



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

June 25, 2021

Psychiatric Services – Broome DDSOO – **BR 070921**

### **Questions and Answers:**

Below is a compilation of the questions received for this bid. Questions that were repeated, or of a recurring nature, were consolidated. Thank you very much for your interest.

1. **Question:** I work for a staffing agency. Can I submit a bid?

**Answer:** Anyone (individual or agency placement) that can meet the qualifications, submission requirements and duties listed in this Invitation for Bid for these services can submit a bid that could result in an approved contract.

2. **Question:** If a staffing agency submits a candidate's credentials with the bid, what is to prevent you from reaching out and making the agreement directly with the candidate?

**Answer:** OPWDD must follow NYS procurement guidelines which are designed to ensure fair and open competition. Following these procurement guidelines, OPWDD may only contract with the responsible and responsive entity that submits the lowest bid, as long as they can meet the qualifications.

3. **Question:** What is the start date of this contract?

**Answer:** The anticipated start date is November 1, 2021.

4. **Question:** What is the annual budget for this contract?

**Answer:** The budget is not pre-determined. Contract(s) price/budget is established using the winning bid(s) for cost per hour multiplied by the annual estimated hours for each facility. This cost must be justifiable and competitive with current market rates for this service.

5. **Question:** Who is the current provider/vendor for these services?

**Answer:** New Hartford Psychiatric Services, PLLC and Auguste L. Duplan, MD, PLLC



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

6. **Question:** Are you looking for a locum tenens/temporary provider for these services? Or a permanent provider?

**Answer:** OPWDD is not looking for Locum Tenens or Temporary services. OPWDD is looking for a qualified treatment provider(s) who can commit to the full five-year term of the contract.

7. **Question:** Is there a minimum time commitment 1 provider has to work? (ie...1 mo commitment, 6 mo. commitment or 1 yr. commitment)

**Answer:** OPWDD is looking for a qualified treatment provider(s) who can commit to the full five-year term of the contract.

8. **Question:** Once a provider makes a certain time commitment, but needs to leave before time is up, can we provide a replacement provider?

**Answer:** Contractor may provide a replacement treatment provider, provided the treatment provider can meet the qualifications and ensure uninterrupted, continuity of service, fully meeting all terms of the contract.

9. **Question:** When requesting references, will agency experience references be allowed?

**Answer:** Each Treatment Provider must submit at least three (3) work references that will verify that the Treatment Provider has at least three (3) years of relevant experience to complete the work as listed in Qualifications and Scope of Work. Included experience can be done within a practice, provided the Treatment Provider was qualified and licensed at the time.

10. **Question:** Do we have to utilize a M/WBE if awarded this contract?

**Answer:** OPWDD encourages M/WBE participation however, psychiatric services procurements are currently exempted from M/WBE goals.

11. **Question:** If providing a Psychiatric Nurse Practitioner, do these facilities have a supervising physician on staff?

**Answer:** No. For the purpose of this contract, and as stated under Qualifications & Scope of work, Section A. Treatment Provider Qualifications, the Psychiatric Nurse Practitioner must



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

have a Collaborative Practice Agreement for the entire term of the contract with a licensed physician qualified to collaborate in the specialty of Psychiatry unless the Psychiatric Nurse Practitioner meets the qualifications stated in the terms of the Nurse Practitioner's Modernization Act (effective 1/1/2015).

**12. Question:** Can we provide CV's/Resumes of potential candidates with our proposal?

**Answer:** OPWDD has requested the submission of each qualified treatment provider's résumé and a reference list related to services previously provided to the developmentally disabled with forensic experience, professional license, picture I.D. and documentary evidence regarding board certification or board eligibility with bid, as detailed within the instructions of the Cost Proposal Form, page 22 of the IFB.

**13. Question:** Regarding records and supportive documents, where will these be housed? At each facility? (Section C, page 19)

**Answer:** The supportive documents (invoices, etc) will be housed at Broome DDSOO's main campus.

**14. Question:** On the cost proposal sheet, can we submit one cost form for physicians and one for Psychiatric Nurse Practitioners? Our hourly pricing structure is vastly different between the two. This current sheet wouldn't allow us to show you the best/accurate annual pricing for each specialty. Therefore, we want to give you the best possible pricing per facility location, per specialty.

**Answer:** OPWDD will select the responsible and responsive Bidder that will provide the lowest Total Estimated Annual Cost for Psychiatric Services for each site. Please see section 17. Evaluation Criteria: Method of Award for more information on how contract holders are chosen.

**15. Question:** If two pricing sheets cannot be submitted, can you provide some direction as how we are to submit annual pricing for two different specialties on one sheet?

**Answer:** OPWDD will select the responsible and responsive Bidder that will provide the lowest Total Estimated Annual Cost for Psychiatric Services for each site so if you provide two prices, the lowest price provided will be selected.

**16. Question:** Can we submit a year over year rate increase?



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

**Answer:** No. An annual CPI price adjustment may be requested, following the instructions as outlined under section 9. Payment on page 4 of the IFB.

**17. Question:** Can we include permanent placement language and cost?

**Answer:** No. Contractor must accept the terms of the agreement as written, submission requirements must be strictly adhered to, and the Cost Proposal Form may not be altered in any way.

**18. Question:** Will there ever be a need for overtime, nights/weekends or holiday pay?

**Answer:** No.

**19. Question:** Are contract negotiations done before or after award?

**Answer:** Contractor must accept the terms of the agreement as written.

**20. Question:** If we are awarded, but can't agree to terms and conditions, can we withdraw without penalty?

**Answer:** Yes. OPWDD would encourage all bidders to read the terms of the IFB and the sample contract template before submitting a bid.

**21. Question:** Can any language changes be made to the terms/conditions or contract? (ie...indemnification, insurance, venue, credentialing, etc.)

**Answer:** No. Contractor must accept the terms of the agreement as written.

**22. Question:** Do we propose our redlines/language changes with our proposal?

**Answer:** No. Contractor must accept the terms of the agreement as written.

**23. Question:** How long is the credentialing process?

**Answer:** Verification of credentials is heavily dependent upon the responsiveness of the Contractor/Treatment Provider. OPWDD intends to complete this process before the contract start date.



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

**24. Question:** How will needs be communicated once awarded? (ie..via mass email, based on tiered vendors, etc.)

**Answer:** The Qualifications and Scope of Work within the IFB state the needs of this contract. Contract is expected to commence on November 1, 2021 and continue for five years, scheduling determined as mutually agreed upon between OPWDD and the contractor(s).

**25. Question:** When a need is requested, will it be specific as to if a Physician or Nurse Practitioner is needed?

**Answer:** The Qualifications & Scope of work contains Section A. Treatment Provider Qualifications, which specifies that we will accept any of three qualified types of treatment providers; Board Certified or eligible Psychiatrist, a certified Psychiatric Nurse Practitioner or a Physician's Assistant working under the direction of a Board Certified/Board Eligible Psychiatrist. Section C. Services to be Administered by Treatment Provider, outlines what is needed from the treatment provider selected for these contracted services. If a treatment provider cannot provide all of these services, they should not bid on this contract.

**26. Question:** How many vendors do you intend to award a contract?

**Answer:** Potentially, up to five vendors may be awarded contracts, one per facility location.

**27. Question:** Who is the current incumbent on this contract and what are their current bill and pay rates?

**Answer:** New Hartford Psychiatric Services, PLLC and Auguste L. Duplan, MD, PLLC currently provide these services under contract, as previously bid. The current scope of service and cost proposal structure within this IFB have changed substantially and are not comparable to the prior procurement for these services.

**28. Question:** What are the shortcomings of the current vendor and what improvements would you like to see from future vendors?

**Answer:** Current services are satisfactory.



## Office for People With Developmental Disabilities

**ANDREW M. CUOMO**  
Governor

**THEODORE KASTNER, MD, MS**  
Commissioner

**29. Question:** For the positions which are projected to be 8 hours every other week, will those hours be required to be completed in one day? If so what day will they be required to work? If not one day, please elaborate on the anticipated distribution of hours.

**Answer:** Hours and days of service will be scheduled Monday through Friday during normal business hours, between 8:00 am to 4:30 pm, as mutually agreed upon between OPWDD and the contractor.

**30. Question:** How many positions are available?

**Answer:** Potentially, up to five treatment providers may be awarded contracts, one per facility location.

**31. Question:** Are you requesting one provider per location or can one individual provider cover all the locations described in the solicitation document?

**Answer:** Logistically, it is impossible for a single treatment provider to cover all the hours specified at all five facility locations, as described in the IFB, given that they are limited to scheduling during normal business hours. OPWDD will be awarding contract(s) to the lowest responsible and responsive bidder(s) who can demonstrate that they meet the qualifications and can provide services as described, for one or more facilities that they are interested in providing coverage to.

**32. Question:** I am a little unclear about which providers are needed. Is it a psychiatrist and either an NP or PA, or is it either of the 3 professionals?

**Answer:** OPWDD will accept any of three qualified types of treatment providers; Board Certified or eligible Psychiatrist, a certified Psychiatric Nurse Practitioner or a Physician's Assistant working under the direction of a Board Certified/Board Eligible Psychiatrist.

**33. Question:** Will you accept providers who are able to provide telepsychiatry only?

**Answer:** No

**34. Question:** Will there be sub-specialty support available at the different facilities?

**Answer:** Generally, there is a nurse practitioner on staff with the contracted doctor and/or nursing staff, at the sites where the appointments are being held.



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

**35. Question:** We have responded to a previous IFB for the state of New York and have already completed a Vendor responsibility questionnaire online via VendRep System. Will that be accepted for this IFB or will we be required to complete another Vendor Responsibility Questionnaire.

**Answer:** This is accepted. Online recertification is required every 6 months.

**36. Question:** Are the background checks required upon submission of bid or after award?

**Answer:** After award

**37. Question:** What is the estimated contract value for this RFP?

**Answer:** The value of each contract resulting from this IFB will be calculated based on the dollars per hour amount of the bid, multiplied by the number of hours provided in a week, over a 5-year period.

**38. Question:** Is proof of insurances required to be submitted along with the bid or after awarded?

**Answer:** Insurances may be provided after award.

**39. Question:** Will you accept electronic signatures?

**Answer:** No

**40. Question:** Is this bid open to locum tenens agencies?

**Answer:** OPWDD is not looking for Locum Tenens or Temporary services. OPWDD is looking for a qualified treatment provider(s) who can commit to the full five-year term of the contract.

**41. Question:** How many providers are you currently looking for to fulfill coverage needs?

**Answer:** OPWDD expects two to five treatment providers will be needed to fulfill coverage needs.

**42. Question:** Do you intend to make multiple awards?

**Answer:** Yes



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

**43. Question:** Since the duties of the Contractor and the Provider are separate and distinct, especially as Contractor does not itself provide medical services, it is important that Providers not be incorporated into the definition of Contractor—can this be negotiated in a potential contract?

**Answer:** The contract terms and conditions will not be modified. If you have exceptions to the terms and conditions, you should not submit a bid.

**44. Question:** Can language changes be made? (indemnification, insurance, venue, etc)?

**Answer:** No

**45. Question:** Will awardees be allowed an opportunity to negotiate the terms of the contract prior to signing?

**Answer:** The Contract Hub may negotiate pricing with the low bidder if submitted pricing is deemed unreasonable. Other terms of the contract are not negotiable.

**46. Question:** By submitting a response, are we automatically agreeing to a contract and its terms?

**Answer:** No, a sample contract was posted with the IFB for potential bidders to review our terms.

**47. Question:** If there are terms & conditions we cannot agree to; can we decline the contract if awarded?

**Answer:** Yes, the contract can be declined. A sample contract was posted with the IFB for potential bidders to review our terms.

**48. Question:** As a locum tenens agency, our providers are considered independent contractors and not employees, can this wording be incorporated?

**Answer:** OPWDD is not looking for Locum Tenens or Temporary services. OPWDD is looking for a qualified treatment provider(s) who can commit to the full five-year term of the contract.

**49. Question:** Are candidates required with our proposal?

**Answer:** Yes, resumes are required at the time the bid is submitted



## Office for People With Developmental Disabilities

ANDREW M. CUOMO  
Governor

THEODORE KASTNER, MD, MS  
Commissioner

**50. Question:** Are there penalties incurred if unable to fill any of the openings?

**Answer:** This contract is to provide the # of hours per week as awarded, and to do so on a regular weekly basis. Failure to provide full coverage may result in contract termination.

**51. Question:** What is the estimated time frame of notice before a need becomes available?

**Answer:** This contract will require services at the commencement of the contract, as approved by the Office of the State Comptroller.

**52. Question:** Will you allow multiple physicians to fill the need or are you requiring that one physician fulfill the need?

**Answer:** OPWDD is seeking one treatment provider that can meet the qualifications and ensure uninterrupted, continuity of service to each of the facilities being bid on, fully meeting all terms of the contract, throughout the life of the contract.

**53. Question:** What is the expected process and timeline for notifying vendor of needs, reviewing candidates, scheduling providers, etc.?

**Answer:** Bids are due 7/9/2021 and the anticipated contract start date is 11/1/2021. Services will be needed immediately on the contract start date.

**54. Question:** May we add a locums to perm conversion fee to our pricing?

**Answer:** No. OPWDD is not looking for Locum Tenens or Temporary services. OPWDD is looking for a qualified treatment provider(s) who can commit to the full five-year term of the contract.

**55. Question:** Do you want an all-inclusive rate?

**Answer:** Yes

**56. Question:** Locum tenens physicians are Independent Contractors and as such are not employees. Therefore, Worker's Compensation insurance would not be applicable. Will you waive these requirements for physicians?



## Office for People With Developmental Disabilities

**ANDREW M. CUOMO**  
Governor

**THEODORE KASTNER, MD, MS**  
Commissioner

**Answer:** OPWDD is not looking for Locum Tenens or Temporary services. OPWDD is looking for a qualified treatment provider(s) who can commit to the full five-year term of the contract. If the Treatment Provider is accepting the position as an independent contractor and has no employees, they will need to provide a Workers Compensation Certificate of Exemption.

**57. Question:** Will you consider \$1M per occurrence/\$3M aggregate insurance limits?

**Answer:** The insurance requirements are not negotiable and are detailed on page 5, in Section 12, Insurance of the IFB.

**58. Question:** What is the expected time for the completion of credentialing for an accepted candidate?

**Answer:** Credentials should be in place by the bid due date.

**59. Question:** Are background screenings required?

**Answer:** Yes

**60. Question:** Will the facility be handling this requirement or are you expecting the vendor to complete?

**Answer:** Staffing agencies who are submitting treatment providers as candidates must become approved Registered Providers with OPWDD and contracts will not be submitted to OSC prior to this approval. For more information about becoming a Registered Provider, please visit: <https://opwdd.ny.gov/providers/service-providers/registered-provider-list> . Approved Registered Providers are responsible for completing background screenings as listed in the Registered Provider application.

OPWDD conducts their own internal background screenings on treatment providers who contract with us directly.

**61. Question:** Will you consider telehealth?

**Answer:** OPWDD will consider some telehealth flexibility on a case by case basis if a specific need arises. OPWDD will not accept treatment providers who are only able to provide telepsychiatry.



**Office for People With  
Developmental Disabilities**

**ANDREW M. CUOMO**  
Governor

**THEODORE KASTNER, MD, MS**  
Commissioner

Respectfully,

Kyle Newton, CMS 1,  
Contract Management Unit  
(845) 877-6821 (3219)  
(845) 877-3044 (fax)  
[jennifer.k.newton@opwdd.ny.gov](mailto:jennifer.k.newton@opwdd.ny.gov)