Document	1.4 Estimated Quantities	The rate charts provided by the OGS which represent the average Hourly Bill Rates currently in effect for each Job Title, at each Skill Level in each Region. - This is the average of the Bill Rates offered to the vendors for all the position offered till now?	The averages provided in Section 1.4 Estimated Quantities represents the average hourly bill rates of all Active Contractors as per Appendix D: Pricing Schedules effective 11/1/16 found at https://www.ogs.ny.gov/purchase/snt/awardnotes/7301222439can.HTM
RFP Main Document	1.3 Scope	Rates used will be Fixed Rates or Not-To-Exceed rates	Per Section 1.3 Scope, "This Solicitation includes fixed rates rather than not-to-exceed rates."
General Questions		Is there any chances for extending the bid due date by OGS	OGS respectfully declines this request.
RFP Main Document	5.5.4 Financial Proposal Evaluation	What is the average markup percentage used by the current active vendor?	Refer to Appendix D for each Contractor from our Current HBITS Contract website: https://www.ogs.ny.gov/purchase/snt/awardnotes/7301222439can.HTM

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
General Questions		Any preference will be given to current 25 vendors	No, per Section 5.1 New York State Philosophy, "Pursuant to Article XI of the New York State Finance Law, New York State evaluates bids for services in an objective, comprehensive manner designed to benefit both the State and participating Bidders. Through this process the State identifies Contractors who will best meet its needs and will be the most cost effective..."
General Questions		Will the bidder be allowed to revise their rates once at a later point or not	Refer to Section 7.5 CPI Rate Adjustments for adjustments allowed under resultant Contracts.
General Questions		Can Prime contractor be the subcontractor with another Prime contractor	Per Section 7.8 Subcontractors, "A Contractor serving as a Contractor under this procurement is prohibited from also serving as a Subcontractor to another Contractor under this Procurement."
General Questions	1.12 Definitions	Are Joint Ventures still allowed as part of this new contract?	Joint ventures are not allowed within this solicitation.
RFP Main Document	N/A	There is no specific place to provide an executive summary with our company profile, background, etc. Can we add as a cover letter? Would that be acceptable and are there any guidelines we need to follow?	No executive summary is required. Refer to Section 3 Bid Submissions.
RFP Main Document	1.4 Estimated Quantities	Are the average Bill Rates shown in the chart at top of pg. 11 the current NORMAL Bill Rates or the HIGH Bill Rates?	All bill rates are an average of normal and high.
RFP Main Document	1.5 Key Events and Dates	Will OGS confirm when the mandatory intent to bid form is due as that date is missing from the Key Events and Dates section of the RFP?	An intent to bid form is not required for this solicitation.
RFP Main Document		Can we submit as a Joint Venture in response to this RFP? [Redacted]	Joint ventures are not allowed within this solicitation.
RFP Main Document	3.2.1 & 3.2.1.2 Electronic Media	Do we need to submit different USB drives for Technical and Financial proposal?	Yes. Refer to Section 3.2.1 Electronic Media.
RFP Main Document	7.11 Contractor Requirements and Procedures	If we are an MBE company, then can we submit the proposal as a prime contractor?	A Bidder independently must meet all of the mandatory minimum qualifications of the Solicitation in order to be evaluated for award regardless of certification(s).
RFP Main Document	2.2.11 NYS Tax Law Section 5-a	Can you please provide us the link for Form ST-220-CA as provided link in the RFP document is not working.	Refer to revised Section 2.2.11 NYS Tax Law Section 5-a for an updated link.
RFP Main Document	1.7.2 Pre-Bid Conference Webinar	The link provided for Pre-Bid Conference Webinar Presentation at the OGS website(https://www.ogs.ny.gov/purchase/biddocument/23158bid.asp) is not working, please provide the updated presentation.	There are no known technical difficulties with this link.
RFP Main Document	1.4 Estimated Quantities	Are the dollar amounts listed in the table the average hourly bill rates of consultants who are currently working under the HBITS contract, or the average of prices listed by the existing vendors?	The averages provided in Section 1.4 Estimated Quantities represents the average hourly bill rates of all Active Contractors as per Appendix D: Pricing Schedules effective 11/1/16 found at https://www.ogs.ny.gov/purchase/snt/awardnotes/7301222439can.HTM
RFP Main Document	1.3 Scope	Will the new HBITS Task Order contracts have a 36 month durations?	Refer to Attachment 12 - HBITS Process Section 1.2.3 Engagement Duration, "Engagements under the HBITS Contract shall be a minimum of 2 months and a maximum of 30 months in length..."
RFP Main Document		Can incumbents participate in this solicitation?	All Bidders can participate.
RFP Main Document	Section 7.5	If the Consumer Price Index goes down will the prior years' rates remain in effect or be reduced by the CPI?	The prior year's rates would be reduced by the CPI and become effective at the start of the new Contract year. However, note that rates on existing engagements are unaffected by CPI increase and/or decreases. The percentage of increase or decrease will be applied to new engagements based upon the anniversary date of the resulting Contracts as outlined in Section 7.5 CPI Adjustments.
RFP Main Document	Section 7.5	If the CPI goes down and the Prime Contractor does not respond with revised rates, will the rates for the prior year remain in effect or be reduced by OGS?	The prior year's rates will be reduced. Per Section 7.5.2 Agreement of CPI Adjustment, OGS "...shall not be barred from making the appropriate adjustment in the case of a decrease in rate..."

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	Section 1.5	OGS has indicated contract awards would be made on or about June 28, 2019. (1) Will OSC approve the contract awards? (2) If so, is July 1, 2019 a realistic contract start date?	These dates are estimates only, based on all available information known at this time.
RFP Main Document	Section 5.3	The RFP does not evaluate response rate, task order completion rate, number of placements made, quality of placements (based on replacement of consultants or performance issues reported), or bidder infrastructure on similar contracts. Will OGS consider revising the RFP to include each of these criteria to differentiate the quality of a bidders past performance?	OGS respectfully declines to make the requested revision.
RFP Main Document	1.4 Estimated Quantities	On page 11 of 49, is this pricing an actual sample of prices or are they just examples?	The averages provided in Section 1.4 Estimated Quantities represents the average hourly bill rates of all Active Contractors as per Appendix D: Pricing Schedules effective 11/1/16 found at https://www.ogs.ny.gov/purchase/snt/awardnotes/7301222439can.HTM
RFP Main Document	2.2.10 NYS Vendor Responsibility	For section 2.2.10 do we need to submit our NYS vendor ID when submitting RFP and also include this throughout the proposal submission?	Per Section 2.2.12 NYS Vendor File Registration, "...If the Bidder is not currently registered in the Vendor File, the Bidder must request assignment of a Vendor ID from OGS. Bidder must complete the OSC Substitute W-9 Form (http://www.osc.state.ny.us/vendors/forms/ac3237s_fe.pdf) and submit the form to OGS in advance of bid submission... "
General Questions	N/A	Are Joint Ventures allowed to be proposed, and is there a benefit from a scoring perspective to engage in one? [Redacted]	Joint ventures are not allowed within this solicitation.
RFP Main Document	Article 7.26, Audit of Contractors	Would OGS consider revising 5% to 10% in the 2nd paragraph?	OGS respectfully declines to make the requested revision.
Appendix B - General Specifications	Article 58, Limitation of Liability	Would OGS consider revising Article 58 (a) to reflect the following language in the event that a Purchase Order Term extends beyond (12) months?: "a. Contractor's liability for any claim, loss or liability arising out of, or connected with the Products provided, and whether based upon default, or other liability such as breach of contract, warranty, negligence, misrepresentation or otherwise, shall in no case exceed direct damages in (i) an amount equal to two (2) times the charges specified in the Purchase Order for the Products forming the basis of the Authorized User's claim (said amount not to exceed a total of twelve (12) months charges payable under the applicable Purchase Order) or (ii) five hundred thousand dollars (\$500,000), whichever is greater."	OGS respectfully declines to make the requested revision.
RFP Main Document	3.6 Proposal Security	As there is a large amount of confidential information being provided with this bid, what are the provisions for redaction under FOIL (Freedom of Information Law)? Should vendors supply a redacted proposal as well?	No, see Attachment 4 - Administrative Information, FOIL Redaction tab, which states in part, "Freedom of Information Law Redaction Request: If there is specific information in a Bidder's Proposal that a Bidder claims to be proprietary and/or trade secret information that meets the definition set forth in NYS Public Officers Law Section 87(2)(d), the Bidder should outline any specific concerns regarding disclosure under the New York State Freedom of Information Law (Article 6 of the Public Officers Law). Please provide any specific concerns in the Response section, if applicable. Please Note: OGS is required to post on the OGS website all NYS Contract rates for the use of all Authorized Users. OGS will also post all designated personnel listed on the ""Contract Administration"" tab of this attachment for use by Authorized Users in matters related to administration of an Authorized User Agreement."

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	1.12 Definitions	How is "Hourly Based IT Services" defined?	Information technology staff augmentation services paid on an hourly basis.
RFP Main Document	1.12 Definitions	Does the definition of Hourly Based IT Services include contracts which are paid hourly regardless of deliverables or work product delivered or a contract cap?	Information technology staff augmentation services paid on an hourly basis.
RFP Main Document	7.5.1 Calculation of CPI	To mitigate unreasonable and unmitigatable market risk, Would the State consider allowing CPI adjustments exceeding 3%?	OGS respectfully declines this request.
RFP Main Document	7.5.3 CPI Adjustment	Would the State consider limiting the CPI exclusion for existing placements to the current fiscal year the CPI eligibility, yet allow the application of a CPI adjustment to an existing placement where the existing placement extends, due to their length (up to 36 months), into subsequent fiscal years?	No, existing engagements are unaffected by CPI increases and/or decreases. The percentage of increase or decrease will be applied to new engagements based upon the anniversary date of the resulting Contracts as outlined in Section 7.5 CPI Adjustments.
RFP Main Document	5.2 Awarded Contracts	Given the size and scope of the HBITS contract (\$150 million and 3 major regions), Would the State entertain increasing the number of vendors and/or making regional specific awards?	OGS respectfully declines this request.
General Questions	N/A	Given the complexity of the RFP and the potential results/outcome of the 1st round of Q&A, if the State will be affording the vendor community another round of Q&A?	OGS respectfully declines this request.
RFP Main Document	1.5 Key Events and Dates	RFP estimates award date of 6/28/19, and a contract start date of 7/1/2019. Would OGS consider increasing time between award and start dates, to allow Contractors time to ramp up?	The tentative award date referenced in Solicitation Section 1.5 Key Events and Dates is an estimate.
RFP Main Document	7.3 Contract Survival	Does this section refer to "engagements" started under this solicitation 23158, or engagements started under the expiring contract, or both?	Solicitation Section 7.3 Contract Survival references to "engagements" represent those started under the resulting Contracts for Solicitation 23158 only.
RFP Main Document	1.1 Overview	After year 1 will there be a minimum for the number of active vendors?	No, but at no point will the Contractor pool exceed 30.
RFP Main Document	7.5 CPI Rate Adjustments	CPI is not an accurate measurement of the changes to demand and pricing in the IT field, especially with new technologies. Would you consider using a different method?	OGS respectfully declines this request.
General Questions	Solicitation 23096 vs 23158	There was a Q&A process in the cancelled solicitation 23096. Can we assume answers provided by OGS in that cancelled solicitation process to be valid and effective, if no significant changes were made to the underlying matter in the new solicitation 23158?	No, Bidders should not assume that answers from the prior Solicitation number 23096 are valid. Solicitation number 23096 was cancelled.
RFP Main Document	Section 2	Can you please confirm that joint ventures are no longer an acceptable way of responding to this RFP.	Yes, OGS confirms joint ventures are not allowed.
General Questions		If other Companies use our company name as an MBE Subcontractor on the MBE Form. Can we still bid as a prime?	Yes, for a Bidder to meet requirements of Solicitation Section 2.1 Mandatory Minimum Requirements. However, as a Contractor, per Section 7.8 Subcontractors, "A Contractor serving as a Contractor under this procurement is prohibited from also serving as a Subcontractor to another Contractor under this Procurement."
General Questions		The Contract Period is for 5 years with a 5 year extension option. Can NYS OGS Change this to a contract period of 5 years with an one year extension option? In this way, new companies will have the opportunity to bid.	OGS respectfully declines this request.
		Our firm is not on the Meet and Greet List of Attendees, is it mandatory for the bidding eligibility? please advise.	No, attendance was not a mandatory requirement.
		Our Firm is not on the MWBE-SDVOB Interest in Participation list, is it mandatory for the bidding eligibility? please advise.	No, appearance on this listing is not a mandatory requirement to submit a proposal.
RFP Main Document	7.8 Subcontractors	Can we subcontract with multiple prime vendors?	Yes.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
		After reviewing the request for proposal for #23158 it seems we are not able to meet all the mandatory requirements. (1) The question I have is since we were not initially on the Interested in Participation list, do you still need us to complete the first 3 pages of the Request for Proposal document? (2) If so, is there anything else that is required to state we are not bidding at this time.	Please complete and submit page 1.
Attachment 9 - Job Titles, Skill Levels, Regions		Technical Architect is not listed. Can you please provide a job description?	The Technical Architect job title is not within the scope of this Solicitation. Please see Attachment 9 - Job Titles, Skill Levels, Regions.
Attachment 9 - Job Titles, Skill Levels, Regions	2.4 Financial Proposal Requirements	The Listed Job Titles descriptions are very general, and more specifics on some job titles may be required for equitable pricing. For Instance, Various programmers have different programming languages which will lead to different prices. Can NYS OGS supply the desired skillset for each job title to better address this?	No, the resulting Contracts are intended for use by a wide range of Authorized Users with various needs. The desired skill set for each job title is provided by the Authorized User as the need arises.
Attachment 9 - Job Titles, Skill Levels, Regions	5.5.4	The Description of the listed positions are very open ended and require a more specific description, so that the position may be priced accordingly. Can NYS OGS provide a more detailed skillset for each position title to better remediate this issue?	No, the resulting Contracts are intended for use by a wide range of Authorized Users with various needs. The desired skill set for each job title is provided by the Authorized User as the need arises.
Attachment 8 - Insurance Requirements	Attachment 8, Insurance Requirements	<p>Would OGS consider making the following revisions to Attachment B "Insurance Requirements" based on our insurance broker's feedback?:</p> <p>(1) Page 1, Section 2 (Policy Forms): This section requires "occurrence based" forms however the forms are "claims made" for E&O/Cyber coverage. There is wording in the Crime section on page 6 that properly notes that it can be loss discovered in nature. Section 2 should be amended to allow for "claims made" forms for E&O/Cyber coverage.</p> <p>(2) Page 3, Section 8 "Waiver of Subrogation": Underwriters will not agree to the waiver of subrogation wording on the Crime program.</p> <p>(3) Page 3, Section 9 "Additional Insured": Underwriters will not agree to additional insured wording with respect to E&O, Cyber or Crime coverage.</p> <p>(4) Page 5, Section 1 "Commercial General Liability Insurance": CGL Aggregate should not be per project or per location basis.</p> <p>(5) Page 6, Section 3: The following bullet should be removed: "Cyber theft of customer's property, including but not limited to money and securities."</p> <p>Page 6, Section 5 "Crime Coverage":</p> <p>(6) Delete the 1st bullet: "The policy must allow for reporting of circumstances or incidents that might give rise to future claims." This is not a "claims made" policy so there is no reporting of possible future claims.</p> <p>(7) Delete the 2nd bullet: "The policy must include an extended reporting period of no less than one (1) year with respect to events which occurred but were not reported during the term of the policy." An Occurrence under the Crime policy would need to be reported during the policy period.</p> <p>(8) Delete the 4th bullet: Blanket loss payee wording is used on the Crime coverage; the loss payee is not specifically listed.</p>	<p>(1) Page 1, Section 2 (Policy Forms): Please see updated Attachment 8 - Insurance Requirements, Section II.3 Data Breach/Cyber Insurance and Section II.4. Technology/Professional Errors & Omissions.</p> <p>(2) Page 3, Section 8 (Waiver of Subrogation): Please see updated Attachment 8 - Insurance Requirements, Section I.8 Waiver of Subrogation.</p> <p>(3) Page 3, Section 9 (Additional Insured): Please see updated Attachment 8 - Insurance Requirements, Section I.9 Additional Insured.</p> <p>(4) Page 5, Section 1 (Commercial General Liability Insurance): OGS respectfully declines to waive this requirement. Please see updated Attachment 8 - Insurance Requirements, Section II.1 Commercial General Liability Insurance.</p> <p>(5) Page 6, Section 3: OGS respectfully declines to make the requested change.</p> <p>(6) & (7) Page 6, Section 5 (Crime Coverage): OGS respectfully declines to make the requested changes.</p> <p>(8) Page 6, Section 5 (Crime Coverage): Please see updated Attachment 8 - Insurance Requirements, Section II.5 Crime Insurance.</p>
Attachment 8 - Insurance Requirements	1. General Questions	Does the proof of worker's comp and disability benefits required at time of submission have to be for NYS?	Yes. Please refer to Attachment 8, Section II.6 Workers' Compensation Insurance and Disability Benefits Requirements, which contains two lists of forms that have been designated as the only acceptable proof of compliance with Workers' Compensation and Disability Benefits Coverage requirements by the New York State Workers' Compensation Board.

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
RFP Main Document	5.5.4 Financial Proposal Evaluation	What is the average markup percentage used by the current active vendor?	Refer to Appendix D for each Contractor from our Current HBITS Contract website: https://www.ogs.ny.gov/purchase/snt/awardnotes/7301222439can.HTM
RFP Main Document	2.4.1 Hourly Wage Rate	Is there a particular set of prices that we must adhere to when completing pricing, such as Dept. of Labor schedules or can we utilize regular market rates?	The job titles under the scope of this Solicitation are not subject to prevailing wage rates.
RFP Main Document	2.4.2 Markup Percentage	Can section 2.4.2 mark up percentages be clarified, are we to stick with the same percentage mark up for all positions, for all years or can they be adjusted per position and over time of service?	No, please refer to Section 7.5 CPI Rate Adjustments for adjustments allowed under resulting Contracts. No, per Section 7.5.4 CPI Adjust to Markup, "Under no circumstance will a CPI adjustment be applied to the Markup Percentage submitted in Attachment 7 – Financial Proposal."
RFP Main Document	2.4.1 Hourly Wage Rate	Are these minimum wage rates?	Per Section 1.12 Definitions, "Hourly Wage Rate" shall mean the minimum hourly wage rate which must be paid to the Selected Candidate. For example, Hourly Wage Rate x Mark Up = Hourly Bill Rate."
RFP Main Document	2.4.1 Hourly Wage Rate	Will wage rates be compared to prevailing wages for each region?	No.
RFP Main Document	1.3 Scope	The RFP states: "Resulting Contracts exclude reimbursement of fees for any training whether it's work related or not. Additionally, Contractors shall not bill for hours that selected candidates are in training. Authorized User agency-wide mandated training is not excluded." This language is different than the previous HBITS RFP in which the policy said "Excluded from this definition is any Agency-wide mandated training." (1) Please reply to confirm if it is actually OGS's intent to prohibit compensating the HBITS consultants from being reimbursed for time that the State / Authorized User is requiring the individuals to be in mandatory training. This presents a significant issue for vendors who are legally required by labor laws to compensate employees who are required to attend training. (2) We request that OGS revise the wording in the RFP to allow the Authorized Users to make the decision about paying for the time when there is mandatory training being conducted.	(1) No. (2) See revised Section 1.3 Scope, which states, "Authorized Users may require Candidates to attend standard, statewide or agency-wide mandatory training as required by New York State or the Authorized User. In such cases, the Authorized User is responsible for payment of the Candidate's billable hours for the time spent attending such standard, statewide or agency-wide mandatory training. The Authorized User shall not be responsible for any billable hours or reimbursement for any costs related to any other types of training, whether job-related or not. In no case shall the Authorized User pay for training to provide Candidates with the skills originally specified by the Authorized User in the Form 1."
Attachment 12 - HBITS Process	1.11 Additional Requirements from Authorized Users	Attachment 12 states: "An Authorized User may require its Candidates to attend training both for professional development and as required by New York State law or in accordance with the policy and procedures of the Authorized User. If attendance at a mandatory training required by an Authorized User will incur a cost, the Authorized User is responsible for payment. Authorized User shall also be billed by the Contractor for the time the Candidate spends at such training. Note: Authorized User mandated training is intended to augment a Candidates' skills in order to better perform on a current engagement. It is not intended to provide Candidates with the skills originally specified by the Authorized User in the Form 1." This appears to conflict with the language in the RFP, as cited in the previous question. Could OGS please confirm that Authorized Users may compensate the Contractor, and thus the consultant, for time spent in mandatory training?	See revised Section 1.3 Scope, which states, "Authorized Users may require Candidates to attend standard, statewide or agency-wide mandatory training as required by New York State or the Authorized User. In such cases, the Authorized User is responsible for payment of the Candidate's billable hours for the time spent attending such standard, statewide or agency-wide mandatory training. The Authorized User shall not be responsible for any billable hours or reimbursement for any costs related to any other types of training, whether job-related or not. In no case shall the Authorized User pay for training to provide Candidates with the skills originally specified by the Authorized User in the Form 1."

Solicitation Document Name	Document Section (Number & Name)	Question	Answer
Attachment 12 - HBITS Process	Section 1.3.2.5	In the case of contracts that could be up to 30 months in duration, the state is requesting that candidates provide details of vacation and other absences over this time period. Will the state consider removing this or changing it to reflect a reasonable time frame such as within 6 months of hire?	This is to identify any planned absences, if known, prior to onboarding.
Attachment 12 - HBITS Process	Section 1.3.2.5	How is the state handling requests for time off once a candidate has been selected and onboarded when they originally indicated that there were no anticipated absences?	This is at the discretion of the Authorized User.
Attachment 12 - HBITS Process	Section 1.3.2.5	Will unplanned absences be held against the vendors performance metrics?	This is at the discretion of the Authorized User.
Attachment 12 - HBITS Process	Section 1.5	Will vendors have access to scoring if their candidate is not chosen?	This information is not provided to Contractors. The Contractor is notified of the candidate's release.
Attachment 12 - HBITS Process	Section 1.10.1	Considering the evaluation criteria and points being given to vendors for successful completion of items 1 through 7, please provide an example of how points would be given to a vendor for items 8 and 9 as this seems to be in conflict to the Sections noted?	Please see revised Attachment 12 - HBITS Process, Section 1.10.1 Evaluation Criteria.
Attachment 12 - HBITS Process	Section 1.10.2.1	What is considered Part II of the Annual Evaluation?	Part II includes: Compliance Review, General Quality and Authorized User Evaluation.
Attachment 12 - HBITS Process	Section 1.10.1	What is the point breakdown for scoring?	See revised Attachment 12 - HBITS Process, Section 1.10.1 Evaluation Criteria.
Attachment 12 - HBITS Process	Section 1.10.1	What is the point breakdown for scoring?	Refer to revised Attachment 11 - HBITS Forms.
Attachment 12 - HBITS Process	1.3.2.3 Non-Compete	On Form #2 How Exactly is the NON-Compete question to be answered with a YES/NO answer or use the wording from the question	Refer to revised Form 2 in Attachment 11 - HBITS Forms.
Attachment 12 - HBITS Process	1.11 Additional requirements from Authorized Users	Will Fingerprinting and NDA paperwork need to be completed and resubmitted on renewals if the candidate just worked in the same position and location.	This is at the discretion of the Authorized User.
Attachment 12 - HBITS Process	1.10.2 Active vs Inactive Contractors	Can a Vendor make a Decision if they want to be Active or Inactive like in the past as some Vendors decided to stay on the Inactive List.	No.
Attachment 12 - HBITS Process	1.3.3.2 Duplicate Submissions	On Duplicate Resumes submitted would the HBITS Team Consider determining which Vendor had proof to submit and release the vendor that did not have proof and move forward with the vendor that provided proof if they met all qualifications.	Per section 1.3.3.2 Duplicate Submissions, "The OGS HBITS Team reserves the right to reach out to the Active Contractor with the lowest Hourly Bill Rate for written proof that a Candidate gave the Active Contractor permission to submit their name for the Position. Failure to provide adequate proof of permission to submit may result in the release of the Candidate submitted by the Active Contractor with the lowest Hourly Bill Rate and consideration will be given to the Candidate submitted by the Active Contractor with the next lowest Hourly Bill Rate."
Attachment 12 - HBITS Process	Attachment A Cost Methodology Examples	Is it Correct In Saying that you will be taking the Median of the resumes that passed Mandatory and Requested Qualification and then adding the 5% to determine the Maximum rate for that particular position.	Refer to the chart included in revised Attachment 12 - HBITS Process, Section 1.4.3 Cost Methodology. There are three individual calculations performed and the calculation that results in the greatest number of qualified candidates is the one that is used to determine those candidates forwarded to the Authorized User for review.
Attachment 12 - HBITS Process	1.4.3 Cost Methodology	Page 8 of Attachment 12 refers to "One Standard Deviation". What does this "One Standard Deviation" mean?	The standard deviation measures spread by looking at how far observations are from their average.
Attachment 3 - Mandatory Minimum Qualifications	IT Staff & Verifiable Sales Columns	What if I can't find the Governmental Entity Name in the drop down boxes?	A Bidder should make every attempt to locate the Governmental Entity Name in the drop down boxes, however, this information may be typed in manually for OGS review and verification.