

Questions and Answers regarding RFQ # 14-002

1. **QUESTION:** The RFQ requires the Submission Documents and Technical Proposal Documents including the Mandatory Requirements Certification be mailed in separate envelopes. May these two sets of documents be sent in one larger envelope as long as the two sets of documents are enclosed in the larger envelope in two distinct, clearly labeled envelopes?

ANSWER: Both the technical proposal and the submission documents can be placed in one envelope and marked "RFQ #14-002 Do Not Open."

2. **QUESTION:** Submission Document #4, MacBride Certification, requires a proposal number and a commodity. Is the proposal number the RFQ number? How is the commodity to be identified?

ANSWER: The proposal number is RFQ #14-002. Please leave the commodity line blank.

3. **QUESTION:** Submission Document #6, Certification Regarding Lobbying etc., requires a PR award number and/or project number, a contract number and a contract year. Please provide the specifics regarding how these items are to be completed.

ANSWER: PR award number and/or project number is RFQ #14-002, please leave the contract number line blank.

4. **QUESTION:** Is the Mandatory Requirements Certification the same document as Item # 11 on the application checklist that is the Mandatory Minimum Qualifications Certificate?

ANSWER: Yes.

5. **QUESTION:** Will contractors be indemnified by the SRO in the event of any litigation involving the SRO?

ANSWER: ANSWER: The work product submitted by a contractor to an SRO is a recommended draft decision. The SRO will independently determine, in his or her sole discretion, whether to utilize all, some, or none of the draft decision submitted by a contractor. In the event of a lawsuit filed against the SRO and the contractor is also named as a defendant, or in the event of a lawsuit

filed against the contractor, the contract will not provide that the SRO and the State of New York shall indemnify or defend the contractor. The contractor is an independent contractor and shall be responsible for any and all claims arising out of, or related to, the services rendered by the contractor.

6. **QUESTION:** I have been an independent contractor for the past 23 years providing a state educational agency with special education hearing officer and mediator services. As such I have no real "prior employer" to prepare a letter of recommendation for purposes of this RFP. Would the Department accept a letter of recommendation from the following instead:

- a colleague who has also served for over 23 years as an independent contractor for special education hearing officer and mediator services and is designated as the Presiding/Senior Hearing Officer

ANSWER: Yes, the substitution of a letter of reference from a professional familiar with the applicant's experience is permitted if an employer reference is not possible.

- a state government employee who once served as the coordinator for administering the special education hearing process at the state agency.

ANSWER: Yes, the substitution of a letter of reference from a professional familiar with the applicant's experience is permitted if an employer reference is not possible.

7. **QUESTION:** Is it possible to have a waiver of the second employer reference letter? I have been a stay at home mom for the past two years. Prior to that, I worked for the same employer for eight years after graduating from law school. It will be difficult for me to track down my former employer from more than ten years ago. Moreover, any employer from that long ago may not be able to address my experience relevant to the work under this contract. If I am granted a waiver, how should I indicate that in my submission and how would it affect the number of points my proposal may receive upon evaluation?

ANSWER: With regard to document 4 of the Technical Proposal (Reference Letters), a bidder may permissibly submit two letters of reference from different individuals associated with the same prior employer due to a lack of having two separate prior employers or if the experience relevant to the work of this contract is with one prior employer. If there are less than two individuals associated with a prior employer from whom an applicant can obtain a letter of reference, the applicant may substitute a professional reference in lieu of an employer reference(s). The purpose of the letters of reference is to support your statement of experience relevant to the

work of this contract. The question and answer above provides examples of professional references. The requirement for two letters of reference will not be waived.

8. **QUESTION:** How do I respond to the documents requesting corporate information?

ANSWER: Only individuals are eligible applicants. The submission documents should be completed as an individual, not as a company.