

**STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
Bureau of Fiscal Services
Building 9, Room 234
W.A. Harriman Campus
Albany, NY 12227**

Donald J. Kohn, Director
Patricia Mitchell, Assistant Director, Budget & Accounting Services
Janice Piccone, Assistant Director, Procurement Services

September 16, 2005

To All Potential Bidders:

Attached is a table of all bidder questions submitted for RFP #05-107, Collection Services, and the Department's response.

In addition, the following clarification is provided regarding **Attachment F (Section 11, pages 6-7)** of the RFP:

For the columns on Attachment F titled; "Debt Collection", "Collection Supervision", "Government Debt Collection Supervision", and "State Tax Debt Collection Supervision", the bidder is required to input the *number of years of experience each individual has in the respective category*. Do not mark these columns with a Yes or No answer.

As a reminder, if your firm is interested in submitting a proposal in response to the RFP, a "Notification of Intent to Bid", Attachment 2, must be completed and submitted by September 23, 2005. The final date for receipt of bidder proposals is October 7, 2005.

Janice Piccone
Assistant Director, Procurement

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
1.	2	2.3	<p><i>"The majority will be Personal Income Tax, and the three primary business tax types, Sales, Withholding, and Corporation."</i></p> <p>Can the Department supply a detailed breakdown of account makeup in the personal income, sales, withholding, and corporation tax categories?</p>	<p>The Department does not have a breakdown by tax type for each category. Generally, Personal Income, Sales, Withholding, and Corporation account for approximately 90-95% of previously placed inventory. Personal Income accounts for 50- 60%, Sales - 25%.</p>
2.	2	2.3	<p><u>Unresolved Case Pool</u> – What is the TCD liquidation/recovery percentage?</p>	<p>We do not have these figures readily available. We do not believe that this information would be helpful to potential bidders as the Department can take actions to enforce collections that are not allowed by contractors.</p>
3.	3	2.4, 2.5	<p><i>Categories, Volume</i></p> <p>What is the historic liquidation rate for each of the four categories of debt for the Department's current contractor?</p>	<p>The Department does not currently assign cases by category. We do not have these figures readily available.</p>
4.	13	4.13	<p>Concerning Subsection 4.13 (Inventory Placement) on page 13 of the RFP, how does T&F contemplate Contractor(s) making collection efforts against the estimated 425,000 cases currently eligible for placement if the Contractor will be limited to 20 collectors with each collector limited to 500 cases (even if accounts with payment plans are excluded from the placement calculation and that accounts with no payment will be pulled after 180 days from the time of placement)?</p>	<p>The RFP references the total pool of cases (425,000) that, at a point in time, met the conditions for placement under this RFP. The pool is constantly changing. Cases may be returned to active collection, resolved, or may no longer meet the criteria for placement. Additionally, new cases are continuously added to the inventory. Regardless, the Department does not necessarily contemplate that all 425,000 will be placed with contractors. As cases are resolved, returned or recalled, the Department will replenish them with new cases from this pool until the pool is exhausted consistent with the 500:1 ratio.</p>
5.	13	4.13	<p>Concerning Subsection 4.13 (Inventory Placement) on page 13 of the RFP, will cases with no valid contact information be counted against the 500 cases per collector limitation?</p>	<p>Cases with no valid contact information will be counted against the 500 cases per collector limit.</p>

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
6.	13	4.13	Concerning Subsection 4.13 (Inventory Placement) on page 13 of the RFP is it 500 accounts per collector or is it 500 individual debtors per collector? In other words, what constitutes a "case" for calculating the ratio?	For the purpose of calculating the ratio, a "case" will include all assessments eligible for collection from one tax debtor which are identified by a unique ten (10) character identification number supplied by the Department.
7.	N/A	N/A	What do you anticipate will be the monthly volume of accounts to be assigned on an on-going basis?	This is dependent upon the number of cases resolved while assigned to the contractor, the number of cases returned by the contractor, and the number of FTE collectors assigned.
8.	13	4.14	Concerning Subsection 4.14 (Inventory Retention) on page 13 of the RFP, following expiration of the 180 day placement cycle and recall of a case, will T&F identify the case as a secondary placement and send it to the other Contractor if more than one Contractor is awarded a contract pursuant to this RFP? What information, if any, accumulated during the prior collection effort will be made available to the Contractor receiving the secondary placement?	<p>Following the expiration of the 180 day placement cycle and recall of a case, the Department will identify the case as a second placement and may send it to the other contractor if more than one Contractor is awarded a contract pursuant to this RFP. However, as stated in Section 4.13 Inventory Placement, lower assignment priority will be given to cases returned under this contract for reassignment to a second contractor.</p> <p>The Department will provide the most current information available upon placement to the contractor regardless if a case is a first or second placement and the source of the information.</p>
9.	13	4.14	Concerning Subsection 4.14 (Inventory Retention) on page 13 of the RFP, will T&F allow bidders to offer a higher fee percentage for accounts previously worked by the other Contractor?	<p>No. As stated in Section 6.0 Financial Rate Proposal Requirement page 37:</p> <p>The bidder must provide the fixed rate it will charge as a percentage of the money collected from collection cases received. The fixed rate must be inclusive of all costs in the performance of services outlined in this RFP.</p>
10.	13	4.13 & 4.14	Concerning Subsections 4.13 (Inventory Placement) and 4.14 (Inventory Retention) on page 13 of the RFP, does T&F intend to place cases more than twice with any selected Contractor(s)?	The Department intends to place cases only once with each contractor. We may consider second placement with the other contractor.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
11.	13	4.13	Concerning Subsection 4.13 (Inventory Placement) on page 13 of the RFP, what does T&F consider to be a "valid and current Installment Payment Agreement" for placement extension and replacement purposes?	As defined in Exhibit 1 RFP Glossary, an IPA is defined as "Qualified monthly installment payment agreement that addresses the entire tax liability." A valid and current Installment Payment Agreement is one that addresses the entire tax liability, with the taxpayer making the agreed upon monthly payments in a timely manner without incurring any additional liabilities not covered by the IPA.
12.	13	4.14	Please advise what is considered a valid and current installment payment arrangement?	Please see the answer to Question # 11.
13.	15	4.16	<u>Payments Remitted by Tax Debtors</u> – Is there an estimated decision date regarding the reference to contemplating allowing bidder to process credit card and electronic fund withdrawal transactions in conjunction with the taxpayer, through the Department's website?	No. The program is researching the possibility.
14.	14	4.15	Please advise historical data relative to the number and associated dollar value of cases recalled/resolved through administrative resolution for the last year.	We do not have these figures readily available.
15.	18	4.23	Concerning Subsection 4.23 (Case Resolution) on page 18 of the RFP, the RFP states that "the Contractor may not institute civil legal collection action including, but not limited to levies, garnishment, and seizures, on any Department Case." If the Contractor provides necessary information for T&F to enforce collection of the amounts owed will Contractor be paid its fee? If the Contractor is a law firm would T&F consider allowing the law firm to provide the necessary legal services to effectuate collection of the assigned cases?	Contractors will receive their proposed fee for collections on all placed cases (still assigned with the bidder), without regard to which activities directly resulted in collection with the exception of the four (4) circumstances mentioned in Section 4.24 Contractor Fees Paid. No.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
16.			Since Linebarger Goggan is prepared to issue collection letters on behalf of T&F on its letterhead, which reflects our status as attorneys licensed to practice law in the State of New York, does T&F agree that the issuance of the letters will not constitute "civil legal collection action" as described in Subsection 4.23 (Case Resolution) on page 18 of the RFP?	The Department agrees the issuance of collection letters on contractor letterhead reflecting the contractor's status as attorneys licensed to practice law in the State of New York does not constitute "civil legal collection action" as described in Section 4.23 Case Resolution.
17.	15	4.16	Payments Remitted by Tax Debtors: Will the contractor be provided access to the Department's system to check for payments made directly to the Department on cases assigned to that contractor? If not, how and with what frequency will the contractors be notified of payments received on assigned cases?	<p>The contractors will not be provided access to the Department's system.</p> <p>Total payments/credits applied to an assessment will be included in the payments/credits fields on the weekly Assignment/Update file. This amount includes payments applied prior to placement with the Contractor, offsets, credits, transfers, and payment adjustments in addition to payments applied during assignment to the contractor.</p> <p>A monthly payment report will be provided to the Contractor detailing specific payments inclusive of NSF's transactions.</p>
18.	18	4.24	<u>Contractor Fees Paid</u> – How frequently will the Department notify the successful vendor of payments received directly by the Department?	Please see the answer to question #17.
19.	18	4.24	<p><i>"On a monthly basis, the Department will reconcile all payments received from tax debtors by all acceptable payment options."</i></p> <p>When and how will the Department notify contractors of receipt of taxpayer payments? Daily, weekly, monthly? Will they include the NSF's?</p>	Please see the answer to Question # 17.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
20.	29	5.2.2	<p>Will the Department provide a detail of each payment that the debtor has made in the Assignment/Update file?</p> <p>Will NSF checks be reported in this file as well?</p>	Please see the answer to question #17.
21.	N/A	N/A	<p>Will the successful vendor(s) have remote access to the Department's collection system?</p>	No.
22.	18	4.23	<p>Please confirm that the successful vendor(s) will be entitled to their fee after placement if the Department also continues to work cases.</p> <p>A. If not, please advise how the determination will be made as to who prompted payment. Additionally, please advise historical data relative the number of the cases and dollar amounts of these cases in the last year.</p>	Contractors will be entitled to their fee for payments received, within the placement beginning and end dates, even if Department efforts prompted the payment.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
23.	N/A	N/A	<p>Please provide the following information on your current collection vendor(s):</p> <ul style="list-style-type: none"> ♦ The name(s) of the agency ♦ Period of time under this contract ♦ Current rate(s) of the agency(ies) ♦ Recovery/liquidation being achieved by the agency ♦ Do you plan on recalling all accounts from the current agency(ies) and re-assigning them to the newly awarded vendor? 	<p>Allied Interstate is the current vendor for both the In State Contract and Out of State (OOS) Contract. The OOS contract, which included litigation, has expired.</p> <p>In State Contract: 01/10/01 – 12/31/05 OOS Contract: 04/19/00 – 06/30/05</p> <p>The current rate for the In State Contract is 10.36%</p> <p>Total Gross Recovery rates:</p> <ul style="list-style-type: none"> * 4/00-3/01 0.6% ** 4/01-3/02 0.9% 4/02-3/03 2.3% 4/03-3/04 3.8% 4/04-3/05 6.1% <p>* The first cases were referred under the OOS contract on 8/09/00. ** The first cases were referred under the In State contract on 08/13/01.</p> <p>All cases will be recalled from the current agency. Please see the answer to Question #8 regarding second placement.</p>
24.	N/A	N/A	<p>Please advise who the current vendor(s) are providing collection services and,</p> <p>A. what their collection return rates are and for what period of time? B. what are their fees?</p>	<p>Please see the answer to question # 23.</p>

New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
25.	17	4.21	<p>"The Department will conduct an annual review of the contractor's performance to determine if the contractor is adequately performing the collection services required in the contract."</p> <p>If the Department selects two agencies, will the Department utilize competitive statistics to compare performance? If so, will these statistics be made available to contractors? What criteria will the Department utilize to evaluate contractor performance? Will the Department utilize performance based incentives?</p>	<p>The Department will not utilize competitive statistics to compare performance or performance based incentives.</p> <p>The Department will evaluate contractor performance as it relates to Section Four General Contractor Requirements and the contractor's response to Section Five.</p>
26.	17	4.21	<p>What criteria will the Department use to measure Contractor's performance?</p>	<p>Please see the answer to Question #25.</p>
27.	17	4.21	<p>What documentation and/or reports does the Department anticipate requesting when performing the Annual Performance Review?</p>	<p>Examples of documentation and /or reports the Department may request include, but are not limited to, information regarding the number of taxpayers contacted by mail, the number of taxpayers contacted by phone and the reports detailed in section 4.19.</p>
28.	17	4.21	<p>What is the Department's anticipated recovery rate; over what time period and what formula is used to calculate recovery rate?</p>	<p>The Department does not have an established standard. It is anticipated the changes in the nature of the inventory referred under this RFP may result in higher recovery rates than in the past (Please see answer to Question # 23 for historical rates). Recovery rates are based on total dollars collected over total dollars placed during the fiscal year.</p>
29.	18	4.23	<p><i>"In addition, the contractor must be aware there may be ongoing Department efforts to resolve cases placed with the contractor."</i></p> <p>Please elaborate on the details of the additional efforts being taken by the Department when an account is placed with an agency. What type of enforcement does the Department utilize on delinquent accounts?</p>	<p>Please refer to Section 2.2. Collection Enforcement. For additional information, please refer to Publication 125 The Collection Process:</p> <p>http://www.tax.state.ny.us/pdf/publications/general/pub125_1002.pdf</p>

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
30.	19	4.27	"The Department reserves the right to survey tax debtors to ensure compliance with the terms of the contract." How does the Department conduct surveys of tax debtors to ensure agency compliance?	The means by which the Department may conduct surveys include, but are not limited to, phone calls and letters.
31.	9	4.6	<i>Secure Area. "Contractor must maintain a secure area for conducting all work relative to this contract.</i> Please further define secure physical area.	The secure area must be locked to the general public. Employees working the Department's contract must be segregated from other contractor employees. Department information must be secured in its physical space. Computers used for the Department's contract must be password protected.
32.	9	4.6	Secure Area: Please provide examples of the types of documents that will be stored in the Department's secure area?	Any Department related materials must be stored in a secure area. Such material may include procedures, data analysis, thresholds, and case related documents.
33.	32	Append. E	<i>Item #6 "All computer systems processing, storing, or transmitting of Federal tax information must meet DoD Trusted Computer Security Evaluation Criteria (DoD 5200.28-STD) C2 class."</i> Minimum requirements are: a security policy, accountability, assurance, and documentation. Does this requirement apply to vendor's providing services such as letter printing and mailing?	If the vendor uses electronic data processes or information technology in order to provide services such as letter printing and mailing, then the vendor must meet those minimum requirements. Section 7.3.12 states that ... The successful bidder shall act as the Prime Contractor under the contract, and shall be held solely responsible for contract performance by the bidder, its partners, officers, employees, subcontractors and agents.... And ...Where services are supplied by or through the bidder under the contract, it is mandatory for the bidder to assume full integration responsibility for delivery, installation, maintenance, performance and support services for such items.
34.	N/A	N/A	In regards to the Department security requirements, will the Department also require contract training to be conducted in a secure location (including the working of any live accounts)?	Training involving Department related material, procedures and cases (including the working of any live accounts) must be conducted in a secure area.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
35.	23	5.1.1	<p><i>"The number of fully trained, front line collectors to be assigned (Full time equivalents: Minimum of 10; Maximum of 20)."</i></p> <p>Does the Department's current contractor utilize more than the 20 collector maximum? Please identify any criteria that the Department would utilize to consider a variation to the maximum number of 20 collectors (i.e. Volume of accounts placed with a contractor)?</p>	<p>The Department's current contractor does not presently utilize more than 20 FTE collectors.</p> <p>Any variation to the maximum number of 20 collectors shall be accomplished pursuant to Article III of the preliminary contract, Appendix E.</p> <p>Examples where the Department may consider a variation include, but are not limited to, an unexpected termination of a contract or an unexpected increase in the volume of cases available for placement.</p>
36.	6, 7	Attach. F	<p><i>Boxes marked "Debt Collection, Collection Supervision, Government Debt Collection Supervision, and State Tax Debt Collection Supervision."</i></p> <p>Please clarify if the Department is requesting the number of years of experience required or is the Department looking for a simple yes/no response.</p>	<p>The Department is requesting the number of years of experience an individual may have in each respective category.</p>
37.	23	5.12	<p>Collection Effort: Can you define what you mean by "Employee case ownership"?</p>	<p>Case ownership is defined as: cases assigned to, and accounted for, by an individual collector as opposed to being worked exclusively by automated means.</p>
38.	26	5.2.1	<p>Communications Environment: Who will host the FTP server?</p>	<p>Both the Department and the Vendor must host a server platform. The originator of the file pushes the file to the receiver.</p>

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
39.	35	5.3.1	<p><i>"The qualifying contract(s), identified in response to Section 3.1.5, must be included in response to this section."</i></p> <p>Is the Department looking for actual copies of our existing client contracts? Some of these contracts are protected under nondisclosure agreements. Please clarify what the Department is looking for to meet this criterion. Would the cover page of our federal contracts suffice? If not, what steps will the state take to protect the confidentiality of these contracts?</p>	<p>The Department is not looking for actual copies of existing contracts.</p> <p>Please provide the information requested on Attachment D in response to section 3.1.5.</p>
40.	34	5.3.1 11, Att. D 11, Att. Q	<p>In regards to section 5.3.1 (pages 34-35), Attachment D (section 11, page 4), and Attachment Q (section 11, pages 24-25), are non-tax collection contracts acceptable for "satisfactory" references? For example, do public higher education or guarantee agency contracts qualify? Do non-tax, non-government contracts qualify?</p>	<p>Both non-tax and non-government contracts are acceptable for satisfactory references.</p>
41.	35	5.3.1	<p>Bidder Experience requires that "such contracts must have been in active collection status for a minimum of one year as of the date of bid submission for this RFP". Since the contracts must have been in place since July 1999, does the above requirement refer to the previous 12 months before submission of the RFP or to 12 continuous months since July, 1999?</p>	<p>The Department is seeking contracts (experience) that are now or have been placed with the bidder within the last six years (since July 1999). Such contracts must have been in active collection for a minimum of one year (during the six years). By way of explanation, if the bidder recently entered into a qualifying contract, minimally, that contract must have been in active collection since October 7, 2004 (12 months prior to the bid submission date). If the bidder entered into a contract on or after July 1999 that has subsequently expired, the contract must have been in active collections for one year during the six year period. Please Note: The contract must meet the qualifications as set forth in 5.3.1.</p>
42.	48	7.3.4	<p>Financial Stability: Please clarify the type of documentation required to attest to the contractor's lines of credit. Will a narrative description of such credit lines (including all the information requested) be sufficient to answer this portion of the RFP?</p>	<p>Yes; a narrative description of such credit lines, including all the information requested, attested to by bidder is sufficient.</p>

New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
43.	8	4.3	<p><i>Performance of Work</i></p> <p>For the purpose of this section, please verify subcontractors are only those firms or persons engaged or assigned to perform work under this contract and not a vendor (i.e. office supplies).</p>	A subcontractor is defined as a person specifically engaged by a contractor or another subcontractor to provide commodities or perform services necessary to allow a contractor to fulfill a particular contract with a covered agency.
44.	51	7.3.12	<p><i>Prime Contractors / Subcontractors</i></p> <p>Does the Department consider a provider of skip tracing information to be a subcontractor?</p>	Additional information is required to fully address this question - in general, if the bidder has contracted with a third party to perform actual services (e.g.; provided data to the third party to perform actual skip tracing tasks), the third party would be considered a subcontractor. If the bidder has contracted with a third party for software licenses to allow bidder staff to perform skip tracing tasks for their agency, the software contract would not be considered a subcontract for this RFP.
45.	25	Attach. 12	<p><i>Contractor Certification Definition of subcontracting and commodities</i></p> <p>On Attachment 13, are all vendors considered subcontractors (i.e. office supply vendors)? If not, please further define the type of vendors to include on Attachment 13.</p>	Any vendor hired to perform work as a part of this contract (i.e. third party skip tracing, letter mailing services, IT consultants, etc) are considered sub-contractors. Vendors used for the procurement of business needs (i.e. office supplies, computers, etc) are not considered sub-contractors.
46.	14	Attach. K	We plan to perform the actual collection work out of one facility. Our servers are secured in our corporate headquarters. Do we need to request permission to perform work from two sites in this case?	Yes.
47.	N/A	N/A	Has the Department established target fee rates for this contract?	Any criteria that may be used for financial evaluation will not be disclosed at this time.
48.	N/A	N/A	Does the Department award additional evaluation points to the submission of a proposal if work will be conducted in New York State?	No.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
49.	N/A	N/A	Can two (2) subsidiaries of the same company submit separate bids in regards to the Department's RFP?	Subsidiaries of the same parent company may bid on this RFP if the subsidiaries are independent from each other and both sign the Non Collusive Bidding Certification (Section 7.3.7, Attachment 8). If one or both subsidiaries cannot make the certification, the bid may not be considered for award.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
50.	N/A	N/A	<p><i>Procurement office. This is the only office you are allowed to communicate with regarding RFP.</i></p> <p>Under the Freedom of Information Act (Article 6 of the New York State Public Officers Law), public inspection of bid proposals appears to be permitted. Would the department consider making available (via the web or otherwise) copies of the incumbent contract plus any contract modifications, and copies of bids submitted for the incumbent contract, and the previously canceled RFP #04-102 in a timely fashion?</p>	<p>The Department contracted for two separate collections contracts – one for in-state collections and one for out-of-state collections. The out-of-state contract has expired and services covered under that contract have either been included in this RFP or are not being re-bid. The proposal submitted by the incumbent of the in-state contract has previously been FOILED and should be available for quick turnaround, as well as the contract and any amendments. This information is not related to this current bid and as such, the bidder should request such information through the Department's FOIL officer. The FOIL officer can be contacted via e-mail at:</p> <p>Christina_Seifert@tax.state.ny.us .</p> <p>A written request can be sent to : Christina Seifert NYS Department of Taxation & Finance Building 9, Room 123 WA Harriman Campus Albany, NY 12227</p> <p>Copies of bids submitted for the previous contract are located in our archives and have not been fully redacted. Requests for such information would take additional time. Information concerning such time frames can be obtained from the FOIL officer.</p> <p>With regard to copies of the bids submitted under the previously withdrawn Collections RFP 04-102, the Department will not consider release at this time. Section 7.2.13 addressed disclosure related to bid submissions. In particular, "No records concerning this procurement, including details of the proposal submissions, will be available prior to contract approval and execution". A contract has yet to be awarded. Additionally, Article 6 of the Public Officers Law allows agencies to deny access to records or portions thereof that: "(c) if disclosed would impair present or imminent contract awards..."</p>

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
51.	Sec. 5	Section 5	Will all information marked proprietary and confidential be excluded from Freedom of Information Act Requests?	It is the Department's policy to redact all information noted by the bidder as proprietary, confidential or as trade secret prior to release to the public, assuming the bidder has not indiscriminately categorized the entire proposal. As an added precaution, the Department reviews redacted material with the impacted vendor prior to the release of such material; however, the bidder should be advised that the confidentiality of their material is founded upon statute, as described in Section 7.1.5 of this RFP. Additionally, the bidder should be advised if their redacted material is contested, the bidder assumes legal responsibility in defense of their position.
52.	56	8.2	"To facilitate request for Freedom of Information Law, an electronic copy on CD, DVD or disc should be submitted." If the contractor secures the electronic copy via password protection, then what is the preferred method of communicating the password to the Department?	If the bidder elects to password protect the electronic copy, the password may be submitted with the proposal, sent via email or by mail, under separate cover. The Department uses the hard copy for the evaluation; the CD will only be used if the bid is FOILED at a later date.
53.	5, 34	3.1, 5.3.1	Are Contractor references that are provided in the Contractor's proposal and are noted as proprietary, protected from being disclosed under the Freedom of Information Law requests and will not be released for public inspection?	Please see response to Question #51.
54.	iv	Attach. 2	Notification of Intent to Bid: Can this form be faxed to the Department or do you need an original document?	Intent to Bid documents can be sent to the Department via fax, email or regular mail. Fax number is (518) 435-8413. Email address is bfs_contracts@tax.state.ny.us
55.	56	8.2	<u>Proposal Submission</u> – Would the Department like a separate CD, DVD or disc for Volume 1 and Volume 2?	One CD containing both Volume 1 and Volume 2 is sufficient.

**New York State Department of Taxation and Finance
Collection Services - Department's Response to Bidder Questions
RFP 05-107**

	Vendor Supplied		QUESTION	ANSWER
	PAGE	SECTION		
56.	21-23	5.1.1 Attach. F	Are Contractor's staff, identified by name in the Contractor's proposal and noted as proprietary, protected from being disclosed under Freedom of Information Law requests and will not be released for public inspection?	Please see response to Question #51; however, a person's name may be difficult to defend as proprietary.
57.	54	8.1.1	Volume One Format: Can the contractor include a tab to separate each subsection within the Department's required tab?	Yes.
58.	N/A	N/A	<p>Would the Department of Taxation please describe the general areas where previously submitted proposals were deemed incomplete so that proposer can ensure that such areas are completed responded to?</p> <p>Also, would the Department of Taxation describe the specific areas where the Department believes that proposing vendors may have had misunderstandings with respect to the Department's expectations and RFP requirements along with clarification to ensure that such areas are fully understood by proposers and adequately responded to?</p>	The Department took great care to rewrite the Collections RFP to expand and clarify areas which may have led to incomplete responses or may have been misunderstood. It is strongly recommended bidders carefully review RFP requirements and provide <u>all</u> information requested. Forms have been provided to assist the bidder in providing all necessary data.
59.	N/A	N/A	<p>With respect to previously asked questions and the Department of Taxations' corresponding responses that were not directly incorporated into the current RFP, are the remainder of the Department's responses still applicable and accurate with respect to the current RFP?</p> <p>If not, would the Department please clarify where prior responses are no longer applicable or accurate?</p>	The Collections RFP 05-107 is a distinct document. As such, the questions and answers related to Bid 04-102 are not applicable and should not be used in response to the current bid.