



New York State Insurance Fund
Procurement Unit

December 2, 2011

The following (Q&A) will serve as Amendment #1 to NYSIF's Request for Proposals (RFP) for Collection Services, bid number 2011-23. Material in this Amendment supersedes any contradictory material in the RFP.

Please note that the due date for the submission of bids **remains unchanged**.

All bids are due Friday, December 9, 2011 by 2:00 p.m.(eastern).

Sincerely,

A handwritten signature in black ink that reads "Michelle Gilchrist".

Michelle Gilchrist
Chief Clerk

**Amendment #1 to RFP #2011-23
Questions and Answers**

Q#	Questions	Answers
1	What is the date by which you will answer these questions?	12/2/11
2	Why is the contract out to bid at this time?	Current contracts are about to expire.
3	When is the anticipated contract start date?	Anticipated during the first half of 2012
4	To how many vendors are you seeking to award a contract?	NYSIF anticipates selecting one or more Collection Agencies as a result of this RFP
5	Who are the incumbents, and how long have the incumbents been providing the requested services?	Not applicable or material to the bid
6	Has the current contract gone full term?	Yes
7	Have all options to extend the current contract been exercised?	Yes
8	To what extent are these accounts owed by private consumers versus commercial businesses?	Approximately 90% commercial
9	Why is consumer licensing required if you want commercial agencies?	Not applicable or material to the bid
10	Will accounts be primary placements, not having been serviced by any other outside collection agency, and/or will you also be referring secondary placements? If so, should bidders provide proposed fees for secondary placements also?	In most cases, placements will be Primary. However, NYSIF requires fees for all categories listed (Appendix Z).
11	What collection attempts are performed or will be performed internally prior to placement?	2 to 3 statements will have been mailed.
12	Will the selected vendor be allowed to litigate balances exceeding a certain dollar amount on your behalf, with your explicit approval?	All referrals may be litigated
13	What is the total dollar value of accounts available for placement now by category, including any backlog?	Not applicable or material to the bid. Accounts are currently referred daily and there is no backlog
14	What is the total number of accounts available for placement now by category, including any backlog?	Not applicable or material to the bid. Accounts are currently referred daily and there is no backlog
15	What is the average balance of accounts by category?	Refer to pages 17-18 for data.
16	What current contingency fees or other fees are currently being billed by any incumbent(s), by category?	Not applicable or material to the bid
17	What is the average age of accounts at placement (at time of award and/or on a going-forward basis), by category?	60+ days
18	What estimated or actual dollars were paid last year, last month, or last quarter to any incumbent(s)?	Not applicable or material to the bid
19	What is the monthly or quarterly number of accounts expected to be placed with the vendor(s) by category?	Not applicable or material to the bid. Minimum volume requirements are detailed in the Technical Requirements section (page 17) of the RFP.
20	What is the monthly or quarterly dollar value of accounts expected to be placed with the vendor(s) by category?	Not applicable or material to the bid
21	What has been the historical rate of return or liquidation rate provided by any incumbent(s), and/or what is anticipated or expected as a result of this procurement?	Not applicable or material to the bid
22	If applicable, will accounts held by any incumbent(s) or any backlog be moved to any new vendor(s) as a one-time placement at contract start up?	No, it is not anticipated.
23	To what extent will the location of the bidder's call center and/or corporate headquarters have a bearing on any award(s)?	Minimal
24	Can you please provide greater explanation of your expectations related to any required subcontracting to minority-owned, women-owned, or other types or categories of small or disadvantaged businesses? For example, what is required with the proposal, and what is required to comply during the term of the contract?	refer to page 9, item H in the RFP - Participation of NYS Business Enterprises (MWBE)

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25	Our collection agency currently has several insurance licenses including Errors and Omissions insurance; however, the amount of our aggregated policy coverage is currently 1,000,000 will we need to increase this amount as described in the RFP?	Insurance must be in accordance to the insurance requirements detailed on page 7, item G of the RFP
26	Are you currently utilizing an outsourced collection agency? (if so) Assuming they are a contingency based firm, are you at liberties to divulge current contingency rate?	Not applicable or material to the bid
27	Will data be transmitted via FTP for accounts being serviced by collection agencies?	SFTP
28	Our company is licensed to do business in the state of New York, both collection and billing support - Would the company need billing services that could prevent the seriousness of collections reported by the RFP?	No
29	Please advise whether the form Appendix M should be signed by the Financial Institution or the Bidder?	Appendix M is to be completed and signed by the Financial Institution.
30	Why is this contract being bid?	Refer to page 6, item C of the RFP, Purpose of this RFP
31	What collection activity is preformed prior to placing accounts with contractor(s)?	2 to 3 statements will have been mailed.
32	Who is the current vendor (s)? What is the current contingency rate by the incumbent vendor?	Not applicable or material to the bid
33	What is the current average recovery rate of accounts placed? (at 1 month, 6 months, 12 months)	Refer to pages 17-18 for data.
34	How many vendors does NYSIF anticipate awarding this contract to?	NYSIF anticipates selecting one or more Collection Agencies as a result of this RFP
35	Re: Appendix M – Is this completed and signed by the bank?	Completed and signed by the financial institution.
36	Re: Appendix Z – What is meant by Type of Firm?	Corporation, partnership, etc.
37	Page 12, #3, bullet 6: Provide a list of at least three (3) clients for whom you have performed services of a similar scope to those required for this project in the last five years (use Appendix I). Can/should existing agencies list NYSIF as one if three (3) others are also listed?	The requirement does not exclude NYSIF.
38	Page 12-#3 – 5 th bullet: Proof of Bidder's (and subcontractor's, if applicable) authority to conduct business in New York State. What type of proof of authority to conduct business in New York State would be acceptable?	Firm can document its authority to do business in New York by providing copies or certifications of registration with appropriate New York regulatory bodies. In order to be awarded a contract, firm must be legally authorized to conduct business in NYS. It is the responsibility of the vendor to ensure compliance with all NYS laws and regulations.
39	RFP Calendar indicates the expected start date to be 6/1/2012. Will current agencies receive business until then or is there an expected backlog upon the start of this contract?	No backlog anticipated
40	There appears to be no "intent to bid" form. Please confirm that only a "no bid form" or a timely response is required to be in compliance and qualify for award.	Your Proposal indicates your intent to bid. No Bid Form is to be used if you choose not to bid, but would like to be considered for future opportunities.
41	Should appendix A, B and C be included with our response or just acknowledged?	Acknowledged
42	Does Appendix M - FINANCIAL INSTITUTION need to be completed and signed by the financial institution or does the vendor complete?	Completed and signed by the financial institution.
43	Should Appendix N ST-220CA, ST-220TD, and Q&A & Appendix O Contract Consultant Law be completed and included with the bid response? These forms are not listed under the Format section on page 14 section 7: Appendices.	Refer to page 14, item B-7 for Appendices required to be returned with your proposal. Upon award, the other forms will be required.

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44	Please define "subcontractor" as it relates to Section D on page 28 and throughout the RFP document. Does NYSIF consider the use of skip tracing services or letter print/mail services subcontractors? Does NYSIF consider attorneys that will be utilized by Windham subcontractors? Or is subcontractor defined as another agency that will perform collection activities.	A subcontractor is a person or business (not direct employees of the awarded firm) that is engaged by the awarded firm to provide some portion of the work or services which the awarded firm has agreed to perform
45	Please confirm that this contract will not include auditing services.	Auditing Services will not be required
46	May the Original hard copy response be printed double-sided?	Yes
47	Is this RFP open to Collection Law Firms as well as Collection Agencies?	Refer to page 17, item A-1
48	Page 10, General Information Please note that all certified MWBE firms submitting proposals to this RFP should be registered as such with the New York State Department of Economic Development. - Would vendor certification from another organization be acceptable?	Only those with certification from the New York State Department of Economic Development will be credited toward NYSIF's goals. Should a bidder possess certification from another organization, NYSIF would encourage the bidder to acquire the NYS certification through the Department of Economic Development.
49	Page 17, Section A 1. Bidder must be a Collection Agency and licensed by the City of New York and the City of Buffalo. - As a law firm we are exempt and not required to be licensed for third party debt collection in the City of Buffalo. Could this requirement be waived or obtained upon contract award?	Mandatory requirements cannot be waived unless it is found that the mandatory requirement is unmet by all bidders (Appendix B-37,38) AND, NYSIF determines that it is in the best interest to waive the requirement.
50	Page 17, Section A 2. Eighty Percent of the collection work currently performed by the bidder must be commercial debt collection. - Please clarify what is meant by commercial debt collection and how the percentage would be calculated.	80% of accounts should be commercial debt, not consumer debt
51	Page 18, Number of Policies Referred by Month. Do you have percentage or totals for number of policies by state?	Not applicable or material to the bid
52	For a firm licensed to litigate in New York, New Jersey, Connecticut, Massachusetts and Rhode Island, would we be expected to forward accounts to other states for suit?	Refer to page 20, item d, Referral to Attorney.
53	Are court costs going to be reimbursed?	NYSIF, as a state agency, is exempt from filing fees.
54	Appendix N. ST-220-CA, ST-220-TD and Q&A (4/26/06) and Appendix O. Contractor Consultant Law (Forms A&B) - Are these two Appendices required to be completed as part of the proposal or upon contract award?	Refer to page 14, item B-7 for Appendices required to be returned with your proposal. Upon award, the other forms will be required.
55	Would the ST-220-TD form be required for a firm that already has one on file with the State of New York?	Yes, upon award.
56	For Appendix M, Financial Institution, was the form to be signed by the Financial Institution or by an authorized officer of the bidder	Completed and signed by the financial institution.
57	Please list in order of importance to you: Price Service Recoveries	Please refer to the Evaluation Criteria section on page 15, item A
58	How many collection agencies does NYSIF plan to utilize in 2012?	NYSIF anticipates selecting one or more Collection Agencies as a result of this RFP
59	Is NYSIF looking to replace an existing agency and if so, why? Or add to the existing agencies?	Not applicable or material to the bid
60	How many current agencies does NYSIF utilize?	Three
61	Does NYSIF scorecard their current agencies? Do you release those scorecards to the agencies?	Not applicable or material to the bid
62	What does NYSIF like about their existing agencies?	Not applicable or material to the bid
63	Does NYSIF require credit reporting?	refer to page 19, item a-4 of the RFP

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64	What was your current agency(s) recovery rate for accounts assigned in 2009 & 2010?	Not applicable or material to the bid
65	Are placements in 2012 expected to be same as 2011, decreased, or increased?	Not applicable or material to the bid
66	What are NYSIF liquidation expectations?	Not applicable or material to the bid
67	In the RFP the fee given is 22%. Is that the current fee you are paying your agencies?	refer to page 22, item g of the RFP. 22% is the collection fee added to the policyholders account; not the fee paid for collection services.
68	What was the total contingency fee paid out to current vendors in 2010, so far in 2011?	Not applicable or material to the bid
69	What percentage of cases was referred for legal demand in 2010, 2011? Litigation?	Not applicable or material to the bid
70	How much (dollar amount) was placed for litigation in 2010, to date in 2011?	Not applicable or material to the bid
71	What is the contingency rate for Legal Demand only?	Not applicable or material to the bid
72	What is the contingency rate for litigation?	Not applicable or material to the bid
73	Who pays for the court costs and any non contingent suit fees if an account is litigated?	NYSIF, as a state agency, is exempt from filing fees.
74	In the RFP, you say that an agency must possess 3 years experience ...:specifically in the New York State Workers' Compensation and Disability Benefits insurance"...does agency have to have 3 years experience working for NYSIF...or handling same type paper for others?	Refer to page 17, item A-3 of the RFP
75	On page 22, you mention that if the audit raises the amount due the agency is required to keep their fee at the percentage assigned, however if the audit reduces the amount due, the agency must reduce their fee rate...can you please clarify?	The amount billed for collection fees does not increase if there is an audit adjustment, it does decrease if the audit adjustment is a debit adjustment. This does not impact the agencies fee only NYSIF's billing of the delinquent account.
76	On page 24 under Account Returns, just to clarify...NYSIF is requiring copies of collector notes and copies of letters sent and received if agency closes a file and returns to NYSIF?	Yes, as stated on page 24, item 4, 2nd paragraph
77	Please clarify...if NYSIF requests that agency return an account that is in a paying status, then does the agency get any fees?	Refer to page 18, item B. NYSIF reserves the right, at its sole descretion, to have any account returned to NYSIF. The Collection agency shall not have any further claim for fees, nor have any further rights with respec to such accounts.
78	How many accounts did NYSIF request to be returned in 2010, 2011?	Not applicable or material to the bid
79	What were the primary reasons for NYSIF to request accounts to be returned?	Not applicable or material to the bid
80	On page 11, (BID FORMAT) it states "do not submit proposal in binders". Presumably this restriction refers to 3-ring binders. Can the proposal be submitted in a spiral bound format?	NYSIF prefers that proposals are not bound. However the only restriction in the RFP is "Binders". NYSIF prefers rubber bands and/or binder clips.
81	With regard to Forms ST-220-CA and ST-220-TD, since we will not be using the services of a contractor or sub contractor, can it be assumed the completion of these forms are not necessary?	These forms are required from the awarded firm prior to contract execution.
82	With regard to APPENDIX O (Form B) since we will not be using the services of a contractor or sub contractor, can it be assumed the completion of this form is not necessary?	These forms are required from the awarded firm prior to contract execution.

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83	<p>Are any of the RFP documents available in Microsoft Word format? For the purposes of the following appendix questionnaires specifically, we would like to fill in the blank fields using Microsoft Word, if allowed;</p> <p>Appendix D Appendix E Appendix F Appendix H Appendix I Appendix M Appendix O Appendix Z Form ST-220-CA Form ST-220-TD</p>	<p>Forms are available in PDF format only. Most forms are fill-in forms.</p>