



**DEPARTMENT OF INFORMATION
TECHNOLOGY AND TELECOMMUNICATIONS**

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ADDENDUM #1

To: All Proposers

From: Arthur D. Friedman
Acting Agency Chief Contracting Officer

Date: January 23, 2004

Subject: Standby Enterprise-Wide Consulting Services
PIN: 85804NYS0007

This addendum is issued for the purpose of amending the requirements of the solicitation for the above-specified project, and is hereby made part of the solicitation document to the same extent as though it were originally included therein.

PLEASE TAKE NOTICE that the Proposal Submission Date is hereby changed from 3 o'clock PM on Monday, January 26, 2004, to: 3 o'clock PM on Wednesday, February 11, 2004. This supersedes any statement of a different date and time for proposal submission in the Project Definition. The place for submission of proposals, 75 Park Place, 9th floor, in New York, New York, remains the same.

PLEASE TAKE FURTHER NOTICE that Part 2 of this Addendum No. 1 includes a replacement form for Attachment 3; that Part 2 of this Addendum No. 1 deletes Attachment 4 – and Proposers should not complete or submit Attachment 4; and that Part 2 of this Addendum No. 1 includes a new form that Proposers are required to submit – Attachment 13, an acknowledgment of addenda form.

This Addendum consists of two parts. The first part sets forth our answers to 147 questions that were submitted to DoITT. Some of these questions are the same. Thus, some answers just refer to an answer to a previous question, and the question numbers

relate more to order of their receipt than their subject. The second part of this Addendum sets forth several changes to the Project Definition.

Part 1: Questions and Answers:

Question #1: On page (3a, b, c) of the RFP for Standby Enterprise-Wide Consulting Services, is it your intention to ask for 3 project and 5 customer references per class included in the proposal? For example if we were to bid on 5 classes, our response would have to contain 15 project descriptions and 25 customer references.

Answer: Questions on the same or similar matters are questions 2, 3, 17, 18, 19 and 99.

Each Class will be rated separately, based in part on the projects/references that you designate for that Class. The City does not desire to consider more projects or contact more references than necessary, but your decision should be driven by the appropriateness of the information that you are submitting for each Class. The projects/references that you designate for a Class should be relevant for that Class.

For example, if you submit a proposal for 5 Classes, you may, but are not required to designate 15 different project descriptions and 25 different references. Or, you can designate the same 3 projects and 5 references for all 5 Classes. Or, you can designate some of the same projects/references and some different.

Question #2: On D. Proposal Specifics, #3 Quality and Quantity of Relevant Experience....Are you asking for a narrative, description of 3 projects, and 5 customer references for each class that we are bidding for?

Answer: See answer to question 1

Question #3: On D. Proposal Specifics, #3 Quality and Quantity of Relevant Experience....Are you asking for a narrative, description of 3 projects, and 5 customer references for each class that we are bidding for?

Answer: See answer to question 1

Question #4: Would it be possible to get a copy of the New York State Office of General Services (OGS) Backdrop Contract rates that is referenced in the Project definition?

Answer: The OGS back-drop contract rates under Group #73012, Award #S960275E.1 can be downloaded from the OGS Website:
<http://www.ogs.state.ny.us>

Question #5: How many contractors are expected to be enlisted for the stand by agreements?

Answer: DoITT anticipates awarding from 3 to 5 contracts per Class. Each Class is a separate competition.

Question #6: Is there an estimated budget for that would be spent through the resulting contracting agreements?

Answer: We estimate that there will be a need for \$40 million per year in consulting services for all Classes together. The amount estimated on page 5 of the Project Definition, \$5 million per Class, is just that, *i.e.*, an “estimate.” Some Classes may be more, some may be less. For a similar question, see question 130.

Question #7: Regarding the Project Definition for “Standby Enterprise-Wide Consulting Service”, we would like to know if you will consider proposals that only bid on certain job titles within a Classification? Or, do you need to provide hourly prices for all job titles with a classification?

Answer: A proposal that only offers to provide certain job titles within a Class will not be considered. Proposals must include hourly prices for all job classifications within a Class. For a similar question, see question 138.

Question #8: Regarding attachment 4A-4H of this PD, is it acceptable to propose most but not all of the positions listed?

Answer: Attachment 4 is being deleted from the PD, and Proposers should not complete or submit Attachment 4. See Part 2 of this Addendum No. 1 for language deleting Attachment 4.

A Proposer must include a price proposal for each position listed in Attachment 3 for each Class covered by its proposal. Please note that Proposers should use the Attachment 3 form which is annexed to this Addendum No. 1, instead of the Attachment 3 form that was annexed to the Project Definition.

Questions relating to the same or similar matters are questions 23, 34, 45, 61, 62 and 133.

Question #9: Page #6, Section II.B – Is the contractor required to respond to every request for resources from every Agency?

Answer: The Contractor is required to respond to every request for resources from every Requesting Agency. The objective of this project is to establish pools of Contractors who are ready, willing and able to submit resumes to Requesting Agencies when such Agencies have an actual need for hourly consultants, and that objective would be defeated if Contractors were not required to respond to all requisitions. In certain cases it might be commercially impracticable to satisfy an Agency's requisition and the response in such cases may be "no bid." We plan on either revising the resume submission form (Attachment 6) or creating a new form for a response of "no bid;" however, we do not see a need for us to prepare this form until the Tier II stage of this project.

Question #10: Page 6-12, Section II.B – Are these positions more "operational" in nature (e.g. programming, installation), or do they also include architecture, design, strategy, advisory, management and supervisory tasks?

Answer: Based on the job title descriptions set forth in the Project Definition, and the OGS website, these positions are not exclusively one type or the other. They are broad enough to encompass all the possibilities that you have indicated.

Question #11: Page 14-15, Section II.C Tier 2 Evaluation Process – When a need for resources is determined, how and by whom is the Contractor notified?

Answer: A Requesting Agency will directly submit a requisition to the Contractors that are members of the appropriate Class.

Question #12: Page 14-15, Section II.C Tier 2 Evaluation Process – is the Tier 2 process always competitive with multiple Contractors?

Answer: Yes.

Question #13: Page 16, Section III.A – When a Request for Consultants is issued, will the Contractors have an opportunity to submit questions for clarification of the requirement?

Answer: This may vary depending on the Requesting Agency and the circumstances.

Question #14: Page 17, Section III.A.3 – When responding to a request for consultants (Tier 2 response), will it be necessary to submit a formal proposal or any other information, or only complete the Resume Submission Form included as Attachment 6 in this PD?

Answer: In most cases it will be adequate to submit resumes in the form included in this PD as Attachment 6. In addition, a Requesting Agency may decide to interview or request additional information regarding the technical background or experience of the proposed consultant. Such additional information may be noted in the requisition or requested afterward.

The Requesting Agency may also request the contractors to submit summary information, such as a grand total amount, based on the offered fees and the quantity and types of consulting services included in the assignment.

Question #15: Page 20-21, Section III.B – Will the Agency provide all necessary hardware and software for the consultants? Will there be any circumstances under which the consulting company must provide software, laptop, or other equipment for its consultants working for an Agency?

Answer: This PD contemplates that the Contractor will provide hourly Consultants who are requested to work at the Requesting Agency's location with necessary hardware and software being furnished by the Requesting Agency. In other cases, when work is being conducted off-site, the Consultant may need to supply certain equipment, *e.g.*, a desktop or notebook computer. If the Consultant works off-site, the Requesting Agency would be expected to furnish any specialized software (but not something common, such as MS OFFICE.) However, there is no provision in this PD in this situation for any payment other than on an hourly basis for services.

Question #16: Page 23, Section III.D.1 – If a Contractor sub-contracts some of this work, must all of the sub-contractors be a vendor under the New York State Backdrop Contract for the respective category of expertise?

Answer: No, a proposed sub-contractor need not be party to the State Backdrop Contract.

Questions on the same or similar topic are questions 49, 65, 89, 121, 132, 143 and 144.

See Part 2 of this Addendum for a revision (revising sections "d.1" and "d.2" on pages 23 to 25 of the Project Definition) of language that is applicable to Proposers who are proposing to submit Consultant candidates who are independent contractor and/or who are proposing to use sub-contractors in the provision of Consultant candidates.

A Proposer must be party to the State Backdrop Contract for the Class it is proposing. If two business entities "partner" to submit a proposal for a Class, then each must be party to the State Backdrop Contract for that Class.

Section III.17 of the State Backdrop Contract addresses situations of subcontracting and/or partnering. Potential Proposers having questions regarding subcontracting or partnering should refer to that section.

In this project, the City is going to evaluate the Proposers' technical proposals competitively, based on the information contained in the proposal. The State Backdrop Contract provision (section III.17) expressly requires the disclosure of proposed subcontractors, and the proposal should indicate whether the resources being offered by the Proposer will be its employees, persons who are independent contractors, or persons who are referred or provided by a third parties (sub-contractors).

Question #17: On Page 25, under 3, Quality and Quantity of Relevant Experience. Item 3b requests descriptions and outcomes of at least 3 projects completed over the last two years. Do you want us to provide details on 3 projects for each class that we are bidding on or a total of 3 projects irrespective of the number of classes bid on?

Answer: See answer to question 1.

Question #18: On Page 25, Item 3b requests 5 customer references. Do you want us to provide 5 customer references for each class that we are bidding on or a total of 5 customer references irrespective of the number of classes bid on?

Answer: See answer to question 1

Question #19: If the projects and references are required on a per class bid on basis, can we submit the same reference for more than one class, if it is applicable?

Answer: See answer to question 1.

Question #20: Could you supply a list of those that attended the December 30th pre-proposal conference?

Answer: For similar questions, see questions 31, 40, 78, 127 and 142. The attendance list is posted on the Internet at the same URL as this Addendum.

Question #21: Are we correct in assuming that volume discounts are by category not across all categories?

Answer: Correct. Since classes are evaluated individually, volume discounts are requested within a Class (i.e., Category of Expertise).

Question #22: Are we correct in stating that rates on each attachment 3 must be at or below those approved in our OGS contract with New York State?

Answer: Yes

Question #23: Additionally rates then submitted on each attachment 4 submission must be at or below those submitted on the associated attachment 3 submission? Or must the attachment 4 submissions in all cases be exactly equal to the category 3 submissions?

Answer: See answer to question 8.

Question #24: Page 20, #8 -- States that the City of New York reserves the right to submit any consultants for a background check. Does that mean that the ordering agency will pay for any background checks requested?

Answer: Yes; however, a Requesting Agency may require the Contractor or Consultant to pay the fee and the Contractor to submit a request for reimbursement in its invoice.

Question #25: Page 18, #8 – You state that the Contractor shall not charge for a replacement’s learning curve. Can there be a cap on that, i.e. one week?

Answer: The PD already states that the no-charge learning period is one-week unless both the Requesting Agency and the Contractor agree that it is reasonable for the Contractor not to charge for a learning curve longer than one week.

Question #26: Page 22, c&d - You stated at the pre-bid conference, that if there are not enough MASA’s (minimum of 3) to service a class, you can cancel the MASA’s and re-solicit new ones. What happens if there are one or two vendors left in a Class who are servicing the City well? Will they have their MASA’s cancelled as well, thus requiring them to re-bid, or will DoITT merely go out to solicit additional MASA’s to add to the 1-2 surviving vendors?

Answer: The State’s guidelines for a MASA are that there cannot be fewer than three members of the pool. If contracts should be terminated, bringing the pool to fewer than three, the City may award a contract to the next Proposer that is qualified but was not awarded a contract in the Tier 1 process. If there are no remaining proposers from the original solicitation to increase the pool to three, the City may have no choice but to terminate the pool, under the State’s guidelines.

Question #27: Page 24, #2 - You ask for a “Capability Snapshot” of our current pool of candidates. What should this snapshot be based on? The reality in our

business is that all of us have many people in our database that aren't currently available. Someone could say they have a pool of 3,000 consultants, but in actuality only 10% of them may be available for work. In addition, we have the ability to change the size and skill mix of our pool quickly, based on our clients' needs. And our pool of current active consultants may not accurately reflect our full range of capabilities. Thus, we are looking for guidelines from DoITT on what you want this snapshot to reflect.

Answer: The City desires to evaluate the Proposer's capability to provide qualified candidates as needed by Requesting Agencies during the contract term. Proposers should describe the significance of the numbers being submitted in response to this request, so the Evaluation Committee can accord appropriate value to their significance. The snapshot might reflect the current number of consultants in placements along with pending assignments (i.e. assignments for which consultants are being actively recruited for immediate placement.) In addition, it would also be helpful for this level of current activity to be placed in the context of historic highs and lows with regard to placements.

Question #28: Page 28, E - You state that a consultant will not be reimbursed for "commuting time" getting to and from the work site. We assume that is only intended for traveling to and from work at the start or end of the day. If a consultant has to travel during the work day (i.e. between 9-5) to go to different agency locations to perform services, we assume that time will be paid for.

Answer: If a Consultant is required to travel between City worksites during the day, the Contractor will be compensated for the Consultant's travel time, but the Contractor will not be reimbursed for the Consultant's travel expenses, such as carfare. We have amended the language in Attachment 3 of the PD to remove a statement that provided otherwise. Please see Part 2 of this Addendum No. 1.

Question #29: Page 29, I -- Please clarify your stance on vendor responsibility regarding the paragraphs concerning Date/Time Warranty.

Answer: The Date/Time Warranty provision also is contained in the State Backdrop Contract for IT Services, as section III.20. This provision thus would apply in appropriate projects under this PD even if the language was not set forth in this PD. The provision requires the Contractor in certain projects, as specified, to guarantee the correctness of date and time logic it designs.

Question #30: Page 5, C - You state that consultants can be either employees of the Contractor or independent contractors. The reality is that the nature of this Project Definition would preclude most positions from being legally filled by independent contractors (1099's) if one were to follow the 20 factors used by the IRS to determine if someone is an employee or independent contractor. Obviously, if someone bids their pricing on using independent contractors, they are at a significant advantage when offering bill rates, as they are not paying for

payroll taxes or benefits. Many NYC IT bids now require that all consultants of the Contractor be W-2 employees. Would DoITT consider requiring that all consultants be W-2's and if not, how do you plan on "leveling the playing field" when evaluating the cost proposals?

Answer: It is not self-evident whether requiring that all Consultants be W-2 employees would "level" the playing field or eliminate potential competition. Our provision allowing Consultants to be either employees or independent contractors is only intended to allow the private sector marketplace to determine its own internal business practices, within the constraints of law.

Question #31: Please send a list of all companies that attended the pre-bid conference.

Answer: See response to Question #20

Question #32: Is a billable city agency day 7, 7.5 or 8 hours? If the number of billable hours varies by agency, can a bidder specify different hourly rates for the same position within a specific category? For example Programmer Analyst II \$40 for 8 hour day, 42.60 for a 7.5 hour day and 45.71 for 7 hour day. Or can we just simply give a daily rate, say \$320 a day for the above mentioned example, to avoid any confusion and to ensure fairness in the pricing portion of the proposals. My concern is that a company may give you an hourly rate proposal assuming 8 hours of billing per day – while that rate would likely have been higher had they known the billable day is 7 hours.

Answer: There is nothing in this project that has anything to do with something called a "billable city agency day."

Please propose an hourly rate for an hour of work for every OGS job title classification listed in Attachment 3 of this Addendum No. 1 for the Class(es) that you are proposing.

Requesting Agencies will indicate estimated hours of work per week on Attachment 5, the requisition, during Tier II. We have revised paragraph 15 on page 21 of the PD (see Part 2 of this Addendum No. 1) to make it less restrictive for an agency to vary the 35-hour standard. We believe the new language is self-explanatory.

A question the same as or similar to this question is question 80.

Question #33: There is no provision in this contract for Small or Minority Business, although the NYS Backdrop contract did encourage small business set participation. Since the number of tasks to be awarded per category is only between 3 to 5, then is it safe to say that small business participation is discouraged?

Answer: The participation of all companies that are party to the New York State Backdrop Contract for the applicable Categories of Expertise is strongly encouraged. Awarding 3 to 5 contracts in 8 different Classes creates significant potential for a broad range of contractors, including small or minority businesses.

Question #34: Is there a reason that the city is using different job categories which they are asking the bidder to respond to than those categories the State required and used in the backdrop selection?

Answer: Please see answer to question 8

Question #35: The solicitation gives the bidder a flavor of the type of work that may be required by the agencies, but it does not list the agencies most likely to use the services to be awarded. Can we get a listing of all potential agencies?

Answer: The contract will be available to all City agencies. The Department of Education would need to apply for a State approval to use these contracts, but upon such approval would be able to do so. A list of New York City agencies can be found at www.nyc.gov.

Question #36: This contract appears to be along the lines of the Commits project offered by the Federal Government as it too contained a 2 tier review. This program encouraged mentoring of smaller firms by larger firms. Is DoITT considering a similar program for the 600 authorized bidders?

Answer: This procurement follows New York State guidelines and is not part of the federal program cited in the question.

Question #37: Since agencies within NYC specify discounts or payment terms, are there recommended guidelines that DoITT would like to suggest.

Answer: As an enterprise contract, we expect this contract to be in broad use. While we cannot make specific guidelines, we encourage aggressive pricing to reflect the City's potential volume. Attachment 3, which is annexed to this Addendum No. 1, suggests one particular type of potential discount that Proposers may choose to offer. The City is willing to receive, and will consider, other types of offered discounts.

We will make a good faith effort to take account of any discounting method you may propose. It will be up to you, however, to clarify your specific offer, and explain how it would work. We cannot create a format and instructions for different possible business models of discounting.

Questions the same as or similar to this question are questions 42, 67, 69 and 71.

Question #38: GSA frequently provides a pricing spreadsheet that they require their vendors to complete. Since there are so many different categories, and to make the review process easier for the DoITT, can you provide a similar template?

Answer: A different Attachment 3 is required for each Category of Expertise (i.e., Class) because each Class will be separately evaluated. We believe that we will be able to handle the proposals that are submitted by all the Proposers in this manner; however, we would also appreciate receiving a copy of the Cost Proposal (i.e., Attachment 3) information in electronic WORD or EXCEL format. Please see the answer to question 44 for additional information on this topic.

Question #39: Can you provide names and titles of the DoITT representatives who were present at the pre-bid. In the future may I suggest name plates be used?

Answer: Ron Bergmann, Deputy Commissioner
Ellen Stein, Associate Commissioner
Arthur Friedman, Acting Agency Chief Contracting Officer (ACCO)
Lisa Lugo, Assistant Commissioner
Jean Blanc, Deputy Agency Chief Contracting Officer (DACCO)
Alan Rosenberg, Director
Anne Cody, Contract Specialist
Herschel Weber, Enterprise Business Analyst

Question #40: Will the questions, answers, and pre-bid attendee list be available on the internet, or will this be emailed to us?

Answer: Please see answer to question 20.

Question #41: Can bidders submit responses with two different service options? One would be for on-site support. The second would be reflective of off-site support.

Answer: The evaluation of cost will be based on the Proposers' offered prices in Attachment 3 of this Addendum No. 1, which does not call for any differentiation based on whether work is performed on-site or off-site. The vast majority of work is expected to be performed on-site, and this PD recognizes the possibility that there might be cases when off-site work is authorized by a Requesting Agency. Contractors may offer discounted prices for off-site work in response to Tier 2 requisitions. Questions the same as or similar to this question are questions 68 and 139.

Question #42: Can discounts be extended to Agencies for prompt payment?

Answer: Please see the answer to question 37

Question #43: If the responding contractor will be utilizing a sub-contractor to meet all or part of the class service deliverable requirements, does the sub-contractor also have to be on the State Back-Drop contract?

Answer: No, but please see the answer to question 16.

Question #44: Page 27 – Submission: If we submit for 8 classes would the following submission quantities/format be correct: 1 hard copy original for each class and a CD for each class in place of the 7 hard copies.

Answer: No, actually that is not what we intended.

Questions the same as or similar to this one are questions 38, 50, 51, 52, 53, 56, 57, 90, 91, 92 and 93.

We have revised the applicable provision regarding submission of proposals and we believe it is clear now. See Part 2 of this Addendum No. 1 for the revision.

If you propose only one Class, then you should submit one hard-copy original and seven copies. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for that Class. It is your choice whether to submit the seven copies as hard-copy or on CD-ROM in PDF format.

If you propose two Classes, then it is your choice whether to include both Classes in a single volume or submit a separate volume for each Class. If you include both Classes in a single volume, then you should submit one hard-copy original and fourteen copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for that Class. It is your choice whether to submit the fourteen copies as hard-copy or on CD-ROM in PDF format.

If you propose three Classes, then it is your choice whether to include all Classes in a single volume or submit a separate volume for each Class. (You can also submit one Class in a single volume and include two Classes in another single volume. In such a case, follow the directions above for one Class and for two Classes.) If you include all Classes in a single volume, then you should submit one hard-copy original and twenty-one copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in

connection with the evaluation/contracting process for each respective Class. It is your choice whether to submit the twenty-one copies as hard-copy or on CD-ROM in PDF format.

If you propose four Classes, then it is your choice whether to include all Classes in a single volume or submit a separate volume for each Class. (You can also submit one Class in a single volume and include three Classes in another single volume. Or, you can submit two volumes with two Classes in each volume. In such a case, follow the directions above for one Class and/or for two Classes and/or for three Classes.) If you include all Classes in a single volume, then you should submit one hard-copy original and twenty-one copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for each respective Class. It is your choice whether to submit the twenty-one copies, or the twenty-eight copies if you are submitting each Class in a separate volume, as hard-copy or on CD-ROM in PDF format.

If you propose five Classes, then it is your choice whether to include all Classes in a single volume or submit a separate volume for each Class. (You can also submit one Class in a single volume and include four Classes in another single volume. Or, you can submit two volumes with two Classes in one volume and three Classes in another volume. Other combinations are also possible. In such a case, follow the directions above as applicable to your choice(s).) If you include all Classes in a single volume, then you should submit one hard-copy original and twenty-one copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for each respective Class. It is your choice whether to submit the twenty-one copies, or the thirty-five copies if you are submitting each Class in a separate volume, as hard-copy or on CD-ROM in PDF format.

If you propose six Classes, then it is your choice whether to include all Classes in a single volume or submit a separate volume for each Class. (You can also submit one Class in a single volume and include five Classes in another single volume. Other combinations are also possible. In such a case, follow the directions above as applicable to your choice(s).) If you include all Classes in a single volume, then you should submit one hard-copy original and twenty-one copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for each respective Class. It is your choice whether to submit the

twenty-one copies, or the forty-two copies if you are submitting each Class in a separate volume, as hard-copy or on CD-ROM in PDF format.

If you propose seven Classes, then it is your choice whether to include all Classes in a single volume or submit a separate volume for each Class. (You can also submit one Class in a single volume and include six Classes in another single volume. Other combinations are also possible. In such a case, follow the directions above as applicable to your choice(s).) If you include all Classes in a single volume, then you should submit one hard-copy original and twenty-one copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for each respective Class. It is your choice whether to submit the twenty-one copies, or the forty-nine copies if you are submitting each Class in a separate volume, as hard-copy or on CD-ROM in PDF format.

If you propose eight Classes, then it is your choice whether to include all Classes in a single volume or submit a separate volume for each Class. (You can also submit one Class in a single volume and include seven Classes in another single volume. Other combinations are also possible. In such a case, follow the directions above as applicable to your choice(s).) If you include all Classes in a single volume, then you should submit one hard-copy original and twenty-one copies. If you submit a separate volume for each Class, then you should submit one hard-copy original and seven copies for each Class. We will distribute the copies to evaluation committee members and City employees who are going to provide administrative assistance in connection with the evaluation/contracting process for each respective Class. It is your choice whether to submit the twenty-one copies, or the fifty-six copies if you are submitting each Class in a separate volume, as hard-copy or on CD-ROM in PDF format.

The following applies in all cases:

If you choose to submit your proposal copies hard-copy rather than on CD-ROM in PDF format, it is highly recommended, although not required, that you submit at least one copy of your proposal on CD-ROM in PDF format. If you are submitting a separate original volume for each Class, then it is highly recommended, although not required, that you submit at least one copy of your proposal for each Class on CD-ROM in PDF format. If you do not submit any copies on CD-ROM, it will not have any impact upon your rating. In addition, we are highly recommending that a copy of the cost proposal (including Attachment 3) for each Class be submitted in WORD or EXCEL format, to make our evaluators' job easier. But if you do not do this, it will not have any impact upon your rating either.

Question #45: Page 36 – Attachment 4A: This question applies to all of attachment 4's. We believe that the "Contractor proposed hourly rate" in attachment 4 should equal the "Contractor Proposed Hourly Rate" in attachment 3 for the corresponding class. Any other (lower) rate would be in effect a request for Tier 2 pricing. Is our interpretation correct?

Answer: Please see answer to question 8.

Question #46: What role does DoITT currently play in supporting agencies with the procurement of consultants?

Answer: Agencies generally determine their own need for consultants and in certain cases DoITT plays an advisory role.

Question #47: My firm was represented at the Pre-Proposal Conference for the "Standby Enterprise-Wide Consulting Services" bid on 30DEC2003, 9:30 AM, 9 Metrotech Center Auditorium.

Please provide meeting minutes for this session.

Answer: At the conference we stated that any oral answers that were given were not binding on the City, and that only the answers contained in this Addendum would be binding.

Question #48: We have experience with NY CITY and state agencies in some categories as prime but in all other categories as sub to well known companies. Will this expertise be evaluated?

Our Mentor - a large corporation (providing similar support to federal agency) wants to team with us - is teaming allowed? It is not plain subcontracting it is responsible relationship where we are supporting our team at the federal level.

Answer: All relevant experience in your proposal will be considered.

Question #49: The proposal stipulates that Partnering arrangements are acceptable for this proposal, provided:

- (1) that each entity is -- at the time of submission of a proposal and at all material times thereafter -- a vendor under the New York State Backdrop Contract for the respective Category of Expertise (i.e., class),
- (2) that the role and legal relationship between the entities is specified, and
- (3) that each entity is obligated under the proposal with only one of them being the primary point of contact.

Please advise/clarify:

a. Whether our understanding is correct that-

- i. partners for MASA will all have to be EQUALLY responsible and obligated on the contract,
- ii. a legal Teaming Agreement between/amongst the partners will meet the requirement to specify relationship and role,
- iii. one primary contact on the Contract will be established on behalf of all partners,
- iv. all partners will be NYS OGS contract holders throughout.

b. Whether partners could be different for different classes? Also, whether there could be more than 2 partners? For example, Class I our firm may have teaming with Partner A, Class IV with Partners B and C, Classes V, VI, VII we may bid alone without partnership, Class VIII with Partner D. Is such flexibility of partnership with one or more or none by each Class acceptable?

c. Whether partnership will be exclusive per Class of MASA, i.e. a firm can enter into only ONE partnership/team by a Class basis for this proposal.

Answer: Please see answer to question 16.

Question #50: Please see answer to question 44.

Answer: We would like to hand out the copies to the Evaluation Committee members so they can review the proposals. That is the reason we ask for copies, in addition to an original. Your copies can be hard-copy or CD, as you may choose. In either case, we need *physically separate* copies; thus a single CD with 21 files on it would not be useful for our purposes. We also need one original hard-copy of your proposal(s).

Question #51: Will the Table of Contents, Index Tabs pages and Attachment 1 will be counted against the 50 page limit?

Answer: No.

Question #52: Is the proposal required to be submitted under cover of Attachment 1 only? Is it required to provide a cover letter on the letterhead of the firm on top of the proposal?

Answer: In answer to the first sentence of your question, page 23 of the PD states that Attachment 1 is a "sample" of the type and content of cover letter we would like to receive. In answer to the second sentence of your question, the cover letter should be written on the Proposer's letterhead stationery.

Question #53: Is our understanding correct that one Technical Proposal containing sections quoted as follows will encompass all the classes together? In particular the 3 project cases and 5 references are to be provided per each proposal, overall covering one or more Classes bid, and not separately for each

one of the classes. Whereas Cost Proposal/Tier 1 Pricing must be submitted in separate Attachment 3 and 4(A-H) for each class being offered in the proposal.

Quote:

Technical Proposal-

“Section A-Overall Approach/Methodology for Consulting Services”.

“Section B-Organizational Capability.”

“Section C- Relevant Experience” Descriptions and outcomes of at least three (3) projects completed over the last two years. It is recommended that at least two government-based projects be included in this description. Five (5) customer references for which similar services were provided within the last twenty-four (24) months. It is recommended that two (2) of these references be government-based. For each reference, provide the following information:

i. Description of assignment ii. Elapsed time from requisition to start date
iii. Duration of the assignment iv. The name, telephone number, and e-mail address of the supervisor of the placed candidate(s) contacted as a reference; v. Average time necessary to fill a variety of positions and at varying levels.

.Cost Proposal/Tier 1 Pricing

For each class being offered, submit an Attachment 3 and the Attachment 4 of that respective class (Attachments 4A to 4H), specifying the offered hourly rate for each and every Job Classification/Title within each Category of Expertise (i.e., class). Unquote.

Answer: Please see answers to questions 1 and 44.

Question #54: Item 2.e on page 29 requires an audited financial statement for publicly traded companies. I want to confirm that this is not a requirement for Private companies.

Answer: We are changing the requirement to allow the submission of other evidence of financial stability/capacity to perform the requirements of this project. See Part 2 of this Addendum No. 1. Each Proposer must submit evidence of its financial stability/capability sufficient to show the Evaluation Committee that, if awarded a contract, it will actually be able to perform the required services. Question 135 is similar.

Question #55: What role does DoITT currently play in supporting agencies with the procurement of consultants?

Answer: Please see answer 46.

Question #56: When you say you want 7 copies per class bidding for and up to 21 copies if bidding for 3 or more classes. Can you better define the electronic and hard copies you require?

Answer: Please see answer to question 44.

Question #57: The Cover Letter template requests name and address information about the proposer including “Contract #: CMS <insert number>.” Where can we find this CMS number?

Answer: The State assigned a contract number to your contract, which is preceded by the letters “CMS.” This contract number is listed in the OGS website, if you cannot find it in your contract or correspondence from the State.

Question #58: Class III- Systems Management PC seems to be focused more on application development tasks than on managing a PC environment. Does Class III include applications development tasks such as database design and development and application coding? If, so, how is it distinct from Class IV – Application Development PC?

Answer: There is overlap. The Applications Development category of expertise, as defined by OGS, relates to the development and modification of software programs. The Systems Management category of expertise includes consulting services pertaining to the planning, programming, management and operation of systems, procedures and guidelines that work to maintain the on-going operational performance of programs (software) and hardware.

Question #59: Some of the Project Manager positions seem to include actual programming tasks. In the following specific instances, is it the intent of DoITT to have the project managers performing coding tasks in addition to project management/application design tasks?

Class IV – Applications Development PC

| Specific Job Titles | OGS Title | Minimum Experience Sought | Duties | Contractor-Proposed Hourly Rate |
|----------------------------|--------------------|---------------------------|--|---------------------------------|
| Sr. J2EE Developer | Project Manager I | Two (2) | Develop J2EE-based applications (requires certification as a Sun Certified Web Component Developer for Java2 Platform Enterprise Edition). Manage three developers | |
| Sr. Powerbuilder Developer | Project Manager II | Four (4) | Develop Powerbuilder 7-based applications. Manage three developers. | |

Answer: These are just sample assignments, and DoITT has decided to delete Attachment 4 from the PD. However, there is a possibility that these may materialize into actual requisitions given the size of an enterprise like New York

City. In addition, DoITT cannot anticipate the exact role and usage of the OGS Job Classifications.

Question #60: Some of the Class IV – Applications Development PC positions seem to include Class V -- Internet/Intranet Application Services-related assignments (see below). Is this intended?

| Specific Job Titles | OGS Title | Minimum Experience Sought | Duties | Contractor-Proposed Hourly Rate |
|---------------------|-----------------------|---------------------------|---|---------------------------------|
| J2EE Developer | Programmer Analyst II | 4 years | Develop J2EE-based applications (requires certification as a Sun Certified Web Component Developer for Java 2 Platform Enterprise Edition). | |
| Sr. J2EE Developer | Project Manager I | 2 y Answer: | Develop J2EE-based applications (requires certification as a Sun Certified Web Component Developer for Java 2 Platform Enterprise Edition). Manage three developers | |

Answer: Please see answer 58. Please note that Attachment 4 is being deleted from the PD.

Question #61: It is not clear whether the “Contractor’s Proposed Rates” associated with the sample position descriptions included in PD Attachment 4A thru 4H should be the same as the rates cited in PD Attachment 3A thru 3H. The rates in Attachment 3A thru H are general maximum rates for the OGS position descriptions within the respective Classes. Some of the position descriptions in Attachment 4A thru 4H could be significantly discounted from the general rates while others might be at the max rate quoted in Attachment 3 because of the technical restrictions on the respondents (e.g., Certifications, skill requirements). On the other hand, if we were guided by Attachment 4 position descriptions in setting rates and then transcribed these same rates into Attachment 3, it is altogether possible that the Attachment 3 rates would be lower than appropriate for the range of skills possible within a given OGS Title when the driving Attachment 4 position description was heavily discounted. How should we proceed?

Answer: Please see answer to question 8.

Question #62: Are the position descriptions included in PD Attachment 4A thru 4H sample descriptions or real descriptions of positions that the firms selected as Tier I providers would likely be called upon to provide?

Answer: Please see answer to question 8.

Question #63: Given that NY State has 12 categories or areas of expertise as its framework for enterprise wide consulting services and the City has 8 classes, how should the vendor consultants respond as being qualified for the City specified 8 classes?

Answer: The City selected the 8 classes deemed to be in the most demand by agencies. Contractors may respond to this solicitation for one or more of the classes that have been included in this PD.

Question #64: As a follow-up to my original question regarding NYS 12 categories of expertise and the 8 classes as specified by the City, we are certified by NYS OGS (Group # 73012) to provide the following IT support services:

| <u>CATEGORY OF EXPERTISE</u> | <u>TYPE OF SERVICES</u> |
|-------------------------------------|---|
| Application Development-PC | Consulting |
| Systems Management-PC | Consulting, Systems Integration, On Going Support |
| Data Conversion | Consulting, Systems Integration |
| Desktop Asset Conversion | Consulting, Systems Integration |
| Help Desk Services | Consulting |
| IT Management & Planning | Consulting, On Going Support |
| Local Area Network Services | Consulting |
| Equipment Maintenance-Mid range, PC | On Going Support, Maintenance & Support |

QUESTION: How do we match-up specifically to the 8 classes by the City given the above information?

Answer: Four of the Categories of Expertise in your list match the Categories of Expertise listed in our PD.

Question #65: Please confirm whether or not firms can partner on this bid response and, if so, define what the response requirements are for responding as a team.

Answer: Please see answer to question 16.

Question #66: If a firm submits a bid response as a sole prime vendor and is awarded a NYC contract, can they utilize subcontracts from other firms in response to specific Tier II agency projects/bids?

Answer: Yes.

Question #67: The concept of "volume discounts" was discussed at the bidder's conference. Can you please define if and how you want responding vendors to represent these sliding scale discounts (e.g. one vs. three year contracts, 1 vs. 20 positions, \$50,000 vs. \$2,000,000 contract, etc)?

Answer: Please see the answer to question 37.

Question #68: Will DoITT permit off-site work as part of the Contract Terms and Conditions and, if so, should responding vendors provide both on-site and off-site rates?

Answer: See answer to question 41.

Question #69: Would there be provisions for all requesting city based agencies procuring consultants through this RFP to honor the 30 day payment terms set forth in their contracts?

Answer: Our review of the State Backdrop Contract and the PD for this project fails to disclose the contractual "30 day payment terms" referred to in your question. Nevertheless, under section 312 of the N.Y.C. Charter and Section 4-06 of the N.Y.C. Procurement Policy Board Rules, the City has a policy of promptly paying invoices within 30 days, unless a different period is specified. Requesting Agencies covered by that law are subject to this City policy.

Question #70: Will purchase order approvals and budgets definitely be in-place prior to a consultant request being published to the contractors selected in this RFP?

Answer: The ordinary procedures applicable to Requesting Agencies require public officers and employees only to purchase services they have been duly authorized to purchase. Any Contractor that wishes to confirm that fact with a Requesting Agency at the time of Consultant selection should feel free to do so.

Question #71: Could a discount option be available to all City agencies procuring under this RFP, that ensures not only timely purchase order approvals ahead of a request, but timely vendor payment within 30 days of invoice receipt? I believe this is in place at the Dept of Education, where they are allowed to discount the invoice amount by 2%, if they pay it prior to the 30 day payment terms.

Answer: Please see answer to question 37.

Question #72: Will all of the consultants procured under this RFP be hired for new positions, or will this RFP be used as a re-bid mechanism for existing positions already procured via other sources such as OGS?

Answer: When in-place, agencies may use this contract for new initiatives as well as existing projects. However, there is no mandate for agencies to use this contract. Agencies reserve the right to utilize other contracting vehicles for obtaining services, including contracts in place prior to the issuance of this Project Definition.

Question #73: Will this RFP be used to extend or switch existing consultants on other contract based (OGS or other) procurements at city agencies either now, or in the future? And if so, will the consultant(s) have to change employers to one of the contractors selected in the RFP? Also, will the existing contractor be paid a 'finders fee' should they have to give up the consultant(s) in question to one of the winning bidders on this RFP?

Answer: It is not the City's intention to use this PD as a vehicle for causing a current consultants' employment to be extended. It is possible, however, to envision circumstances where a Contractor submits the resume of an existing consultant. The identity of the MASA pool members will be public information. If you are asking if the City is planning to pay anyone a "finder's fee," the answer is no.

Question #74: Is this RFP a way of the city organizations to not only minimize their consulting firm options going forward, but an avenue for procurement of city based services to be limited to a few Large Companies rather than Smaller ones?

Answer: No, this is a way for the City (1) to leverage its substantial purchasing power to obtain competitive pricing and (2) to provide its agencies with an efficient method to obtain consulting services. City agencies will continue to have all the options currently available to them.

Question #75: Is there a schedule to re-bid this RFP in the future, should a company not be selected this time around?

Answer: What the City may do in three years is unknown at this time.

Question#76: Please advise on the other RFP'S you have available for both Project Management and Business Analysis consulting

Answer: DoITT has not issued any RFPs (*i.e.*, requests for proposals) for these services which are currently awaiting proposals. However, we do have in place enterprise-wide contracts for Project Management, Project Monitoring and Quality Assurance as well as Requirements Definition and Systems Integration contracts.

Question #77: Is there any prioritization or ranking of Tier 1 vendors?

Answer: No. The Tier 2 evaluation process will not take the contractors' Tier 1 rankings into consideration

Question #78: Please distribute the Bidders Conference list of attendees, both vendor and DoITT representatives.

Answer: See answers to questions 20 and 39.

Question #79: Please confirm that all Tier 1 vendors will have equal consideration and opportunity to bid on every resource requirement within a given category.

Answer: Yes, all Tier 1 contractors will have equal opportunity to submit candidates and their candidates will (if submitted in compliance with the requisition) receive equal consideration for work within a Class.

Question #80: Can DoITT please elaborate for vendors on the requirement for a 35 hour work week? Please advise as to why this was chosen as the standard, as opposed to a 40 hour week. Also, as follow up to comments made by DoITT during the Bidder's Conference, since some NYC agencies use a 35 hour week, and others use 40, please confirm / clarify that vendors can state in their proposals whether their rates in the proposal are based on 35 hour work weeks or 40, or other (*i.e.* 37.5).

Answer: See the answer to question 32.

Question #81: Can DoITT please clarify why Application Development PC was listed as a separate category, but Application Development Mainframe or Application Development Mid-Range are not?

Answer: We selected the Categories of Expertise for which we believe New York City agencies have the most need for hourly consulting services.

Question #82: Regarding the requirement on page 25 of the Project Definition, item b: The text in the project definition mentions completed engagements. Can vendors use ongoing engagements to satisfy this requirement? This will enable vendors to use current long term contracts as references, which will be able to provide the most current verification of the vendor's performance.

Answer: The PD does not require completed “engagements.” It requires completed *projects*. The proposer may still be engaged by the reference, but to evaluate its successful relevant experience, we desire information regarding completed projects.

Question #83: Can DoITT please publish a list of the vendors who currently provide the kind of services requested in this Project Definition for DoITT?

Answer: A centralized listing is not available.

Question #84: What are the contract vehicles currently utilized by DoITT to procure the services referenced in the Project Definition?

Answer: DoITT has previously retained consultant services for DoITT projects through the issuance of RFPs or via solicitations using the NYS backdrop contract.

Question #85: When does DoITT anticipate having its evaluation process complete? Even an approximation would be helpful.

Answer: We would anticipate completing the evaluation process in the Spring of this year (*i.e.*, the fourth quarter of New York City fiscal year 2004), but we cannot make a firm commitment as there are many factors that may impact this timeframe.

Question #86: When does DoITT anticipate work to begin under the contracts awarded as a result of this Project Definition? Even an approximation would be helpful.

Answer: We would anticipate award of contracts during the summer (*i.e.*, the first quarter of New York City fiscal year 2005), but we cannot make a firm commitment.

Question #87: Is the goal of this procurement to replace an existing contracting mechanism?

Answer: No.

Question #88: Please confirm whether this Project Definition is strictly for technology staffing purposes, or whether DoITT also intends to use the contracts that result from this procurement for the purpose of securing project/deliverable based services.

Answer: The PD relates to IT and telecom standby consulting services provided to the City on an hourly basis.

Question #89: Page 23 of the Project Definition addresses partnering and details a requirement that partners must all be on the OGS Backdrop Contract. Does DoITT consider the term 'partners' to be synonymous with 'subcontractors'? Asked another way, can firms that respond to your Project Definition utilize subcontractors that are not on the OGS backdrop? This was discussed during the Bidder's Conference, so we are just seeking written confirmation of our understanding here. Our interpretation of DoITT's statements at the Bidder's Conference is that for Tier 1 level partnering, all vendors should be on the OGS backdrop, and that for Tier 2 individual resource requirements, vendors may use subcontractors to fill staffing requirements, regardless of whether the subcontractor is on the OGS Backdrop or not.

Answer: Please see answer to question 16.

Question #90: Please confirm, as discussed at the Bidder's Conference, that vendors can submit separate proposals for each category of services for which they wish to propose. For example, if a vendor wants to propose for two categories of service, the vendor can submit to separate proposal documents, in an effort to make it easier for NYC DoITT evaluators to assess a vendor's capabilities in a particular category. Also, please confirm that the page limitation 'guidance' for proposals would apply to each proposal submitted, so that, if a vendor were to pursue two categories of service, they could submit two separate proposals of 50 pages each, without violating the page limit rules / guidelines.

Answer: Yes, please consider those statements confirmed.

Question #91: Does Attachment 9, on page 57 of the Project Definition, need to be included with the vendor's proposal, or is the signature of this attachment something that would occur after the selection of vendors in the Tier 1 process?

Answer: It does not need to be included in the proposal; it is rather a form that a company offered award of a contract under this project would be required to execute as a condition of contract award.

Question #92: Please confirm the accuracy of our interpretation of DoITT's wording on page 27 of the Project Definition. The second paragraph indicates that one original and seven copies of the proposal should be delivered. A subsequent statement says the original must be in hard copy, but the required copies may be submitted at CD-ROMs. Is it correct then that a vendor can submit one (1) original and seven CD-ROMs to meet DoITT's requirements?

Answer: Please see answer to question 44.

Question #93: If a vendor were to propose for multiple classes of service, five for example, within one proposal document, is it correct that the vendor should deliver FIVE hard copy originals (one per class proposed) and 21 CD-ROM's (Stated as the maximum number of copies)?

Answer: Please see answer to question 44.

Question #94: If the OGS Backdrop Contract is for some reason not extended past 12/31/2005, what will happen to the individual consultant assignments that extend beyond that date? Will the assignments end early at 12/31/2005? Please clarify.

Answer: The OGS Backdrop Contract for IT Services does not prohibit an assignment from extending beyond December 31, 2005, as long as the assignment was awarded prior to that date.

Question #95: Would any attractive payment terms, i.e. early payment discounts, be viewed by DoITT as discounts in the same spirit as the volume discounts DoITT requests?

Answer: Yes; please see answer to question 37.

Question #96: Should vendors assume that at the Tier 1 Level, that rates proposed will remain the same for the duration of this contract? Clarification of DoITT's expectations is important, as the OGS Backdrop allows for annual rate cap increases.

Answer: You can propose different prices for each of the three possible contract years, if you wish. Just submit different Attachment 3's (appended to this Addendum No. 1) for each separate year, and label them appropriately. However, the cap for Years 1, 2 and 3 is your current OGS rate, not some rate that might become your OGS rate in the future.

Question #97: Does DoITT anticipate that individual consultant placements in Tier 2 will ever span greater than one year, or does the annual budget/fiscal cycle require a limitation on timeline to 12 months maximum?

Answer: In certain instances, placements may be greater than one year. This is determined on a project and funding basis.

Question #98: Should vendors assume that at the Tier 2 Level, that rates proposed for an individual consultant will need to remain constant throughout the duration of the consultant's assignment? This needs to be clear particularly for long term assignments.

Answer: As long as offered Tier 2 rates do not exceed the applicable Tier 1 cap(s), variable rates can be proposed.

Question #99: On pages 25 and 26 of the Project Definition, where DoITT requests five customer references, the wording could be interpreted as asking for a customer reference on an individual placement of a consultant. Please confirm/validate or correct our impression that what DoITT really wishes to receive for customer references would be more along the lines of providing customer references for engagements where we have done large scale staffing related initiatives similar to what DoITT intends to do with this Project Definition.

Answer: Correct.

Question #100: Are there existing vendors performing these services for the city today? If yes, who are the vendors?

Answer: There are multiple vendors providing IT services to City agencies at the current time. However, DoITT does not maintain a central record and these vendors were not selected under a centralized City-issued procurement.

Question #101: How will incumbent consultants be handled after this contract is awarded? Will they be required to work under one of the new contractors as a subcontractor?

Answer: This PD does not address any incumbent consultants. City agencies may use the contracts resulting from this PD or not, as they choose.

Question #102: If this is an on-going effort, how many consultants do you currently have working under each category?

Answer: See the answer to question 100.

Question #103: Will more valuation be given to vendor(s) currently working with DoITT on similar projects?

Answer: There is nothing in the PD that gives more weight to proposers having DoITT experience. The Tier 1 evaluators will evaluate your proposal based on the criteria set forth in the Project Definition, providing an independent rating of your experience.

Question #104: Can a bidder utilize subcontractors in its proposal?

Answer: Please see answer 16

Question #105: Are foreign national sponsored candidates acceptable to The City of New York (i.e. H1s)?

Answer: Resident aliens and persons lawfully admitted to this country under visa categories permitting employment are allowed to work as Consultants under this PD. In a very rare case where the nature of an assignment might require U.S. citizenship as a qualification requirement, that would be stated in the requisition.

Question #106: Will a standard series of questions be asked all references? If so, may we see those questions?

Answer: It is not our custom to issue proposed questions in the context of answering questions by prospective proposers.

Question #107: If travel outside of NYC is required, will the associated city agency pay travel, meals and lodging?

Answer: It would not be customary for a Consultant to be sent out of the City by a Requesting Agency. However, if it does happen, then the Requesting Agency can reimburse the Contractor for the Consultant's reasonable travel, meals and lodging expenses, consistent with any guidelines for such expenses issued by the Office of the City Comptroller.

Question #108: For critical requests, is there a process to expedite a given resource selection?

Answer: The Tier 2 process is envisioned as an expedited process. Agencies will determine the response time required of contractors to their requisition based on the urgency to fill the consultant position.

Question #109: If resources offered are disapproved, will the vendor have another opportunity to submit additional resources? Will the vendor be given the reason(s) for the disapproval?

Answer: A Requesting Agency may set a maximum on the number of candidates that may be offered, and a due date for the receipt of a response from the Contractor. It will be in the Requesting Agency's discretion whether to give reason(s) for non-selection.

Question #110: If a particular consultant was placed at a client via a subcontract arrangement with the bidding company, can that consultants experienced be claimed when providing references?

Answer: All relevant experience can be provided.

Question #111: Is it the city's intent to migrate existing consulting resources from current contracts to the newly established MASA contracts?

- i. If so, should vendors expect to establish subcontracting agreements with the companies that hold the current contracts so that they may continue to perform work as subcontractors under the Prime MASA contract holders?
- ii. If so, can you provide a breakdown of existing consulting resources by Group and Title within each group that you expect to migrate to the MASA contracts?
- iii. If so, for these existing consulting resources, can you provide an estimated start date that the resources will transition from their current contracts to the newly established MASA contracts?

Answer: The City is not issuing this PD with such intent. Agencies may choose to retain their current contractual arrangements.

Question #112: Please identify the list of vendors who have submitted questions for this Project Definition or those who are bidding.

Answer: It is not our custom to prepare or disclose a list of persons or business entities that submit questions, nor do we have any information regarding who may submit a proposal.

Question #113: Please provide an estimated monthly range of the number of requisitions to be solicited by category of expertise.

Answer: This information is not available at this time.

Question #114: Please define in writing how overtime (hours over 35/week) will be treated for all occurrences.

Answer: The financial arrangement between a Contractor and a Consultant regarding overtime is not treated by the PD. Between the Contractor and the City, the Contractor is paid the hourly rate established under the Tier 2 process for the number of hours worked. Page 21 of the Project Definition should have said "The Contractor will be compensated . . .", not the "Consultant." See Part 2 of this Addendum No. 1, which amends paragraph 15 on page 21 of the PD.

Question #115: Please define in writing that The City of New York will be responsible for the cost of all required background checks.

Answer: Please see Part 2 of this Addendum No. 1, which addresses this matter.

Question #116: Please define in writing the warranty or timing of acceptance for work completed by a contractor.

Answer: Any provisions that may be applicable to warranties and acceptance of work are contained in your State Backdrop Contract or the Project Definition.

Question #117: Across each Category, please define the minimum "current resource pool of potential candidates" that a vendor must meet to be considered for the evaluation and selection process?

Answer: We assume this question relates to our request for a "snapshot" of your resources. We did not establish any required minimum.

Question #118: Will DoITT provide a forecast of estimated resource requirements by class for the next 30 or 60 days, or provide some other notification of intention to procure resources that would enable suppliers to establish a pipeline of skilled candidates?

Answer: This information is not available at this time.

Question #119: How quickly will suppliers be expected to submit resource proposals following issuance of DoITT requisitions?

Answer: Agencies will specify the timeframe by which contractor must respond to the requisition. Please note requisitions will come from many agencies, not just DoITT.

Question #120: How will you handle the loss of candidates during the engagements?

Answer: Please refer to the applicable provision in the section of the PD relating to Contractor Responsibilities (paragraph "8" on pp. 17-18).

Question #121: Will you require a waiver of associate or subcontractor restrictive covenants with respect to solicitation of work at DoITT following the MASA contract termination? If so, could you be specific as to your requirements?

Answer: The Project Definition does not contain any requirements relating to restrictive covenants.

Question #122: Do you plan to request resources with more specific Java skill sets? Will you require skills more specific than J2EE (such as IDE's like WSAD 4.0 or 5.0, Weblogic, or MVC's like STRUTS)?

Answer: Agencies will be asked to be as specific as possible when completing the requisition for consultant services.

Question #123: One of the requested documents was an audited financial statement, for the small businesses that may not have the resources to obtain an audited financial statement, would a CPA's compilation financial statement satisfy that requirement?

Answer: Please see item 2 in Part 2 of this Addendum No. 1 .

Question #124: Can a vendor respond both as a prime vendor and as a sub-contracted vendor within the same and/or different classes?

Answer: A proposer can submit a proposal in one Class and be designated as a proposed sub-contractor in another Class. However, obviously if for the same Class this raises an issue that the vendor may wind up “competing against itself” at Tier 2. The City desires to have genuine competition at the Tier 2 level. The PD does not expressly prohibit this practice; thus it may be proposed and explained, although it does appear on its face to be against the City’s interests to award a contract to a company which is also sub-contractor to another contractor in the same Class.

Question #125: Can a vendor respond as a sub contracted vendor with more than one prime vendor in the same and/or different classes?

Answer: Yes; there is nothing in the PD ruling that out; however obviously this may raise a question on the part of the Evaluation Committee as to whether that might be destructive of the City’s objective to have competition at the Tier 2 level. The idea of competing for this work is to persuade the City that your company’s proposal serves the City’s goals and objectives better than your competitors’ proposals.

Question #126: At the bidders conference it was stated that this PD was for consulting services only. Integration, Installation and Project Management services will not be procured under this contract. The PD document seems to contradict this with multiple examples of this type of work listed under project examples in all classes. Will these additional services be procured under this contract?

Answer: The types of consulting services being sought can include integration, and installation services, among others, based on the categories of expertise set forth in the Project Definition. They are broad enough to encompass all the possibilities that you’ve listed. Reference was made at the bidders conference to other contracts in-place for Project Monitoring and Systems Integration services.

Question #127: Can you provide a list of all vendors who were present at the pre-bidders conference? Also, can you provide a list of all vendors that this PD was sent to?

Answer: Please see answer to question 20. You can obtain the list of eligible State contractors for each Category of Expertise on the OGS website.

Question #128: Will a vendor who responds to all or multiple classes be given a higher score within their classes because of this?

Answer: No. Each class evaluation is distinct.

Question #129: Is there an available list of our up to date vendor certifications?

Answer: Such a list was included in Attachment 2A of the Project Definition.

Question #130: Page 5 of the PD states: DoITT projects that the city will utilize approx. 325 consultants at full time which equals 570,000 hours of work per year. It was also stated at the pre-bidders conference that the city projects to spend \$10 Million per year on these services. These numbers are not consistent with the lowest possible hourly rates that can be provided. Is there an accurate amount the city plans on spending under this contract on a yearly basis?

Answer: Please see the answer to question 6.

Question #131: Overtime

* Page 21 states that "The Consultant will be compensated for overtime at the standard hourly rate."

* If this continues to be a PD requirement, can estimates be provided for the amount of overtime over 40 hours per individual that is expected?

* If there is a change to this PD requirement, please specify the compensation policy regarding overtime over 40 hours?

* If there is a new PD requirement, to what degree will the overtime policy for Consultants be consistent with what applies to NYC employees?

Answer: Please see answer to question 114.

Question #132: Vendors may determine that the use of independent contractors or subcontractors is necessary to find the best qualified candidates and to accommodate the "better pricing" requirement. There is a very large pool of resources that could be tapped into in order to find highly-qualified candidates. Will Consultants be allowed to propose candidates in response to agency requisitions who are independent contractors or from a subcontractor? Will independent contractors or subcontractors need to be pre-approved by DoITT or NYC agencies?

Answer: Please see answer 16.

Question #133: Please clarify the expectations around the "Specific Jobs Titles" listed under Systems Management (Mainframe) on page 36. Individuals with mainframe skills are likely to have at least 10 - 15 years of experience. For example, it will be extremely difficult to find an entry-level MF console operator or a COBOL Applications programmer with 2 years of experience. The would also apply to a mainframe project manager who is likely to have a minimum of 10 years of experience. Will Consultants have the flexibility to substitute higher level OGS titles (and higher rates) if necessary?

Answer: Please see answer to question 8.

Question #134: What is the criteria by which retired City employees can or cannot be used a Consultant? Is it based on the retirement date of the NYC employee?

Answer: Date of termination of employment may be one of the factors affecting post-employment restrictions. Other factors may also be relevant. Advisory guidance is available from the N.Y.C. Conflicts of Interest Board.

Question #135: If the consulting firm is not publicly traded, are audited financials required?

Answer: Please see the answer to question 54.

Question #136: Are New York State certified minority firms employing less than 100 employees encouraged to submit a bid?

Answer: Yes, as long as they are party to the State Backdrop Contract for IT Services for the Class in which they are submitting a proposal.

Question #137: Are software certifications needed at the time of sent proposal or thereafter?

Answer: It is at the discretion of the Requesting Agency as to when evidence of certification is required.

Question #138: Will vendors not on a particular category on the NYS backdrop contract be allowed to bid those categories?

Answer: No.

Question #139: For help desk services as well as on client site services be considered in this bid? If so how may we differentiate the pricing models?

Answer: Please see the answer to question 41.

Question #140: Should the 'Approach and Methodology' focus on the technical approach and methodology that the Vendor as an organization would adopt when meeting the requirements for the various Classes of Service. Or should this primarily focus on how the Vendor will meet the requirements for providing resources to meet the City's needs.

Answer: Both

Question #141: We request a list of all the questions and answers submitted by the various vendors.

Answer: This is it.

Question #142: We request a list of all the vendors that were present at the pre-bid conference last Tuesday and have indicated they will submit a proposal.

Answer: Please see the answer to question 20. We do not have information about who will submit a proposal.

Question #143: Company "X", is considering teaming for the Proposal for Standby Enterprise Wide Consulting Services with another consulting company called Company "Y" which has a larger program offering and a great deal of experience on municipal projects. Is this an acceptable approach?

Answer: Please see answer 16.

Question #144: Following the pre-proposal conference on December 30th, 2003, the question on the possibility to team up with other companies was raised. The answer provided suggested that both companies must be on the back-drop contract with NYS and that the companies send one combined bid per category. Please elaborate further on this possibility.

Answer: Please see answer 16.

Question #145: Regarding the Tier 2 selection process: Once the list has been established for each of the eight categories, will the requisitions go to each of the selected vendors or could the hiring manager just send them to a subset? (for example – 5 firms are selected to support Help Desk Services; do the reqs have to go to each of the five firms?)

Answer: Tier 2 requisitions will be sent to all of the awarded contractors for a particular class, not a subset.

Question #146: Bill Rates – Can you offer additional detail on travel expenses? Do certain projects require extensive travel or is most of the work done on site (unless otherwise agreed upon)?

Answer: Please see answer to question 107.

Question #147: Page 21, #15 – You state that the Consultant will be compensated for overtime at the standard hourly rate. While some IT positions are exempt from Dept of Labor overtime laws, many lower paid IT positions legally require that overtime be paid. In those cases that we legally must pay overtime, will we be able to bill at a higher rate? If not, we would actually be losing money on each O/T hour an employee works after paying the O/T rate and associated payroll taxes.

Answer: See the answer to question 114.

Part 2: Changes to Project Definition:

In the following provisions from the PD (numbered as items 1, 2, 3 and 4 of Part 2 of this Addendum No. 1), language that is being deleted is stricken out and replacement/new language is underlined. (Please note that some words or phrases were also underlined in the original PD.)

1. Thirty-five hour work week and Overtime: Paragraph “15” on page 21 of the PD is amended to read as follows:

15. The Requesting Agency reserves the right to change the hours of work; such changes may be a result of an emergency condition including, but not be limited to, evenings and/or weekends. The Contractor will note and record the scheduled hours of work requested by the Agency for each Consultant. No consulting personnel provided under this contract may be allowed to work at any City agency for more than thirty-five (35) hours per week, or the number of hours that was specified in the requisition (Attachment 5) if other than thirty-five hours, without prior written approval at the appropriate levels—except upon the request or approval of the Requesting Agency. Overtime is not anticipated but provisions to work additional hours as required to satisfy project requirements or in the case of an emergency must be accommodated. The ~~Consultant-Contractor~~ will be compensated for overtime at the standard hourly rate (*i.e.*, the Tier 2 rate for the project assignment).

2. Use of Consultants who are Independent Contractors, Use of Sub-contractors, and Audited Financial Statement Requirement. Paragraphs “d.1” and “d.2” on pages 23 to 25 of the PD is amended to read as follows:

d. Technical Proposal

1. **Approach and Methodology:** The Proposer should describe how it proposes to address current and future consulting needs which City agencies may need and seek to fill under this Project Definition. If the Proposer plans to rely, in whole or in part, on any independent contractors or sub-contracting resources, then all material facts should be set forth in this section, including but not limited to the identity of the other business entity, if any, being used to supply Consultant candidates. The identities of individual Consultants who are independent Contractors need not be specified. When describing your recruitment approach, please be specific as to the types of candidates you can place as well as your pre-screening methodology, ability to rapidly present candidates, ability to minimize attrition /no-shows, ability to replace staff when necessary (indicating timeframes), ability to handle disagreements that may arise with Requesting Agencies, and ability to ensure Requesting Agency satisfaction. In addition, describe how the approach and methodologies meet the City’s enterprise consulting needs, and indicate the number of technical recruiters that would be assigned to a recruitment project. The Proposer should include, in this section, a narrative that fully describes its ability to begin and complete an assignment in a timely manner. It is important that Proposers take into consideration the size of the City of New York, as well as the critical nature of Requesting Agencies’ possible needs to expedite recruitment in getting a Consultant on board and achieving successful and timely completion of a project. This section should be labeled “Section A-Overall Approach/Methodology for Consulting Services”.
2. **Organizational Capability:** Describe firm’s capabilities and organizational structure, in a section labeled “Section B-Organizational Capability.”

Provide a “Capability Snapshot” of the Proposer’s range of skills and abilities applicable to the offered class(es) using charts and graphs. Expressly indicate which portions of this information are based on resources employed by the Proposer, as opposed to resources for which the Proposer plans to contract or sub-contract. This should include:

- i. **Current resource pool of potential candidates** (e.g., total pool of 500 - 20% (100) Applications Development PC, 50% (250) LAN, etc).

- ii. **Skill range** (e.g., 250 LAN – 60% Windows 2000, 20% Novell, 10% Sun, Applications Development PC – 40% ASP, 50% .NET, 10% COBOL, etc.).
- iii. **Average number of years of experience per skill** (e.g., Applications Development PC 5 years, LAN 3 years, etc.)
- iv. **Attrition rates (indicate base period)** (e.g., Applications Development PC 10 % per year for past 2 years, LAN 30% per year for past 2 years, etc.).
- v. **Vendor certification rates by vendor** (e.g., 40% of LAN consultants are MSCE, 30% of Applications Development PC consultants are Oracle Certified DBA, etc.).

This Section B should also include, but not necessarily be limited to, the following information:

- a. A description of the company, its age, organization, number of full time employees, and recruitment specialization;
- b. A list of key resources including the senior personnel, account managers, and technical recruiters to be used for recruitment projects;
- c. An organization outline or chart.
- d. A listing of any corporate relationships and / or financial interests with technology vendors.
- e. Audited financial statement or, if publicly traded, annual report, ~~if publicly traded~~, for the most recent year, supplemented by all subsequently issued quarterly statements. If this information is not available, Proposer should state why it is not available and submit alternative documentation of its financial stability and capability to perform the required services during the contract term.
- f. A statement as to whether or not the Proposer has been involved in litigation within the last five (5) years or has pending litigation arising out of contract performance. Exclude routine interpleaded action, garnishments, and similar routine matters that do not reflect on contract performance. Include all information on contract terminations, defaults, debarments or performance disputes arising out of the provision of related services. List all such contracts, reference numbers, contact persons and telephone numbers for other parties, and a brief description of the facts surrounding each incident.
- g. Include a statement as to whether or not the Proposer or its principals have ever been involved in any kind of bankruptcy proceedings. Give a summary of all proceedings.

- h. Identify and provide pertinent background information regarding any other business entity that is proposed to be used as a source for supplying consultant candidates.

3. Submission Instructions. Paragraph 2, entitled “Submission Instructions,” on page 26-27 of the Project Definition, is amended to read as follows:

2. Submission Instructions:

The Technical Proposal and the Cost Proposal may, as the Proposer chooses, be separately bound and identified as such, or combined in a single volume.

To facilitate the evaluation process, it is highly recommended that each Proposer submit a CD-ROM containing a copy of the Technical and Cost Proposals, identical to the originals, in PDF format. It is also highly recommended that one copy of the Cost Proposal information (i.e., Attachment 3, which is attached to this Addendum No. 1) should be submitted in either WORD or EXCEL format, to assist the Evaluation Committee in evaluating the Cost Proposals.

Each Proposer is required to submit one (1) original and, for each class being proposed, seven (7) copies of the Technical and Cost Proposal(s) by no later than ~~[insert time]~~ 3:00 p.m., New York City time, on ~~[insert date]~~ February 11, 2004. However, if more than three classes are being proposed, then it is only necessary to submit twenty-one (21) copies, unless separate volumes are submitted for each Class, in which event seven (7) copies is still needed for each Class. The original must be hard copy, but the required copies may be submitted either hard-copy or as CD-ROMs containing identical copies of the original Technical and Cost Proposals in PDF format.

4. Rates. Paragraph E, entitled “Rates,” on page 28 of the Project Definition, is amended to read as follows:

The hourly rates are inclusive of all of the Contractor’s costs and expenses, and there shall be no fees or reimbursements paid by the City to the Contractor other than for hours of service in accordance with the hourly rates established in the Tier 2 process. Hourly rates are inclusive of all auxiliary costs, including but not limited to printing, secretarial, program entry, and costs for Travel, Meals and Lodging. Travel associated expenses must be incorporated into the hourly rates.

Notwithstanding the foregoing, if a Requesting Agency requires that a Consultant undergo a background check that requires payment of a fingerprint or other processing fee, then the Requesting Agency shall reimburse the Contractor for such fee at cost without markup. In addition, if a Requesting Agency requires a Consultant to travel out of town on business for the Requesting Agency, then the Requesting Agency shall reimburse the Contractor for the Consultant's reasonable and necessary travel, meals and lodging expenses, at cost, without markup, and consistent with any applicable guidelines issued by the Office of the Comptroller of the City of New York.

Note: A Consultant will not be reimbursed for "commuting time;" time spent getting to and from the "work site". Contractors will have to factor in the "commuting time" costs into their rates since these costs are not reimbursed.

5. Attachment 3; Payment for Certain Travel Time; Replacement Attachment 3. The asterisked footnote to the column called Contractor Proposed Hourly Rate of Attachment 3 has been changed. The Contractor will not be paid for any travel time; however it will be paid for time, if any, commuting between various City sites during the course of an assignment. A replacement Attachment 3 is annexed to this Addendum No. 1. Proposers should use this replacement Attachment 3 in place of the Attachment 3 that was included in the PD.

6. Attachment 4. Attachment 4 (i.e., Attachments 4A through 4H, cumulatively) is deleted from the Project Definition. There is no requirement for Proposers to submit Attachment 4, and all references in the PD to Attachment 4 shall be deemed to be deleted.

7. Attachment 13. There is a new Attachment form, Attachment 13, Acknowledgment of Addenda form, which every Proposer is required to submit with its proposal(s). The purpose of this form is to confirm your company's receipt of this Addendum No. 1 and any other addenda that DoITT may subsequently issue in connection with this PD. This form will not be counted in the 50-page recommended page limit.

8. Submission of Cost Proposal information in electronic format. It is highly recommended that one copy of the Cost Proposal information (i.e., Attachment 3, which is attached to this Addendum No. 1) should be submitted in either WORD or EXCEL format, to assist the Evaluation Committee in evaluating the Cost Proposals.

Attachment 3 of Addendum No. 1: Tier 1 Standby Enterprise-wide Consulting Services Cost Proposal

OFFERED RATES MUST BE INSERTED FOR ALL TWELVE CATEGORIES

Complete one sheet for each year and class on which you are proposing.

Specify Class: _____

Specify Contract Year (1, 2 or 3): _____ (Indicate "ALL" if pricing is same for all yrs.)

| # | NYS OGS Back-Drop Contract Job Title | Min number of years experience | NYS OGS Hourly Rate | Contractor Proposed Hourly Rate (*) | % Discount off OGS |
|----|--------------------------------------|--------------------------------|---------------------|-------------------------------------|--------------------|
| 1 | Programmer Analyst EL | Less than two (2) | | | |
| 2 | Programmer Analyst I | Two (2) | | | |
| 3 | Programmer Analyst II | Four (4) | | | |
| 4 | Programmer Analyst III | Eight (8) | | | |
| 5 | Project Manager EL | Less than two (2) | | | |
| 6 | Project Manager I | Two (2) | | | |
| 7 | Project Manager II | Four (4) | | | |
| 8 | Project Manager III | Eight (8) | | | |
| 9 | Specialist EL | Less than two (2) | | | |
| 10 | Specialist I | Two (2) | | | |
| 11 | Specialist II | Four (4) | | | |
| 12 | Specialist III | Eight (8) | | | |

(*) The hourly rate specified is to be inclusive of all costs and expenses, as specified in Section III.E of the Project Definition and cannot exceed the NYS OGS Backdrop Contract rate for the job title(s) proposed. Contractor will not be paid for any travel time. However, Contractor will be paid for time commuting between various City sites during the course of an assignment.

If the Proposer wishes to offer Volume Discount Pricing, the following format is offered. Indicate below whether the discount schedule is offered per contract year or cumulatively over all years.

Citywide Volume Discount Schedule:

Yearly: _____ Cumulatively (Contract Term): _____

The Contractor hereby offers discounts on Tier 1 hourly rates set forth above in this Attachment 3 (for this class), based on earnings for this class through the end of the month before submission of Attachment 6 (or equivalent Resume Submission Form) to a Requesting Agency.

| Total \$ expended Citywide | Additional % discount |
|--|-----------------------|
| \$250,000 | |
| \$500,000 | |
| \$1,000,000 | |
| \$1,500,000 | |
| Contractor should continue chart at half-million or million dollar intervals to \$15 million | |

ATTACHMENT 13
ACKNOWLEDGEMENT OF ADDENDA FORM

PD TITLE: Standby Enterprise-Wide Consulting Services

Instructions: The proposer is to complete Part I of this form, and sign and date this form. This form serves as the proposer's acknowledgment of the receipt of Addenda to this Project Definition which were issued by DoITT prior to the Proposal Due Date and Time.

__Part I

Listed below are the dates for issue of each Addendum received in connection with this PD.

Addendum # 1, dated January 23, 2004
Addendum # 2, dated _____
Addendum # 3, dated _____
Addendum # 4, dated _____
Addendum # 5, dated _____
Addendum # 6, dated _____
Addendum # 7, dated _____
Addendum # 8, dated _____
Addendum # 9, dated _____
Addendum # 10, dated _____

Proposer Name: _____

Proposer's Authorized Representative:

Name _____

Title _____

Signature _____

Date _____