



Glossary of Defined Terms
RFP Entitled:
“Actuarial and Benefits Management Consulting Services”

Affiliate means a person or organization which, through stock ownership or any other affiliation, directly, indirectly, or constructively controls another person or organization, is controlled by another person or organization, or is, along with another person or organization, under the control of a common parent.

AG means the New York State Attorney General’s Office.

Agreement or Contract means the writings that contain the agreement of the Department and the Contractor setting forth the legal obligations of the Parties, as determined by the applicable rules of law, resulting from the solicitation.

Breach means acquiring of information by a person or entity without valid authorization or through unauthorized acquisition.

Business Day(s) means Monday through Friday, from 9:00am to 5:00pm ET, except for those days designated as State holidays.

Commissioner means the Commissioner of the New York State Department of Civil Service.

Contractor means the entity that has been awarded a contract and has executed a Contract with the State. Also referred to as “Vendor.”

Council on Employee Health Insurance means the entity comprised of the President of the Civil Service Commission, the Director of the Office of Employee Relations, and the Director of the Division of the Budget.

Data means any information, analytic derivatives, formula, algorithms, or other content that the Department or State may provide to the Contractor pursuant to this Contract. Data includes, but is not limited to, any of the foregoing that the Department and/or Contractor (i) uploads to a Cloud Service, and/or (ii) creates and/or modifies using a Cloud Service.

Day(s) means calendar Days unless otherwise noted.

Department or DCS means the New York State Department of Civil Service.

DOB means the New York State Division of the Budget.

EEO means the Federal Equal Employment Opportunities Act.

Empire Plan or Program means the self-funded, experience-rated health plan administered by the NYS Department of Civil Service to provide health insurance benefits for the employees, retirees and eligible dependents of New York State and



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NYSHIP Participating Agencies and Participating Employers. It has four components, the Medical Program, the Hospital Program, the Managed Mental Health and Substance Abuse Program, and the Prescription Drug Program.

Employee Benefits Division (EBD) means the division of the New York State Department of Civil Service responsible for administering the New York State Health Insurance Program (NYSHIP).

ET means prevailing Eastern Time.

Event means any observable occurrence in a system and/or network that may indicate that a Security Incident is occurring or has occurred.

HIPPA means Health Insurance Portability and Accountability Act of 1996, as amended.

HMO means one of the Health Maintenance Organizations which participate in the New York State Health Insurance Program.

Joint Labor Management Committee (JLMC) means a committee consisting of representatives of NYS’ collective bargaining units, the Department of Civil Service (DCS), and the Governor’s Office of Employee Relations (GOER) which is charged with the responsibility to cooperatively develop and oversee administration of health care programs for State-represented employees and to make mutually agreed upon changes to health insurance plan benefits.

New York State Health Insurance Program (NYSHIP) means the health insurance program established by NYS to provide health insurance protection to employees, retirees and eligible dependents of New York State and Participating Agencies and Participating Employers. The program is administered by the NYS Department of Civil Service. NYSHIP provides health insurance coverage through the Empire Plan, Health Maintenance Organizations (HMOs); and the Student Employee Health Plan (SEHP).

NYS or State means the State of New York (including the New York State Department of Civil Service).

OER means the New York State Office of Employee Relations.

Offeror means any responsible and eligible entity submitting a responsive Proposal to the RFP. It shall be understood that references in the RFP to “Offeror” shall include said entity’s proposed Key Subcontractor or Affiliates, if any.

OSC means the New York State Office of the State Comptroller.

Participating Agency (PA) means any unit of local government such as school districts, special districts, or district or municipal corporations that elects, with the



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approval of the President of the Civil Service Commission, to participate in the New York State Health Insurance Program.

Participating Employer (PE) means any public authority, public benefit corporation, or other agency subdivision or quasi-public organization of NYS that elects, with the approval of the President of the Civil Service Commission, to participate in the New York State Health Insurance Program.

Plan means the Empire Plan.

President means the President of the Civil Service Commission who is also the Commissioner of the Department.

Project Management Team means the Contractor and those Subcontractors, if any, utilized by the Contractor who collectively undertake and perform the Project Services which are the subject of the Agreement.

Project Services means the entire scope of actuarial and benefits management services to be provided by the Contractor pursuant to the terms and conditions of the Agreement.

Proposal or Submissions means the Contractor’s Administrative Proposal, Technical Proposal and Cost Proposal, including all responses to supplemental requests for clarification, information, or documentation submitted during the course of the Procurement.

RFP or Procurement means the Request for Proposals, entitled “Actuarial and Benefits Management Consulting Services,” dated April 5, 2017.

Solicitation means writings by the State setting forth the scope, terms, conditions and technical specifications for a procurement of Product.

State or NYS means the State of New York.

State Agency or state agencies means all state departments, boards, commissions, offices or institutions but excludes, however, for the purposes of subdivision five of section three hundred fifty-five of the education law, the state university of New York and excludes, for the purposes of subdivision a of section sixty-two hundred eighteen of the education law, the city university of New York. Furthermore, such term shall not include the legislature or the judiciary.

Student Employee Health Plan (SEHP) means a health insurance plan for graduate student employees of the New York State University and the New York City University



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Civil Service

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systems that provides benefits through the various Empire Plan Insurance Contracts. Like the Empire Plan, SEHP includes hospital, medical, managed mental health and substance abuse benefits, and prescription drug benefits, SEHP is administered by the New York State Department of Civil Service, Employee Benefits Division.

Subcontractor means any individual or legal entity (including but not limited to sole proprietor, partnership, limited liability company, firm or corporation) who has entered into a contract, express or implied, for the performance of a portion of the Contract with a Contractor.

System means an interconnected set of information resources under the same direct management control that shares common functionality. A system normally includes hardware, software, applications, and communications.