



ORANGE COUNTY, NEW YORK

Department of General Services
PO Box 218, 255-275 Main Street
Goshen, New York 10924

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RFP TITLE: PHYSICIAN CLINIC SERVICES – TUBERCULOSIS CLINICS

RFP-DOH03-19

PHYSICIAN CLINIC SERVICES – TUBERCULOSIS CLINICS


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NOTICE TO OFFERORS

Proposals for the County of Orange **RFP-DOH03-19 Physician Clinic Services – Tuberculosis Clinics** will be received by the undersigned Commissioner of the Department of General Services, in his office at 255-275 Main Street, Goshen NY 10924, **up to and including Wednesday, December 11, 2019 at 4:00 P.M.**, prevailing time. **Thereafter, proposals will continue to be accepted on a rolling basis to fulfill the needs of the County.**

Copies of the Request for Proposals may be obtained beginning **Wednesday, November 20, 2019** at the above address between the hours of 9:00 A.M. and 4:45 P.M., Monday through Friday (with the exception of County-observed holidays), as well as through **www.orangecountygov.com/generalservices** under "Current Bids and Proposals" or through the Orange County Department of Health webpage at www.orangecountygov.com/730/Tuberculosis-TB-Clinics under the heading "Contractual Employment Opportunities."

November 20, 2019

James P. Burpoe, Commissioner
 Department of General Services

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INSTRUCTIONS TO OFFERORS

Unless a Request for Proposal (RFP) is solicited directly by another County department, the only official distribution source for this RFP is through the Department of General Services. Additionally, most RFP documents issued by the Department of General Services are distributed through BidNet which can be accessed through www.orangecountygov.com/general-services under "Current Bids and Proposals". If you have obtained this RFP from a different source, you are encouraged to contact the Department of General Services to receive an official copy. You may not receive addenda or important information regarding this RFP if you are not registered with the Department of General Services as having obtained a copy of this RFP through the Department or through BidNet.

By submitting a Proposal, you are asking the County to accept your offer for the sale of goods and/or services. It is important that you READ and UNDERSTAND all terms and conditions in this RFP, as well as understand the laws that govern Public Contracts in New York State. **If you do not agree with the terms and conditions contained in this RFP, you should not submit a Proposal.**

Your Proposal will be considered by the County if the following conditions are met:


1. Pursuant to State Finance Law §139-j and §139-k, this solicitation includes and imposes certain restrictions on communications between the County and an Offeror during the procurement process. An Offeror is restricted from contacting other than designated staff from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by the County Executive ("Restricted Period") unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). County employees are required to obtain certain information when contacted during the Restricted Period. The designated staff contact is the Commissioner of General Services or his representative, telephone (845) 291-2792. Offerors responding to this RFP must familiarize themselves with these State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the Proposal Form.

2. Applicable Not Applicable

A pre-proposal conference and site visit will be held at [location] on [date] at [time], prevailing time. Attendance is strongly recommended. The County shall not be liable for, nor shall it review proposed change orders, contract amendments, etc. for inadequate pricing, labor, materials, time or similar issues in Vendor/Consultant's contract with the County resulting from Vendor/Consultant's failure to attend and obtain information provided at the pre-proposal conference, site visit and/or any addenda issued afterward.

3. Offerors are responsible for reporting in writing any errors, omissions or ambiguities found in this RFP. All such reports, requests for information, questions, etc. shall be either faxed to the Department of General on the Questions Form found in this RFP at (845) 378-2365 or emailed to GeneralServices@orangecountygov.com with questions typed in the body of the email, and the subject line "RFP Questions". **No questions will be entertained by any other means. All questions must be submitted by Wednesday, November 27, 2019 at 3:00 P.M., prevailing time. Questions received after this time may not be addressed. Please be patient, questions will be answered in an Addendum/Addenda to be shared with all interested Offerors. Questions will not be responded to individually.**

4. Unless otherwise specified herein, all Proposals shall be made upon forms furnished in this RFP, if any, and as may be modified by addenda, contained in sealed envelopes clearly marked on the outside packaging with **RFP-DOH03-19 Physician Clinic Services – Tuberculosis Clinics** addressed to James Burpoe, Commissioner,

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Department of General Services, PO Box 218, 255-275 Main Street, Goshen, NY 10924 and received up to and including **Wednesday, December 11, 2019 at 4:00 P.M., prevailing time.** If NOT sending your Proposal via U.S. Mail, (i.e., using FedEx, UPS, hand delivery, etc.) please use the following address: Orange County Department of General Services, 255-275 Main Street, Goshen NY 10924. **It is the Offeror’s responsibility to clearly mark the outside of their mailing package with the RFP title and number. Faxed / E-mailed Proposals are not permitted.**

5. **Three (3)** sets of all Proposals shall be submitted, **ONE SET OF WHICH MUST CONTAIN ORIGINAL SIGNATURES** including completed copies of any forms or certifications required in this RFP. Forms, if any, included in this RFP shall be completely filled in, in ink or by typing, on the original form. Failure to respond to this RFP on any official form(s) included in this RFP, may result in disqualification of a Proposal as non-responsive. No Proposal Form will be accepted which contains any modification to the template, additional information not specifically requested, omissions or erasures. Each Proposal Form shall be signed by a duly authorized individual on behalf of the Offeror. Illegible and unsigned Proposals will be rejected as non-responsive.


6. Permission will not be given to modify or explain any Proposal after it has been opened, unless clearly specified in this document (e.g. interviews). Permission to withdraw a Proposal prior to opening will be at the discretion of the County and no replacement Proposal may be submitted without authorization from the Commissioner of General Services. Opened Proposals which required a deposit for plans and specifications may not be withdrawn until forty-five (45) days after opening.

7. **Basis of Award provisions vary with each RFP, please read that section carefully.** Some RFPs may be awarded to more than one entity. The County reserves the right to waive any informality, reject any and all Proposals, or, if noted in the Basis of Award section of this RFP, accept any Proposal in whole or in part, if deemed to be in the best interest of the County.

8. Any award shall be subject to the execution of a contract (and, if applicable, license or other agreements) between the Offeror and the County. The County's contract obligation is contingent upon execution of the contract between the County and selected Vendor/Consultant, provision of required Pay-to-Play forms, insurance certificates and bonds, as applicable, by the Vendor/Consultant, and the availability of appropriated funds for the contract. No legal liability on the part of the County for payment of any money shall arise unless and until a contract is executed by both parties, funds are appropriated and made available in each year of the term of the contract, and all performance requirements for each payment are met. The County shall have no responsibility or liability for any of Offeror's costs related to preparation of Proposals, attendance at interviews, etc.; all such costs are solely at Offeror's risk and expense.

9. Offeror(s) awarded a contract agree to execute the contract in the same form as the template enclosed in this RFP in the timeframe, if any, indicated in this RFP. Any supplemental agreement(s) (e.g. licensing or maintenance agreements) requested by an Offeror must be included in the Proposal and are subject to the discretionary approval of the County Attorney and the County Executive. For any software required in the scope of services, include any proposed license or maintenance agreement(s) with your Proposal. Failure to reach agreement on contract terms and conditions may result in rejection of a Proposal, rescission of an award and/or retention of Bid Security by the County.

10. The County maintains a unilateral right to cancel or extend the contract in accordance with the terms of any contract resulting from this RFP. If a Vendor/Consultant fails to perform or otherwise breaches the contract, in

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addition to any other rights and remedies the County may have, the Vendor/Consultant may be listed as non-responsible and may be ineligible for future contract awards.

11. If Bid Security is required by this RFP; it must be included in the Proposal. If Performance and/or Payment Bonds are required by this RFP, Proposals must include a letter from the Offeror's bank or surety stating that the required letter of credit or bond(s) will be provided in the event of a contract. The letter of credit or bond(s) shall be provided for each year or relevant portion of the contract, as may be applicable.

12. Offerors should be properly registered to do business in the State of New York and furnish applicable certificates of authority/incorporation/partnership/dba, etc. with their Proposal.


13. The County encourages submission of Proposals by certified Minority- and/or Women-Owned Business Enterprises (MWBE) and/or Disadvantaged Business Enterprises (DBE).

14. A Non-Collusion Certification, Disclosure of Non-Responsibility Determination and Iran Divestment Act Certification are included in this RFP. Bidders must complete and submit a signed original of each and the applicable number of copies of each with each Bid.

15. Supplier Forms are provided with this RFP. Offerors that have not received a purchase order in the last twelve (12) months from the County must submit completed and signed Supplier Forms prior to execution of a contract by the County.

16. Please be advised that this solicitation is subject to Orange County Local Law No. 13 of 2013, as amended, known as the "Pay-to-Play Law". Pay-to-Play Forms will be made available with this RFP. All Pay-to-Play Forms should be submitted with your Proposal and will be required if you are awarded a contract. The Pay-to-Play Forms are required from the Vendor/Consultant (unless exempted by the law) prior to execution of a contract by the County.

17. Pursuant to New York's Freedom of Information Law ("FOIL") (Public Officers Law, Article 6, Sections 84-90) all government records are presumptively open for public inspection unless specifically exempted from disclosure under FOIL. Offerors who have a good faith belief that information contained in their Proposal is exempt from disclosure under FOIL must, at the time of their submission, request the exemption in writing, setting forth the basis for the claimed exemption. In addition, the Offeror must mark each page of its submission claimed to be exempt from disclosure under FOIL with the following legend: **"THE OFFEROR BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW."** Neither the Offeror's classification of materials as exempt under FOIL, nor the County's acceptance of Offeror's Proposal with the claimed exemption(s), should be considered a final determination as to whether the designated materials are exempt from disclosure under FOIL. Any and all determinations as to the propriety of claimed exemptions will be made by the County and/or a court of law in accordance with applicable law.

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INSURANCE REQUIREMENTS

During the term of the contract, or longer if required, Vendor/Consultant shall maintain, at its expense, Worker's Compensation, Disability and liability insurance policies of the types and minimum coverages specified in the enclosed contract template (e.g., Agreement for Vendor Services), as applicable. Certificates of insurance evidencing Vendor's/Consultant's compliance with these requirements shall be required prior to execution of the contract by the County. Award is conditional upon submission of insurance documents within the time specified in the Notice of Award. Failure to do so may result in disqualification of the Offeror as non-responsive and/or the County's retention of any Bid Security.


BONDING REQUIREMENTS

There are no Bonds required for a contract awarded under this RFP.

PURCHASES BY OTHER LOCAL GOVERNMENTS AND DISTRICTS

New York State General Municipal Law §103(3), §103(16), County Law §408-a, and County Procurement Policy allow New York State political subdivisions and districts to make purchases through County contracts open to such procurements by the County. **THE AWARD OF ANY CONTRACT UNDER THIS RFP SHALL BE OPEN TO SUCH PROCUREMENTS. OFFERORS WHO DO NOT WISH TO ACCEPT THIS AS A CONDITION OF CONTRACT SHOULD NOT SUBMIT A PROPOSAL.**

1. The Department of General Services shall make award information on any contract resulting from this RFP available to other political subdivisions through their webpage: www.orangecountygov.com/generalservices .
2. Other political subdivisions or districts will issue purchase orders directly to Vendor/Consultant within the specified contract period referencing the County's contract and shall be solely liable and responsible for all payments due on under the contract for that political subdivision's or district's use of the Contract. The County shall not be liable or responsible for any debts incurred by other users of any contract resulting from this RFP.
3. All purchases shall be subject to audit and inspection by the County.
4. Necessary deviations from the County's specifications in the award of a participant contract, for example quantities or delivery points, shall be resolved between the successful Offeror and the other political subdivisions or districts. However, at no time shall any change to price and product specifications be permitted, except where an item has been replaced by another item due to obsolescence or pricing is contingent on an outside factor (e.g. fuel at market rates) pursuant to the terms of the contract, and/or the Vendor or Consultant offers reduced pricing to any participant, which then must be made immediately available to all participants. If a product specification requires modification due to obsolescence, the County must approve a change of product in writing in order for it to be valid. In the event a product substitution is approved, no change in price will be permitted except when the price will be lower than the originally awarded price. Any reduced pricing shall be applicable to all other participants' quantities ordered on or after the date such reduced pricing became effective for the initial participant receiving such pricing.

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SCOPE

1. The County of Orange (“County”), on behalf of its Department of Health, Public Health Nursing Division (“OCDOH”) is seeking proposals from qualified, experienced physicians (M.D. or D.O.) and/or professional business entities (each an “Offeror” and collectively, “Offerors”) to provide certain physician clinic services as more fully described in the Specifications section of this RFP.
2. County anticipates awarding multiple contracts pursuant to this RFP.

SPECIFICATIONS

1. Tuberculosis Clinics.
 - (a) As of the date of this RFP, OCDOH operates two (2) Tuberculosis (“TB”) Clinics – one (1) in the City of Middletown and one (1) in the City of Newburgh. All TB Clinics offer patient examination, testing, treatment, and services, as well as certain vaccinations.
 - (i) Middletown Location – As of the date of this RFP, the Middletown TB Clinic (“Middletown Clinic”) is at located at 18 Seward Avenue. The Middletown Clinic is open one (1) day per month, typically on the first (1st) Tuesday, with patients arriving between the hours of 3 PM and 5 PM, EST.
 - (ii) Newburgh Location – As of the date of this RFP, the Newburgh TB Clinic (“Newburgh Clinic”) is located at 130 Broadway. The Newburgh Clinic is open two (2) days per month, typically on the first (1st) and third (3rd) Wednesdays, with patients arriving between the hours of 3 PM and 6 PM, EST.
 - (b) County reserves the right to change the location of the Middletown Clinic and/or the Newburgh Clinic (collectively the “Clinics”), and/or to add additional locations, all within the boundaries of Orange County, New York during the term of any contract awarded pursuant to this RFP (“Contract”).
 - (c) County also reserves the right to increase and/or otherwise change the days/hours of operation of either or both Clinics during the Contract term.
 - (d) If a County holiday falls on any day of normal operation of either Clinic, OCDOH, in its sole discretion, may either cancel the Clinic for that week or reschedule it for another day that same week. See **Attachment A** to this RFP for County’s 2019 Holiday Schedule and **Attachment B** to this RFP for County’s 2020 Holiday Schedule. OCDOH may also, in its sole discretion, cancel or reschedule either or both Clinics in the event of inclement weather or emergency.
2. Services.
 - (a) Each successful Offeror awarded a Contract (“Consultant”) will act in the capacity of attending physician at the Clinics, providing and managing patient care. Specifically, Consultant will perform examinations and provide treatment to patients on the days of operation of the Clinics as follows (collectively, the “Services”):



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(i) At the Middletown Clinic for a maximum of two (2) hours each month of the Contract term; and

(ii) At the Newburgh Clinic for a maximum of six (6) hours each month of the Contract term.

(b) As stated in Sections 1(b) and (c) of these Specifications, County reserves the right to add Clinic locations, and increase and/or otherwise change the days/hours of operation of either or both Clinics during the Contract term. As such, the maximum hours stated in Section 2(a)(i) and (ii) of these Specifications are subject to modification during the Contract term.

3. Training. Consultant must also, at the written request of OCDOH, attend recommended educational training for physicians treating TB during the Contract term.

4. Qualifications. By submitting a proposal in response to this RFP, each Offeror thereby confirms affirmatively to County that he/she (if an individual), or each individual who will perform the Services on its behalf (if a professional business entity), possesses all qualifications required by applicable laws, rules, and regulations, all as may be subsequently amended, including, without limitation, those specifically set forth below. Verification of same must be provided to OCDOH (with the proposal submitted in response to this RFP **and** periodically during the Contract term if awarded a Contract):

(a) Valid licensure and current registration as a physician in accordance with Section 6524 of New York State Education Law, and Title 8, Part 60 of New York Codes, Rules and Regulations (“NYCRR”), each as may be subsequently amended;

AND

(b) Current board certification¹ in

(i) Infectious Disease

(ii) Internal medicine;

(iii) Family medicine; **OR**

(iv) Pulmonology

OR


(c) Eligibility to receive board certification² in

(i) Infectious Disease;

(ii) Internal medicine;

¹ From either the American Board of Medical Specialties or the American Osteopathic Association Board for the designated specialty.

² See Footnote 2 above.

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(ii) Family medicine; **OR**

(iv) Pulmonology;

AND

(d) Up-to-date Certificate of Completion demonstrating compliance with Section 239(a) of New York Public Health Law, as may be subsequently amended, regarding mandated training in infection control practices;³

AND

(e) At least three (3) years of verifiable experience in a clinical setting;

AND

(f) Recent Certificate of Completion (or equivalent documentation) for training in the diagnosis and treatment of TB;

OR

(g) At least one (1) year of verifiable practice experience in the diagnosis and treatment of TB;

AND

(h) Proof of Influenza vaccine for the current flu season.⁴

5. **Professional Business Entities.** Each Offeror submitting a proposal in response to this RFP that is a professional business entity thereby confirms to the County that, at the time of submission of its proposal (and, if awarded a Contract, throughout the term of such Contract), it is properly formed and licensed to perform the Services as required by the New York State Education Department and/or other state agencies with licensing or other regulatory jurisdiction.

6. **Preferred Qualifications.** Preference in the scoring of proposals submitted in response to this RFP may be given where an Offeror (if an individual), or any individual who will perform the Services on behalf of Offeror (if a professional business entity) possesses one (1) of the following additional, non-mandatory qualifications:


(a) Current subspecialty board certification in infectious disease by either the American Board of Internal Medicine or the American Osteopathic Board of Internal Medicine;

OR

(b) Two (2) or more years of verifiable practice experience in infectious diseases.

³ Each Consultant must ensure that OCDOH has a copy of the most recent Certificate of Completion on file throughout the Contract term.

⁴ Each Consultant must receive and submit proof to OCDOH of an Influenza vaccine for each flu season occurring during the Contract term.

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7. Skills. By submitting a proposal in response to this RFP, each Offeror thereby confirms affirmatively to County that he/she (if an individual) ,or each individual who will perform the Services on Offeror’s behalf (if a professional business entity), possesses each of the following skills:


- (a) Ability to communicate with patients in a positive manner, both verbally and in writing;
- (b) Ability to generate patient records and reports as part of a permanent medical record, and maintain records and reports in accordance with all applicable federal and New York State law, rules, and regulations, all as may be subsequently amended, and;
- (c) Thorough knowledge of professional standards, practices, and techniques including medico-legal aspects of practice;
- (d) Ability to interact and communicate with staff and patients;
- (e) Sound professional judgment;
- (f) Ability to work with diverse populations; and
- (g) Ability to mentor physician residents who rotate through the Clinics.

8. Rates.

(a) Services – In exchange for the satisfactory performance of the Services, Consultant shall be entitled to an hourly rate of One Hundred-Fifty and 00/100 (\$150.00) Dollars, billed in minimum increments of no more than one-quarter (¼) of an hour, for the actual time spent by Consultant performing Services at the Clinics up to a maximum of two (2) hours per month for Services performed at the Middletown Clinic and up to a maximum of six (6) hours per month for Services performed at the Newburgh Clinic. Consultant is entitled to receive compensation only for Services actually performed – no compensation will be paid for Clinics cancelled by County due to County holiday, inclement weather, or emergency.

(i) As stated in Sections 1(b) and (c) of these Specifications, County reserves the right to add Clinic locations, and increase and/or otherwise change the days/hours of operation of either or both Clinics during the Contract term. As such, the maximum hours stated in Section 8(a) of these Specifications are subject to modification during the Contract term.

(b) Training – Consultant will receive reimbursement in the amount of Fifty and 00/100 (\$50.00) Dollars per hour, prorated based upon the actual number of hours that Consultant attended a recommended educational training for physicians treating TB at the request of OCDOH. Consultant will **not** receive reimbursement for any costs associated with travel to, and from said training including, but not limited to, mileage, fuel, and tolls. Consultant also will **not** receive reimbursement for any hour, or part thereof spent traveling to, and from such training.

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9. Compliance. Consultant (if an individual) and each individual performing the Services on behalf of Consultant (if a professional business entity) must fully comply, and perform all Services in accordance with all applicable federal, New York State and local laws, rules, and regulations, whether or not specifically referenced in this RFP and all as may be subsequently amended, including, but not limited to, Parts 23 and 63 of Title 10 of NYCRR and Articles 23 and 27-F of New York Public Health Law.

TERM

1. County anticipates that the term of any Contract awarded under this RFP will be for a period of one (1) year (“Initial Term”). County also anticipates that the Initial Term of the first Contracts awarded under this RFP will commence on/about December 1, 2019. Following the Initial Term, County reserves the right to renew and extend the Contract for up to four (4) additional periods of up to one (1) year each (each a “Renewal Term”), at the sole option of the County and under the same terms and conditions set forth in the Contract.

2. Upon expiration of the Initial Term or any Renewal Term, if authorized by County as set forth above, the Contract may be extended unilaterally by County for an additional period of up to two (2) months under the same terms and conditions set forth in the Contract including, but not limited to, quantities (prorated for such extension), prices, and delivery requirements. With the concurrence of Consultant, the short-term extension may be for a period of up to three (3) months in lieu of the up to two (2)-month period.


PRICING

1. Set Rates.

(a) In exchange for the satisfactory performance of the Services, Consultant shall be entitled to an hourly rate of One Hundred-Fifty and 00/100 (\$150.00) Dollars, billed in minimum increments of no more than one-quarter (¼) of an hour, for the actual time spent by Consultant performing Services at the Clinics up to a maximum of two (2) hours per month for Services performed at the Middletown Clinic and up to a maximum of six (6) hours per month for Services provided at the Newburgh Clinic. Consultant is entitled to receive compensation only for Services actually performed – no compensation will be paid for Clinics cancelled by County due to County holiday, inclement weather, or emergency.

(i) As stated in Sections 1(b) and (c) of the Specifications section of this RFP, County reserves the right to add Clinic locations, and increase and/or otherwise change the days/hours of operation of either or both Clinics during the Contract term. As such, the maximum hours stated in Section 1(a) of this Pricing section are subject to modification during the Contract term.

(b) Consultant will receive reimbursement in the amount of Fifty and 00/100 (\$50.00) Dollars per hour, prorated based upon the actual number of hours that Consultant attended a recommended educational training for physicians treating TB at the request of OCDOH. Consultant will **not** receive reimbursement for any costs associated with travel to, and from said training including, but not limited to, mileage, fuel, and tolls. Consultant also will **not** receive reimbursement for any hour, or part thereof spent traveling to, and from such training.

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2. The proposed Scope and Specifications of this RFP are not a guarantee, were developed based on past or anticipated needs, and are as accurate as County can ascertain at the time of issuance of this RFP. When an anticipated volume or other quantities of goods or services are listed, County has listed these either based upon a history of usage over a previous period or anticipated need. County in no way guarantees that the actual volume or quantities listed will be necessary or ordered. When volume or quantities are listed, Offeror should understand that the actual volume or quantities may be more or less, depending on the actual needs of County. Offeror shall hold County harmless against any damages because of estimated volume or quantities. In the event quantities exceed the estimate, County shall receive the price as listed in the Contract or, if a better price is available at that time, that price shall be passed on to County.

PAYMENT

1. Payment shall be made in accordance with the payment/compensation provisions of the Contract template provided with this RFP.

2. Upon completion of each of the Clinics, Consultant must document all hours during which Services were performed on a signed voucher and submit same to OCDOH. Compensation will only be paid for Services actually performed and properly documented in accordance with the terms and conditions specified in this RFP and the Contract. No compensation will be paid for any TB Clinic cancelled by County (and not rescheduled) due to County holiday, inclement weather, or emergency.

3. Reimbursement for training will be provided for those trainings attended by Consultant at the written request of OCDOH upon submission of documentation confirming Consultant’s registration and payment for the training, the length of such training (i.e. number of hours to complete the training), and that Consultant completed said training. No reimbursement will be paid for any costs associated with travel to, and from such training including, but not limited to, mileage, fuel, and tolls, or for any hour, or part thereof spent traveling to, and from the training.

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SUBMISSION OF PROPOSALS

1. Unless otherwise noted below, one (1) signed original (as applicable to the document type) and the number of copies specified in Item #5 of the Instructions to Offerors section of this RFP, of each of the items listed in Section 2 below must be submitted in the proposal package. **It is NOT necessary to include a copy of the entire RFP in the proposal package only the items required below.**

2. **Proposals submitted in response to this RFP must include the following:**
 - (a) Completed and signed Proposal Form;
 - (b) Qualifications.
 - (i) If you are an individual, provide a copy of your resume/C.V. and copies of all licenses, certifications, and documentation necessary to verify that you satisfy each of the “Qualifications” identified in Section 4 of the Specifications section of this RFP. If you possess either of the “Preferred Qualifications” set forth in Section 6 of the Specifications section of this RFP, provide documentary proof of same as preference in the scoring of proposals may be given for this; or
 - (ii) If you are a professional business entity, identify each individual who will be performing the Services on your behalf. Provide a copy of each such individual’s resume/C.V. and copies of all licenses, certifications, and documentation necessary to verify that each such individual satisfies each of the “Qualifications” identified in Section 4 of the Specifications section of this RFP. If any such individual possesses either of the “Preferred Qualifications” set forth in Section 6 of the Specifications section of this RFP, provide documentary proof of same as preference in the scoring of proposals may be given for this;
 - (c) Skills. Provide a detailed statement verifying that you possess or, if you are a professional business entity, that each individual who will perform the Services on your behalf possesses each of the “Skills” identified in Section 7 of the Specifications section of this RFP;
 - (d) References. Provide contact information (entity name, contact person name, address, telephone number, and email address) for at least three (3) professional references that are familiar with your performance of the same or substantially similar Services;
 - (e) Signed Non-Collusion Certification;
 - (f) Signed Iran Divestment Act Certification;
 - (g) Completed and signed Disclosure of Non-Responsibility Determination (copy of instruction page not required);
 - (h) If you are a professional business entity, a copy of your Certificate of Authority/Incorporation/ Partnership/dba, etc., as applicable to your business entity type;
 - (i) Completed and signed Supplier Forms (if not already a current Orange County awarded vendor);

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(j) Completed and signed Pay-to-Play Forms should be submitted with your proposal and will be required if you are awarded a Contract. The Pay-to-Play Forms are required from Consultant (unless exempted by the law) prior to execution of a Contract by County (due to an exemption in the Pay-to-Play Law, Government Entities and School Districts do not need to complete Pay-to-Play forms);

(k) Information or other materials to be included, only as requested in the Specifications section of this RFP; and

(l) Any supplemental agreements (e.g. a licensing agreement) requested by an Offeror must be included in the proposal package and are subject to the discretionary approval of the County Attorney and the County Executive. For any software required in the Specifications section of this RFP, include any proposed license or maintenance agreements with your proposal. All Offerors awarded a Contract agree to execute the Contract in the same form as the template enclosed in this RFP and in the timeframe, if any, indicated in this RFP. Failure to reach agreement on Contract terms and conditions may result in rejection of a proposal, rescission of an award and/or retention of Bid Security by County.

3. ALL SUBMISSIONS MUST BE CLEARLY MARKED ON THE OUTSIDE PACKAGING WITH THE RFP TITLE AND NUMBER.

4. **INSURANCE:** While not required in the proposal package, Offerors are reminded that Certificates of Insurance evidencing Consultant's compliance with the "Insurance Requirements" of this RFP must be provided prior to execution of a Contract by County. The number of days for submission may vary but it may be less than one (1) business week, please be prepared. **FAILURE TO SUBMIT INSURANCE DOCUMENTS MAY RESULT IN DISQUALIFICATION OF CONSULTANT AS NON-RESPONSIVE AND/OR COUNTY'S RETENTION OF BID SECURITY.**

ADDITIONAL INFORMATION, INTERVIEWS & SITE VISITS

County may require any or all Offerors to present additional evidence of experience, ability and financial standing as well as a statement as to the materials, equipment or personnel which Offeror will have available for the performance of a Contract awarded under this RFP. County reserves the right to interview, any or all Offerors and/or visit any or all Offeror's sites during the evaluation of proposals. If applicable, County shall contact Offerors to arrange an interview (which County may require to be held at the Department of General Services) and/or a site visit of Offeror's facilities at any time during the evaluation process. Offerors are reminded to include their best technical and price terms in their initial proposal and not to automatically assume that they will have an opportunity to participate in interviews, site visits or be asked to submit a best and final proposal. County may award a Contract under this RFP without interviews and/or site visits for any or all Offerors, if deemed to be within the best interests of County.

BASIS OF AWARD

1. Contract award(s) under this RFP may be made, at County’s discretion, to Offeror(s) with proposal score(s) of at least sixty (60) based on the total points as calculated below.

2. Proposals will be scored and weighted against each criterion using the rating scale below, in accordance with the weight given to the applicable point range for that criterion. A score shall be calculated for each criterion for each proposal. The total scores for all criteria in each proposal will be known as the Offeror’s final score.

ITEM	CRITERIA	POINT RANGE
A	Qualifications Offerors submitting proof of possession of either of the “Preferred Qualifications” may receive preference in scoring.	9-45
B	Skills	9-45
C	References	2-10
TOTAL MAXIMUM POINTS AVAILABLE		100

Item	Points Awarded if Proposal Does Not Meet Criterion Requirements / Expectations	Points Awarded if Proposal Partially Meets Criterion Requirements / Expectations	Points Awarded if Proposal Meets Criterion Requirements / Expectations	Points Awarded if Proposal Partially Exceeds Criterion Requirements / Expectations	Points Awarded if Proposal Exceeds Criterion Requirements / Expectations
A and B	9	18	27	36	45
C	2	4	6	8	10

3. Offerors are advised that the selection of a proposal for a Contract award may be made after evaluation of the proposals received in response to this RFP by an evaluation committee (“Evaluation Committee”). The Evaluation Committee will consist of representatives for OCDOH and/or representative(s) from other County departments as deemed appropriate. If the Evaluation Committee determines, at its sole discretion, that interviews are in the best interest of County, responsive proposals will be reviewed and scored as described above in a preliminary round to aid in determining whether all Offerors, or just those with top scoring proposals, will be interviewed. If interviews are held, the same review and scoring process described above will be repeated for those Offerors interviewed, and any award(s) made will be based on that secondary scoring round.

4. The submission of a proposal implies Offeror's acceptance of the evaluation criteria and acknowledgment that subjective judgments must be made by the Evaluation Committee. Award of any Contract(s) shall be made to the responsible Offeror(s), whose proposal(s) is(are) determined to be in the best interest of County.

5. County reserves the right to: accept other than the lowest priced offer, waive any informality, or reject any or all proposals, with or without advertising for new proposals, if in the best interest of County.

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All dates except for the “Proposals Due” date are approximate and subject to change, unless otherwise noted. Any change in the “Proposals Due” date will be made by an Addendum to the RFP issued by County.

Publication of RFP	11/20/19
Questions Due	11/27/19
Addendum(s) issued	on or about 12/4/19
Proposals Due	12/11/19



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PROPOSAL FORM

INDIVIDUAL/BUSINESS NAME: _____

INDIVIDUAL/BUSINESS ADDRESS: _____

NAME, TITLE, TELEPHONE, FAX AND EMAIL OF CONTACT PERSON: _____

Does this business have a minority, women's, disadvantaged, or small business certification? Yes No

If yes, please list the designation(s) and the certifying entity(ties) _____

The undersigned proposes to furnish and deliver the services described in **RFP-DOH03-19 Physician Clinic Services – Tuberculosis Clinics** and its responding proposal to the County of Orange, at the prices stated in the proposal submitted. The individual submitting this proposal on his/her own behalf or on behalf of the business entity noted above, certifies by his/her signature below that:

- he/she understands and has complied with the requirements of State Finance Law Sections 139-j and 139-k and will continue to do so throughout the Restricted Period;
- he/she has read and understood the full Request for Proposal cited above; and
- he/she is duly authorized to submit this proposal on behalf of the business entity noted above.

Additionally, by submission of this proposal, the person signing on his/her own behalf or on behalf of the business entity noted above certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that the individual or business entity submitting this proposal has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the New York State Labor Law.

By: _____

Date: _____

Name

Federal Tax ID Number

Title


DUNS Number, if applicable

ADDENDA CONFIRMATION (Offerors should only complete this section if any addenda were issued for this RFP.)

Addendum # ___ - Received _____, 20___ Initialed by person signing above _____

Addendum # ___ - Received _____, 20___ Initialed by person signing above _____

Addendum # ___ - Received _____, 20___ Initialed by person signing above _____

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NON-COLLUSION CERTIFICATION

- (a) “By submission of this Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
- (1) The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor.
 - (2) Unless otherwise required by law, the prices which have been quoted in this Bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and
 - (3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition.”
- (b) A Bid shall not be considered for award nor shall any award be made where the provisions of (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the Bidder cannot make the foregoing certification, the Bidder shall so state and shall furnish with the Bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the Bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the Bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a Bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being proposed, does not constitute, without more, a disclosure within the meaning of subparagraph (a)(1) of this certification.

Any Bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by an Bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such Bid contains the certification referred to in subparagraph (a)(1) of this certification, shall be deemed to have been authorized by the board of directors of the Bidder, and such authorization shall be deemed to include the signing and submission of the Bid and the this Non-Collusion Certification as the act and deed of the corporation or other business entity submitting the Bid.


DATE

SIGNATURE

NAME

TITLE

BUSINESS NAME

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IRAN DIVESTMENT ACT CERTIFICATION

The Iran Divestment Act of 2012 (“Act”), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), §165-a and General Municipal Law §103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services (“OGS”) developed a list (“Prohibited Entities List”) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> .

Pursuant to General Municipal Law §103-g, by signing below, Bidder certifies as true under the penalties of perjury that: By submission of this proposal each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Bidder cannot make the certification, the Bidder shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The County may award a contract to a Bidder who cannot make the required certification on a case-by-case basis if:

1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The County makes a determination that the goods and services are necessary for the County to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the County receive information that a person is in violation of the above-referenced certifications, the County will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The County reserves the right to reject any Bid, Proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.


DATE

SIGNATURE

BUSINESS NAME

NAME

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INSTRUCTIONS FOR COMPLETING THE DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

Background:


New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. *See State Finance Law §§139-j (10)(b) and 139-k(3).*

Instructions:

The County of Orange includes the following disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of Proposals or Bid documents or specifications or contract documents, as applicable, for Procurement Contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract, Supplement or Change Order. It shall be submitted to with your Bid or Proposal to the County agency conducting the Governmental Procurement.

The following disclosure form must accompany each Bid Form, Letter of Interest, or Proposal submitted by all Offerors.

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DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address:

Name and Title of Person Submitting this Form:

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle): No Yes

If Yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):
 No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle): No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity:

Date of Finding of Non-Responsibility:

Basis of Finding of Non-Responsibility:

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle): No Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity:

Date of Termination or Withholding of Contract:


Basis of Termination or Withholding:

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____

Signature

Date: _____

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INFORMATION SHEET

The questions asked on this Information Sheet are voluntary. It is not necessary to complete this Information Sheet. Filling out this sheet does not change your chances of a contract award in any respect. By completing this form, you will be helping the County track trends that we believe to be of importance. The information collected will NOT be used to compile mailing lists and will not be used to contact you. It will also not be sold. The information collected may be used to generate reports showing historical data with regard to the County’s purchasing process.

Business Name: _____

Address: _____

In what county are the primary operations of this business conducted? _____

Business type (Sole Proprietorship, Corporation, LLC, etc.) _____

Does this business have a minority, women's, disadvantaged, or small business status? Yes No

If yes, please list the designation(s) and the certifying entity(ties) _____

How many individuals does this business employ? _____

Have you conducted business with the County before? Yes No

How did you discover this Proposal opportunity? _____

Do you use the Empire State Municipal Purchasing Group Website (BidNet)? Yes No

If Yes, do you find it useful (explain) or if No, why? _____

Please list any other comments or suggestions pertaining to doing business with Orange County. _____



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NON-OFFEROR’S RESPONSE

BUSINESS NAME: _____

For the purpose of facilitating your firm’s response to our Request for Proposals, the County of Orange is interested in ascertaining reasons for prospective Offerors' failure to respond to Requests for Proposals. If your firm is not responding to this Proposal, please indicate the reason(s) by checking any appropriate item(s) below and faxing it to the Department of General Services at (845) 378-2365 or mailing it to the above address.

We are **not** responding to this RFP for the following reason(s):

- We do not offer this product or service.
- We are unable to meet specifications.
- Specifications not clearly understood or applicable (please note in "Other reason(s)" below if too vague, too rigid, etc.).
- We are unable to meet your bond requirements.
- Insufficient time allowed for preparation of Proposal.
- Incorrect address used or our branch/division does not handle this type of Proposal. Correct name and mailing address is:

Other reason(s): _____
