
SECTION VI: EVALUATION AND SELECTION CRITERIA

The Department intends to select that responsive and responsible Offeror whose Proposal offers the “Best Value” to the Department and the State for the purpose of entering into negotiations for the execution of a contract. The Department will evaluate Offerors’ Proposals in accordance with the evaluation methods, procedures, and criteria as set forth in this Section VI of the RFP. Pursuant to Article XI of the State Finance Law, the basis for award shall be on a “Best Value” basis. As defined in New York State Finance Law, Article XI, “Best Value” means the basis for awarding contracts to a responsible and responsive Offeror whose offer optimizes quality, cost and efficiency, and which is consistent with the best interests of the State of New York. The evaluation will involve the review and scoring of the Offeror’s Technical Proposal and Cost Proposal.

The award shall be based on the objective and quantifiable analysis as described in this Section VI of the RFP, with seventy percent (70%) of the overall award based on the Offeror’s Technical Proposal and thirty percent (30%) of the overall award based on the Offeror’s Cost Proposal. **The Offeror’s proposed DSS Solution will be evaluated based on the product offering as it exists as of the date of proposal submission (“Product”); proposed and/or yet-to-be-released versions will not be evaluated.** Notwithstanding the proceeding, during the term of the Contract, and any extension thereof, the Contractor may and the Department shall be entitled to, at no additional cost to the Department, incorporate error corrections, updates, revisions, fixes, upgrades to Product and/or new releases of Product in the delivery of Project Services under the Contract.

The Department shall evaluate Proposals in an objective, comprehensive manner designed to benefit both the State and Offerors. Through this process, the Department shall identify the contractor who will best meet its needs and does so in a cost-effective manner. The Department intends that all Proposals will be evaluated uniformly and consistently, providing Offerors an equal opportunity to be considered.

Using the evaluation process described herein, the Department will evaluate Proposals that are complete and received prior to the Proposal Due Date deadline. The Department will not consider Proposals that are incomplete or that are received late.

The Department will first perform a Pass-Fail Screening as described below of each Proposal received to determine whether the Proposal contains all the required content. Proposals that pass the Pass-Fail screening review will continue to the next steps — Technical Proposal Evaluation, and Cost Proposal Evaluation. The Department may, at its discretion, conduct its evaluation of the components of the Offerors' proposals concurrently.

The Department will score each section of the Proposals on a scale to be determined by the Department prior to submission of Proposals and set forth in the evaluation criteria submitted to the Office of the State Comptroller, which will become part of the procurement record. When the Technical and Cost Proposal Evaluations are complete, the Technical Proposal score will be added to the Cost Proposal score to develop a Total Combined Score. The Offerors will be ranked based on their Total Combined Score.

For the purpose of evaluation, the Department may seek assistance from any person, other than one associated with a competing Offeror, designated by the Department.

During the evaluation process, the Department may require clarifying information from an Offeror for the purpose of assuring the Department's full understanding of the Offeror's responsiveness to the RFP requirements. This clarifying information must be submitted in writing in accordance with the formats set forth in Sections II and III of this RFP and shall be included as a formal part of the Offeror's Proposal. Failure to provide any required information by the due date set forth in the Department's request for clarification may result in rejection of the Offeror's Proposal. Nothing in the foregoing shall mean or imply that it is obligatory upon the Department to seek or allow clarifications provided for herein. The Department may, at its sole discretion, elect to have some or all Offerors provide a management interview, including product demonstrations and/or site visits pertaining to their Administrative, Technical or Cost

Proposal. The Procurement Manager will coordinate the necessary scheduling of these events, if any.

Proposals accepted in response to this RFP shall be subject to the following evaluation process.

A. Conformance to Submission Requirements – Pass/Fail Screening

Each Proposal will be screened on an initial pass/fail basis for completeness and conformance to the submission requirements stated in Sections II and III of this RFP and submitted in the Administrative Proposal. Proposals that do not pass this level of initial screening may be deemed non-responsive and removed from further consideration.

B. Technical Evaluation – 70% of Overall Score

Each Offeror's ability and willingness to deliver the Project Services as set forth in the RFP will be evaluated and scored based on a weighted point system. The evaluation of the Offeror's Technical Proposal will be based on that Offeror's written Technical Proposal, including responses from the Offeror to clarifying questions posed by the Department, if any; information obtained through reference checks, including the Department's experience with the Offeror or its proposed subcontractors, if any; management interviews and site visits conducted to clarify that Offeror's Technical Proposal offering as deemed necessary by the Department. An Offeror may be asked to provide a demonstration of its proposed solution in satisfying the requirements as described in Section IV.B.4 and 5 of the RFP at the Department's Albany office. Each Offeror assumes the responsibility of being prepared for and conducting these activities at its own expense. The demonstration should provide an overview of the functionality of the product, the major analytic features available, and include a demonstration of, at least, one episode of care analysis including national trends and other appropriate benchmark comparisons.

1. Allocation of Technical Proposal Score Points

The relative point value for each section is as follows:

a. Administrative Services and General Qualifications of the Offeror - 15% of Total Technical Score

The Offeror's Proposal will be rated on various administrative components of the required services including executive summary, project management team and general qualifications of the Offeror.

b. Implementation, Operation, and Support Services and Transition and Termination of Contract – 85% of Total Technical Score

The Offeror's Proposal will be rated on the various components of service delivery including implementation, data management, operation and support services, DSS Solution operational requirements, security, and transition and termination of contract.

2. Scoring of the Technical Proposal

- a. Each Offeror's Technical Proposal will be evaluated independently by multiple evaluators based on the RFP Evaluation Criteria as submitted to the Office of the State Comptroller by the Department in advance of the bid opening. The average score of "Excellent" for each evaluated response will result in a maximum available raw score of 1,000. The technical raw score for each Offeror shall be based on the points allocated to each evaluated response and the average of the evaluators' scores for each evaluated response. Scores assigned to each evaluated response are made in accordance with the following point structure:

<u>Score</u>	<u>Points</u>
Excellent	5
Good	4
Meets Criteria	3
Fair	2
Poor	1

- b. A Technical Score for each Offeror will be determined based on the following formula:

$$\text{Technical Score} = 700 \times \frac{\text{Raw Score of the Technical Proposal being scored}}{\text{Highest Raw Score of Technical Proposals evaluated}}$$

The Technical Scores will be calculated to the hundredth decimal place.

If an Offeror is eliminated anytime during the evaluation process, and that Offeror had the highest score for either the Technical or Cost proposal, the Department shall recalculate the applicable Technical and/or Cost scores for each remaining Offeror based on the score of the remaining Offeror with the next highest Technical or Cost score.

C. Cost Evaluation – 30% of Overall Score

1. To evaluate the total DSS cost to the Department, the Department will calculate a Total Projected DSS Solution Cost for each Offeror as the sum of the Offeror's quoted a) DSS Total Projected Cost amount from **Exhibit Q**, Table 1 of the Offeror's Cost Proposal; b) Incremental Ongoing Training Rates fees from **Exhibit Q**, Table 9 of the Offeror's Cost Proposal at pre-determined utilization levels of such services; and c) Data Provider Start-up Fee rate from **Exhibit Q**, Table 10 of the Offeror's Cost Proposal at pre-determined utilization levels of such services. The evaluation of Offerors' Cost Proposals shall be based on the rates quoted for Years 1 – 5 of the Contract. Each component shall be calculated based on the following:

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- a. *DSS Total Projected Cost*: The Offeror's quoted DSS Total Projected Cost amount as set forth in **Exhibit Q**, Table 1 of the Offeror's Cost Proposal;
 - b. *Incremental Ongoing Training Rates*: The Offeror's Incremental Ongoing Training Rates fees as set forth in **Exhibit Q**, Table 9 of the Offeror's Cost Proposal assuming five (5) new Users for each of the three (3) User Levels will be trained annually for Contract years 2 through 5 as a result of User turnover and that one system change or upgrade will occur during Contract years 2 through 5 which will result in required training of fifteen (15) Level 1 Users, ten (10) Level 2 Users and twenty (20) Level 3 Users.
 - c. *Data Provider Start-up Fee*: The Offeror's Data Provider Start-up Fee rate as set forth in **Exhibit Q**, Table 10 of the Offeror's Cost Proposal assuming one new Data Provider added to the DSS Solution during the term of the Contract.
 - d. The Total Projected DSS Solution Cost for each Offeror shall be calculated by the Department as the sum of the total amounts calculated by the Department in Sections VI.C.1 a through c, above.
2. The Department reserves the right to make other cost calculation adjustments as deemed necessary to determine the evaluated cost of the Offeror's Cost Proposal. Any such adjustments shall be made with the intent to evaluate Offerors' Cost Proposals on a fair and consistent basis, without prejudice. These normalization adjustments may include, but are not limited to, any unforeseen circumstances whereby the normalization of specific factors among Offerors shall result in a more accurate and fair comparison of the Offeror's Cost Proposal.
 3. The Department may seek clarification of the Offeror's Cost Proposal in writing or through a management interview, with written responses to follow.

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4. A Cost Score for each Offeror will be determined based on the following formula, with the lowest Total Projected DSS Solution Cost as calculated in accordance with Section VI.C.1.d receiving the maximum points:

$$\text{Cost Score} = 300 \times \frac{\text{Lowest Total Projected DSS Solution Cost}}{\text{Total Projected DSS Solution Cost of Proposal being scored}}$$

Scores will be calculated to the hundredth decimal place.

D. Total Combined Score

To calculate a Total Combined Score for each Offeror, the Department will combine the Offeror's Technical Score and the Offeror's Cost Score.

E. Best Value Determination/Contract Award

The Department shall select and enter into negotiations for the purpose of executing a contract with the responsive and responsible Offeror that has accumulated the highest Total Combined Score. If an Offeror's Total Combined Score is equal to or less than 1 point below the highest Total Combined Score, the Offeror's proposal will be determined to be substantially equivalent to the Offeror with the highest score. Among any Offeror proposals deemed substantially equivalent, the Department shall select the Offeror that has the lowest evaluated cost calculated pursuant to Section VI.C.1.d. of this RFP to enter into negotiations for the purpose of executing a contract.

Please note that the terms in Appendix A, Standard Clauses for All New York State Contracts, Appendix B, Standard Clauses for all DCS Contracts, and Appendix C, Third Party Connection and Data Exchange Agreement, are not subject to negotiation.

If the Department determines that contract negotiations between the Department and the selected Offeror are unsuccessful because of material differences in key provision(s) as

determined by the Department, the Department may invite the Offeror with the next highest Total Combined Score to enter into negotiations for purposes of executing a contract. Prior to negotiating with the Offeror with the next highest Total Combined Score, the Department will notify the Offeror originally selected and provide the date when negotiations shall cease should an agreement not be reached. Scores will not be recalculated for any remaining Offerors should contract negotiations between the Department and the selected Offeror are unsuccessful because of material differences in key provision(s).