

**NYS Department of State
Division of Building Standards and Codes
Learning Management System Request for Proposals
RFP #21-CODES-34**

The responses to questions included herein are official responses by the Department of State (DOS) to questions submitted by potential proposers and are hereby incorporated into the Request for Proposals RFP#21-CODES-34 issued on December 22, 2023. In the event of any conflict between the Request for Proposals and these responses, the requirements or information contained in these responses will prevail.

Updates to RFP

The following changes are hereby incorporated into the above referenced Request for Proposals in the section noted:

1. Key Dates on the Cover Page is hereby amended to read:

Release Date:	December 22, 2023
Deadline for Questions:	January 12, 2024
Questions and Answers Posted:	January 31, 2024
Proposal Due Date:	February 26, 2024

2. Section 2 Scope of Work, 2.1.6, last sentence is amended to refer to Attachment 18 rather than Appendix 18.

3. Section 2.2.2.1, the second sentence (“Such project manager shall remain on the project until the end of the contract.”) is hereby deleted.

4. Section 2.2.3 is hereby amended to add:

3.3. Online Knowledge Bases and/or other mechanisms that provide guidance to end users may satisfy the Reference Manual requirement, provided they satisfy all the requirements for the Reference Manual that are stipulated above.

5. Section 2.8.1 is hereby amended to read:

2.8.1. If the system proposed requires development and/or configuration to meet the requirements of this RFP, the Contractor must provide a Quality Management Plan contemporaneous with the business requirements documentation acceptable to DOS that governs system testing in a state testing environment(s). The Plan must include contractor responsibility for mitigation of all defects discovered by either DOS or the contractor during the testing process, and DOS may not be required to accept the System until all severity level 1 and 2 defects, as defined in this section, shall have been remediated in accordance with the acceptance criteria outlined in the approved Quality Management Plan. The Plan must include a requirement that all costs and liabilities associated with a failure of the proposed software to perform in accordance with the product specifications during the testing period and prior to acceptance shall

be borne by the contractor, except insofar as any costs or liabilities are caused by willful or negligent acts or omissions of DOS.

If the system proposed does not require development and/or configuration, the Contractor must include a statement to that effect with their Proposal. In this case, no Quality Management Plan will be required.

6. Section 6.6(4) is hereby amended to add between paragraphs 5 and 6 (page 21):
Alternatively, Proposers may satisfy the Specifications Manual requirement by providing the narrative in Attachment 13, as long as the response clearly and accurately satisfies all the requirements identified above.
7. Section 6.6(4), last paragraph, is hereby amended to read:
Proposer should provide a description of its approach to accomplishing the key actions and deliverables and demonstrate their understanding of the needs and objectives of the work proposed. The Proposal shall include a project workplan that addresses:
 1. a project timeline clearly indicating the Proposer's readiness to begin work;
 2. a proposed timeframe to begin;
 3. ability to meet project timeline goals as stated in Section 2, Scope of Work;
 4. a system testing plan, including testing models and timelines, and
 5. a proposed Quality Management Plan or certification that none is needed.
8. Section 7.2(3), last paragraph, is hereby amended to read:
Proposer provided a description of its approach to accomplishing the key actions and deliverables and demonstrated their understanding of the needs and objectives of the work proposed. Proposal included a project workplan with:
 1. a project timeline clearly indicating the Proposer's readiness to begin work, a proposed timeframe to begin, and Proposer's ability to meet project timeline goals as stated in Section 2, Scope
 2. a system testing plan, including testing models and timelines
 3. a proposed Quality Management Plan or certification that none is needed
9. Section 7.4 is hereby amended to add:
For cost evaluation purposes, any license fees provided will be evaluated using the following estimated users:
Year 1: 11,000
Year 2: 11,700
Year 3: 12,400
Year 4: 13,100
Year 5: 13,800
These estimates are for evaluation purposes only and are no guarantee of actual licenses to be purchased over the course of the contract.
10. Attachment 7: Cost Proposal Bid Form is hereby amended to read:

Attachment 7: Cost Proposal Bid Form

- A. Cost of Initial Setup and Configuration, Reference Manual, Training, and Ongoing Security, Maintenance and Support. \$ _____
- B. License Fees (if applicable):

Year 1: License Fee _____ x Estimated 11,000 licenses = \$ _____
Year 2: License Fee _____ x Estimated 11,700 licenses = \$ _____
Year 3: License Fee _____ x Estimated 12,400 licenses = \$ _____
Year 4: License Fee _____ x Estimated 13,100 licenses = \$ _____
Year 5: License Fee _____ x Estimated 13,800 licenses = \$ _____

Total overall cost (Total of A + B): \$ _____

Proposer's Name: _____

Representative: _____
Signature Date

Name: _____

Title: _____

Attach separate sheets for cost narrative.

Questions and Answers

Q1. Do we need to meet ALL the requirements in Priority 1 Backlog (Attachment 13)?

A1. Yes, as noted on page 8-9 Section 1.8 Proposer's Minimum Qualifications of the RFP.

Q2.

- **If we don't meet a few requirements then is the bid automatically eliminated without further evaluation?**
- **We cannot meet the following mandatory requirements, will this disqualify us?**
 - Processing paper applications and application processes
 - Gap analysis
 - App matches web—admin functions are not available on the mobile app as it is primarily for end user use
 - Rubrics—rubrics and flexible grading methods (such as letter grades) are not supported
 - End user support—support is only provided to admins
 - Users need to be able to close their own accounts—this can be done by an admin

- **Instructor applications—this is not supported**
- **Waivers/equivalencies—this is not supported**

A2. The System must provide all the functionalities identified in Attachment 13 (Priority 1 Backlog) and the Section 2 Scope of Work identified in the RFP. Proposers that propose a System that does not meet these requirements may be eliminated without further evaluation.

Q3. Did you have an RFI for LMS software before publishing this RFP?

A3. No, DOS did not issue an RFI for LMS software before publishing this RFP.

Q4.

- **Could you let us know if you previously utilized an LMS if yes what was it?**
- **Is there an incumbent vendor for this project?**
- **Is this a net new implementation or are we looking to replace an LMS? If it's a replacement, what is the departments current training process?**

A4. The Department is currently using a variety of systems as identified in Section 3 Existing Operating Constraints. The Department has not previously utilized an LMS and there is no incumbent vendor for this project; this is a new implementation.

Q5. Have you seen a demo from any vendor regarding LMS for your requirements?

A5. The Department has not seen any demonstrations from any vendor that provides an off the shelf style LMS.

Q6. Does this system share data with SLMS (completed training, required training, available training)?

A6. The new system will not share data with SLMS.

Q7. What is the classification of data and what controls are needed to ensure security requirements are met?

A7. The classification of data will be provided to the successful proposer. Controls needed for security requirements can be found here: [nys-s14-002-information-classification-standard_0.pdf](#)

Q8. Do trainee supervisors require system access or notification of employee training needs or course completion?

A8. No. Trainee supervisors do not require access at this time.

Q9. Do we have to utilize ITS' NY.gov accounts for user access?

A9. No. The system must allow for the creation of user accounts that is independent of all other accounts.

Q10. How do you create courses/content in SLMS?

A10. The Department currently uses Articulate 360 to create self-paced online classes that are hosted through SLMS.

Q11. Does the existing SLMS support the assessment module?

A11. Yes.

Q12.

- **Are there any other system integration requirements?**
- **Would you require any 3rd party integration for the LMS?**
- **2.1 Product Vision, Integration: Please provide more information on integration of the LMS with other applications. Describe the system and the data transfer.**
- **What are the internal/external systems that the LMS must interact with?**

A12. Attachment 13 specifies that the LMS must have the capability to send emails. The LMS should therefore be able to integrate with Microsoft 365. We do not currently expect the system to integrate with any other systems.

Q13. Other than setting up NY.GOV what other project tasks are dependent on NYS ITS?

A13. ITS will be available to assure NYS cybersecurity policies are met. Since we expect SAAS (see page 5, Section 1.1 of the RFP), there is no deployment or engineering team integration.

Q14. Are you open to automating your existing access system and SLMS in the Cloud environment?

A14. No. The intent of this RFP is to procure a LMS that will replace the use of SLMS and Access as they are currently being used by the Division of Building Standards and Codes. Automating existing Access and SLMS records into a Cloud environment is not the scope of this RFP.

Q15.

- **Can you provide detailed specifications for the training management system, records management database, and learning management system?**
- **Can you provide any additional documentation or insights that would aid us in preparing a comprehensive and competitive proposal?**
- **What problems or pain points are you hoping to solve?**
- **What are your must have features?**
- **What results do you want to see?**
- **List of features & functionalities required.**

A15. The System must provide all the functionalities identified in Attachment 13 (Priority 1 Backlog) and the Section 2 Scope of Work identified in the RFP. Proposers that propose a System that does not meet these requirements may be eliminated without further evaluation.

Q16. Can you provide any preferred technology stacks, integrations, or compliance standards that the Department is looking for in the proposed solution?

A16. We do not have a preference for what technology stack is used; we are simply looking for SAAS that meets the requirements of the RFP. Please note that data must be kept in a form that is easily transferrable to the State at the conclusion of the contract. Microsoft 365 integration is required as specified in the RFP. Compliance standards should follow requirements found here: [nys-p03-002 information security policy.pdf](#).

Q17.

- **Can you provide the expected timeline for the proposal submission and the subsequent evaluation process.**
- **What's your timeline?**
- **What is the expected Go-Live date?**
- **What is your expectation on the timelines for implementation of the proposed solution until go-live with all the necessary modules requested? *Kindly provide in the range of months***

A17. Proposals are due by February 26, 2024 (please refer to Section 6.3 for additional information regarding proposal submission). It is anticipated that the evaluation and demonstration process will be completed within approximately 90 days. Following that, proposers will be notified of award status. The successful proposer will negotiate and execute a contract with DOS, followed by review by control

agencies. Anticipated start date is late 2024. Please refer to Section 2.3 of the RFP for additional information regarding the timeline for implementation of the proposed solution.

Q18. What is the department's current training process?

A18. The Department's basic training program is provided through WebEx (lectures) and Microsoft Forms (homework and exams). There are no prerequisites for enrollment; anyone can apply. The In-service training program is provided through SLMS (self-paced classes), WebEx (live classes), and Microsoft Forms (self-study exams). Student and class records are managed by administrative staff.

Q19.

- **Have you set aside for budget?**
- **Is there a budgetary limit?**
- **What is your budget for this project?**
- **Could you share the approximate Contract Value for this opportunity?**

A19. As this is a competitive process, there is no set budget.

Q20.

- **What's the profile of users? – internal employees, extended teams including vendors & partners or customers?**
- **Who is your audience for the LMS (general public or specific staff)?**
- **Is the LMS for internal users only or who is your audience for this platform?**

A20. Users are primarily external to the Department (students and adjunct instructors). However, most of the DBSCs staff are certified BSIs or CEOs. They will also use the system to complete training.

Q21.

- **Can you please confirm the amount of users that will access the system? In the RFP document 6,000 + 600 is mentioned, but 11,000 is mentioned in the Priority 1 document**
- **Could you provide an estimate of the number of users that will utilize the LMS?**
- **We are unclear on the approximate number of users for this project. Any person who uses the system, either learners, teachers, administrators, requires a user license. Line 121 of the spreadsheet suggests 11,000 student records. The Background section of the first document suggests 6000 students. For an accurate cost proposal, how many annual users should we account for?**
- **Could you please confirm the number of users?**
- **How many users will you have per year (Estimate is fine)?**
- **How many users do you anticipate will be using the LMS?**
- **How many learners would access the platform?**
- **What is the expected user concurrency requirement for the system? (Estimate is fine)**

A21. The Department estimates that approximately 500-1000 learners could possibly use the system at the same time. This would consist of students in the Basic Training Program, certified individuals completing In-Service training classes, certified individuals completing Advanced In-Service training, and certified individuals accessing and reviewing their training history. This need is addressed in Appendix 13 (Priority 1 document).

DOS estimates that up to 11,000 learners could possibly access the system over the course of a year. This need is addressed in Appendix 13 (Priority 1 document).

Each year, the Department certifies up to 700 new individuals. The system must be able to accommodate these new users. This need is addressed in Appendix 13 (Priority 1 document).

If everyone who uses the system needs a license, then for the purpose of this proposal, assume that a minimum of 11,000 user licenses are needed.

Q22.

- **We do not involve our contracts team at the RFP process and we cannot agree to all of the terms in the RFP nor can we provide all exceptions during the Q&A period. As such, our submission would not indicate an agreement to the terms in the RFP. Would this disqualify us?**
- **We cannot agree to the insurance terms. Will this disqualify us?**
- **We do not agree that payment can be withheld pending receipt of the MWBE documentation. Is this a deal breaker?**
- **We cannot provide the salaries of our employees as this is a breach of privacy. Would this disqualify us?**
- **We may not be able to agree to the staggered payment plan suggested in the RFP where payment is delivered upon milestone. Will this disqualify us?**

A22. As stated in Section 6.1 of the RFP, by submitting a Proposal and signing the Technical Proposal Submittal sheet, the Proposer agrees to all terms and conditions of this RFP and the terms of the Sample Contract attached. If a Proposer cannot agree to the terms and conditions of the RFP and sample contract, this will not disqualify the proposal from evaluation, however, failure to submit the required documents, including the Technical Proposal Submittal sheet, may result in the proposal being deemed nonresponsive. Additionally, failure to agree to the terms and conditions of the sample contract may be deemed failure to execute a contract which could result in DOS exercising its right to conduct contract negotiations with the next eligible Proposer.

Q23. We may not be able to sign the form regarding Russia. Will this disqualify us?

A23. Please refer to the OGS website at <https://ogs.ny.gov/EO-16> for guidance regarding Executive Order 16. As stated in the guidance, agencies must obtain a completed certification as part of a solicitation. Failure to submit the required documents may result in the proposal being deemed nonresponsive.

Q24. We provide a project manager during implementation, but post implementation, you would be assigned a CSM who would be a different employee from the project manager. Would this be a deal breaker?

A24. No, not as long as they are able to complete the required work.

Q25. As a SaaS LMS provider, we have our own standardized implementation process that we have found works best to quickly implement clients. This includes quality checking. This does not align with the requirement for a Quality Management Plan requirement in the RFP. Is this a deal breaker?

A25. The goal of the Quality Management Plan is to assure the product offered meets all requirements of the RFP and contract and is deployed for New York State use without defects that affect functionality. A recitation of a standardized implementation /configuration process certainly could meet the QMP requirement. See Section 2.8.1 which outlines minimum requirements for the proposed Quality Management Plan. At this time and without review, we believe this would not be a deal breaker under the RFP. However, failure to meet requirements of the Quality Management Plan outlined in this section may result in disqualification.

Q26. We are not a MWBE or a [S]DVOB company and although we are an equal-opportunity employer, we will not be rolling out any MWBE or [SD]VOB plans in the near future. Additionally, we only work with one subcontractor who is also not MWBE or [S]DVOB. As such, we will not be completing the MWBE or [S]DVOB forms that are included with this submission. Will this disqualify us?

A26. MWBE Form D and SDVOB Form 100 should be submitted with the proposal. If the vendor has not identified any MWBE or SDVOB subcontractors, the forms should be left blank or marked "None". As stated in the RFP, DOS may disqualify a Proposer as being non-responsive if a Proposer fails to submit an MWBE and SDVOB Forms listed above (Utilization Plan).

Q27. Is the Vendor Responsibility Questionnaire due prior to submitting the proposal?

A27. As stated in Section 8.8, by submitting a proposal, Proposer agrees to fully and accurately complete and submit the Vendor Responsibility Questionnaire. The Questionnaire does not need to be submitted prior to submission of the Proposal however it must be submitted prior to contract execution if the Proposer is ultimately awarded the contract.

Q28. Is a response required to attachment 18 record types?

A28. No. As referenced in Section 2.1.6, Attachment 18 is intended to describe the type of information that is stored in the different types of records that are kept by DOS.

Q29. Do you require open registration for all users or user creation to be performed by admin?

A29. DOS requires open registration for all users.

Q30.

- **With reference to section 2.1 Product Vision, page 9, Point 5. Could you mention/list down the likely paper application?**
- **2.1 Product Vision, 5. "Routine tasks and processes that have traditionally been performed by ESU staff are required to be automated, such as "processing paper applications", emailing students of new or outstanding training requirements, manually issuing certifications following the completion of a training program, etc." What types of user applications are expected inside the LMS, apart from Learner Registration and enrollment?**

A30. The applications that are of primary concern are:

- basic training application,
- live In-Service class approval and adjunct instructor approval application,
- asynchronous In-Service class approval application,
- In-Service class renewal application,
- PDE approval application, and
- training waiver application.

In addition, the Department needs to have the ability and training to create other applications that were not specifically mentioned in the RFP (Attachment 13, Item 134; RFP Section 2.2, Item 4). The Department desires to replace its current paper and Microsoft Forms based application processes with more efficient online application processes.

Q31.

- **In Attachment 13: the system users have been identified as Trainee/ Certified individuals, ESU Staff, City Admin, System Administrator, etc. Could you define the role of each user type in the LMS?**
- **1 Product Vision, 7. The System is required to allow trainees, certified individuals, third party instructors and other authorized individuals to access and view their complete training records, user profile, and other pertinent information that is stored in the System. Q: Please differentiate the roles such as trainees, certified and non-certified individuals, third party instructors. Please provide more details on the nature and duties of these persons/titles.**

A31.

- *An Applicant* is an uncertified individual who is applying for enrollment into a training program.
- *Trainees* are individuals who are completing classes but are not yet certified. They are attending the Basic Training Program to become a certified BSI or CEO.
- *Certified Officials* are those who completed the Basic Training Program and possess a certification as either a BSI or CEO. They are using the LMS to complete annual In-Service

training or Advanced In-Service training. They may also be using the LMS to update their profile information, review, retrieve, download, or print copies of their records, etc.

- The System User Type that is titled *Trainee/Certified Official* was created for the purpose of identifying the system features that are needed by both Trainees and Certified Officials.
- *Non-Certified Officials* are those who are not certified but who wish to complete In-Service training classes. They may be an engineer, architect, contractor, town supervisor, municipal attorney, etc.
- *Prospective Third-Party Instructors* are individuals who apply to the Department for the purpose of having their class approved as an In-Service class and for themselves to be approved as an Adjunct Instructor pursuant to state regulations.
- *Third-Party Instructors* are individuals who were approved by the Department as an Adjunct Instructor.
- *Students* are individuals who are actively completing a training class or training program.
- *ESU Staff* are employees of the Department who operate the system. They may review and approve applications, upload training records from regional conferences, create/modify/manage curriculum, modify user profiles and certifications following the death or suspension of a certificate holder, run reports on various aspects of the system and training programs, etc.
- The *System Administrator* is the individual(s) responsible for the overall operation of the system. This includes assigning and modifying system rolls and permissions. For example, certain staff members will be assigned the role of managing curriculum while others may be responsible for reviewing Basic Training applications. The System Administrator will have access to all permissions and functionalities.

Clicking the dropdown arrows in the header of Attachment 13 will allow you to filter by header category. This will help you identify the requirements specific to each category.

Q32. Is there a MWBE participation target?

A32. Yes, as detailed in Section 8.13 of the RFP, for purposes of this solicitation, DOS has established an overall goal of 30% for MWBE participation, 15% MBE and 15% WBE.

Q33. What's the start and end date for the contract?

A33. As stated in Section 1.5, the agreement shall be effective upon approval of the NYS Office of the State Comptroller and the anticipated contract term is approximately five years.

Q34.

- **In our response to the requirements identified in the Priority 1 Backlog, Attachment 13, and the Scope of Work identified in Section 2 of this RFP, we would like to provide the narrative on the same line of each requirement in the spreadsheet as opposed to an external Specifications Manual. By supplying each narrative on the same line as the requirement, any reviewer can immediately see our response without having to reference a page and paragraph in an external document. We hope the State can accept this approach.**

- **Proposal Format: Could proponents provide a brief overview of how their solution meets the needs outlined in the Priority 1 and 2 Backlogs inline in the submitted spreadsheet documents? Where needed, providers could provide links to imagery and/or other resources that could assist the Department of State in the evaluation of proposals. This may allow for more economical preparation of proposals through the documents provided by the Department of State.**

A34. Proposers may satisfy the Specifications Manual requirement detailed in Section 6.6 of the RFP by providing the narrative in Attachment 13 provided that their “manual” clearly and accurately satisfies all the requirements identified in the RFP.

Q35. Please clarify automation i.e., online forms vs paper.

A35. The Department desires to replace its current paper and Microsoft Forms based application processes with more efficient online application processes. For example, the Basic Training application was, up until very recently, a paper application. The Department would collect and keep track of these applications and manually enter information from them into the Access database and SLMS. Under the current process, staff must download the Forms-based application as a spreadsheet and then copy and paste each cell in the Microsoft Form spreadsheet individually into SLMS and Access. This makes it a very tedious and time-consuming process. After Access and SLMS are populated, the training IDs are generated in SLMS and then manually assigned to each student that was created in Access.

The LMS that will be procured under this contract must have the ability to replace these manual and time-consuming processes with more efficient automated practices.

Q36. Should each NY agency be able to modify users in their specific agency or global administrator?

A36. The only agency that will be using the LMS is the Department of State (DOS). To clarify, the Division of Building Standards and Codes (DBSC) is part of DOS. The Educational Services Unit (ESU) within the DBSC will be the primary users of the LMS. The LMS procured under this RFP must allow DOS to extend the LMS to other training programs within the agency (Department) pursuant to Attachment 13, Item 120.

Q37. Would DOS be willing to use your LDAP to authenticate for single users?

A37. Yes. Active Directory Federation Services (ADFS) would be used for single sign-on for DOS authentication. External users will need to authenticate as well but would not use ADFS.

Q38. Are you a 365, google or other, if other please identify.

A38. The Department uses Microsoft 365.

Q39. Re page 14 Help Desk assistance, is DOS comfortable with a chat box for FAQ?

A39. Yes, a chat box may be acceptable for FAQs only. See Attachment 13, Item 166 for system requirements for online help for all users. Section 2.2 (Objective Summary), Item 5.5 of the RFP requires the solution to include ongoing system security, maintenance, and support throughout the term of the contract, which shall include help desk assistance, either by toll-free telephone or on-line functionality, available at least between 9 a.m. and 5 p.m. Eastern Standard Time.

Q40. We need clarification on line items 46 and 54. Can you be more specific on your question, please?

46	Online Instruction	ESU Staff	be able to assign credits hours to classes based on class categories as identified in state regulations	I can ensure that classes are properly approved and categorized pursuant to state regulations
54	Online Instruction	ESU Staff	ensure that online content is AICC compliant	the content meets NYS accessibility requirements

A40. When an In-Service training class is approved by the Department, it is accredited for a certain training duration. The class is also assigned to a specific training category (topic area). The Department needs a LMS that will allow it assign training hours and categories to approved classes.

The requirement in Item 54 is for the LMS to be ADA compliant, i.e., accessible. This requirement is more fully addressed in the Appendix B of the RFP (ITS Project Terms and Conditions), Item 10 Accessibility. This section refers to the New York State Enterprise IT Policy NYS-P08-005 which can be accessed by clicking here: [nys-p08-005-accessibility-of-information-communication-technology.pdf](#).

Q41. 2.1 Product Vision, 10. The System is required to be able to notify ESU staff of the Professional Development Electives that are waiting for DOS approval.

- **Is this a requirement of the Course Approval System after Courses/Electives are created?**

A41. No. The Department desires a LMS that will allow Certified Officials to add their PDE information directly to the LMS in lieu of them submitting a paper application to the Department. The LMS must provide some sort of notification to ESU Staff that there are PDEs waiting to be approved. Refer to Attachment 13, items 30, 31, 32 and Section 2.1 of the RFP.

Q42. 2.1 Product Vision, 10. Re comprehensive product manual: Should the comprehensive product manual be submitted as part of the technical proposal or at completion and handover of the project?

A42. The “comprehensive product reference manual” (“Reference Manual”) is first identified in Section 2.2, Items 3 and 4 of the RFP. Section 2.3 of the RFP states that the “Reference Manual shall be completed within seven months of the contract start date.”

Q43. Source Document: attachment_13_priority_1.xlsx Item #40, “..have a system that will allow individuals to complete multiple training/certification programs simultaneously” Is it Auto-allocation of Learners to Training Sessions of same content in a different time schedule?

A43. Attachment 13, Item 40 is intended to address the situation where a student may need to enroll in more than one training program at the same time. There may be instances where learners are completing basic training classes in addition to in-service classes. .

Q44. Source Document: attachment_13_priority_1.xlsx Item #54, “..ensure that online content is AICC compliant so that the content meets NYS accessibility requirements.” Please provide the list of NYS Accessibility requirements regarding AICC Compliance

A44. The requirement is for the LMS website to be ADA compliant, i.e., accessible. This requirement is more fully addressed in the Appendix B of the RFP (ITS Project Terms and Conditions), Item 10 Accessibility. This section refers to the New York State Enterprise IT Policy NYS-P08-005 which can be accessed by clicking here: [nys-p08-005-accessibility-of-information-communication-technology.pdf](https://www.nysed.gov/it/policies/nys-p08-005-accessibility-of-information-communication-technology.pdf).

Q45. Source Document: attachment_13_priority_1.xlsx Item #76, “...have the ability to establish customized rubric grading for activities, assignments, discussions, essay/short answer questions on an assessment, etc.” Kindly elaborate on rubric grading rules.

A45. The Department requires an LMS that will allow us to implement rubrics (holistic, analytic, etc.) and apply them to quizzes, assignments, and activities. The Department does not have any rubrics currently developed.

Q46. Source Document: attachment_13_priority_1.xlsx Item #83, “...be able to configure the system to automatically assign classes, exams, and other curriculum to individual learners and groups of learners, based on criteria that I entered into the system” Please mention the criteria that can be entered, which is required for Automatic publishing of content.

A46. The Department requires the ability to assign mandatory classes and exams to individual learners and groups of learners based on their type of certification (BSI/CEO) or other criteria.

Q47. Source Document: attachment_13_priority_1.xlsx Item #96, "...have a system that will allow ESU Staff to "impersonate" users for the purpose of troubleshooting" Does "impersonate" refer to Admin using Learner's credentials to troubleshoot or recreating Learner's instance At Admin's end?

A47. Staff administrators must be able to successfully troubleshoot the user's problem in compliance with NYS Security Protocols.

Q48. Source Document: attachment_13_priority_1.xlsx Item #131, "...submit an online application to have a training class approved as an in-service training class, submit the class itself as a PowerPoint, and to apply for certification as a third-party instructor (adjunct instructor)" Do the 3rd party instructors need LMS access & credentials for online submission?

A48. Yes, the Department requires 3rd party instructors to be able to submit proposed coursework for approval as an in-service training class online and will require LMS access and credentials.

Q49. Source Document: attachment_13_priority_1.xlsx Item #150, "...have a system that accommodates blended learning programs" Does blended refer to a combination of multiple training programs/courses, which can be accommodated with the use of Learning Paths?

A49. No. Blended learning refers to asynchronous classes blended with synchronous classes. The Department has plans to redevelop current programming. Updated programming is expected to consist of mostly asynchronous online classes. However, the Department also expects that some of the more complex subject matter will require live (synchronous) webinar-based classes. Live webinars will be offered to provide feedback to learners and guide them through the curriculum. The Department will therefore have to carefully consider how to schedule live classes around asynchronous classes, considering that new learners will be enrolled into the program daily throughout the year.

Learning paths are specifically addressed in Appendix 13, Item 36. The Department needs a LMS that can host multiple training/certification programs, with coursework, learning paths, exams, certifications, and other components that are specific to each program. This is needed so that DOS can accommodate individuals who have multiple training and certification needs.

Q50. Source Document: attachment_14_priority_2_items.xlsx Item #151. "create custom applications that allow for file attachments to be uploaded by those completing the application" Kindly elaborate on the nature of Applications to be created and completed.

A50. Applicants sometimes need to provide the Department with supplemental information. In these instances, the Department needs the ability to create custom applications to allow applicants to upload these documents and include them as part of the application to the Department.

Q51. RFP Section 6.3 Submission of Proposals, Electronic Applications: Should the three parts of the submission, Technical Proposal, Diversity Practices Questionnaire, and Cost Proposal, be submitted as three separate emails, each with one of the three parts; or can the three parts be separate documents in attachment in one single email?

A51. The Technical Proposal, Diversity Practices Questionnaire and Cost Proposal must be submitted as separate documents, however they can all be attached to one single email.

Q52. RFP Section 6.6, (2), (3), (5), and any other locations: Is the page limit a strict restriction, or more a suggestion?

A52. As stated in Section 6.4, proposal evaluators will not review any material that is submitted above the maximum stated section page limits. Any pages over allotted limits will neither be read nor scored.

Q53. RFP Section 8.9 Contractor's Insurance requirements: Do we understand correctly that the certificates of Insurance are to be filed after award of contract and before commencement of work?

A53. Yes, that is correct.

Q54. What are you currently using for your HRIS, Performance Management, and ATS?

A54. There is no anticipated integration between the new LMS and the Department's HRIS, Performance Management or ATS systems.

Q55.

- **Who is going to be in charge of ensuring the LMS rolls out appropriately internally?**
- **Who on your team will be in charge of implementation?**
- **Are there multiple team members dedicated to this project or how many folks are in charge of the rollout process in your organization for this initiative?**
- **Do you have a dedicated Administrator?**
- **How many people from your team will be working on creating content and do you have 1 administrator?**

A55. DOS will provide both SME(s) and a project lead(s) to shepherd this roll-out. The winning bidder will be notified of the DOS team following execution of the contract and project kick-off.

Q56.

- **Is pre-built content important to you? If so, what topics do you need content in?**
- **Who is in charge of creating company specific content?**

A56. The Department assumes that “content” refers to curriculum. Curriculum will be handled internally.

Q57.

- **How many years of historical data do you need to migration and is it for all the users you mentioned in the RFP?**
- **Please let us know what needs to be migrated and the size as well.**
- **Could you please provide more details about the scope of the migration? Specifically, are you looking to migrate courses, and if so, could you specify the format you prefer for the migration? Additionally, it would be helpful to know the approximate number of courses you are planning to migrate.**
- **Data Migration: Would the NYS Dept of State require assistance migrating data from its incumbent system to its new LMS as part of the implementation of the new system described in this RFP?**
- **2.1 Product Vision, Content Migration: Please provide more information on migration of content, in terms of size, formats and number of files etc.**

A57. The vendor that is awarded the contract will be required to configure the system and create user profiles for ESU Staff and existing certified officials as stated in the RFP, Section 2.2, Items 2 and 2.7. To create user profiles, the vendor will have to migrate user profile data into the new system. Information that is contained in user profiles is identified in Attachment 18 under the Record name: Certified Individual Profile. The Department estimates that up to 11,000 user profiles (student records) will need to be created.

Historic class completion records do not need to be migrated under this contract. Attachment 13, Item 106 states that ESU Staff must be able to bulk upload existing users, classes, course completions, certifications, and other major data elements into the new system. ESU staff will migrate class records from existing systems (especially SLMS, Access, and Forms) prior to testing and launch of the system.

Q58. Will this system sit within HR or Operations? Who will be the owner of the system within your organization?

A58. The owner of the system will be operations, which is the Division of Building Standards and Codes.

Q59. Are there any language restrictions that we should be aware of?

A59. The classes that are taught by the Department focus on New York State codes, laws, and regulations. These legal documents are in English. Because they are in English, and because the Department does not translate legal documents, the curriculum is only presented in English. The Department will take measures to review individual requests for language access and to address language barriers on a case-by-case basis in accordance with its language access policy where applicable. For a copy of the Department of State’s language access policy, please see <https://ogs.ny.gov/state-agency-language-access-plans>.

Q60. Are you open to a multi-year term together or what are you looking for from an agreement term perspective?

A60. As stated in Section 1.5, the anticipated contract term is five years.

Q61.

- **How do you handle company communication? Do you use slack, teams, or are all important employee communication happens through emails?**
- **Do you have a document management system like Sharepoint or where do your company SOP or any important documents reside?**
- **How do employees know what tools they will be using for their roles?**
- **Are all employees on site? Or do you work Hybrid?**
- **What is your current on-boarding process for when a new hire joins the business?**
- **Do you celebrate work anniversaries, birthdays etc. or how do you announce those?**
- **What are some employee engagement activities that you currently do?**
- **How frequently do you run surveys/ polls?**

A61. This RFP is to procure a learning management system, users of which are primarily external to the Department (students and adjunct instructors). As such, the information requested is not relevant.

Q62.

- **Attachment 13, Item 104: "ESU Staff be provided with a data dictionary and detailed metadata per data set maintained in the system so that they can document the system contents in the department's data catalog for compliance with records retention, publication, and information security statutes and regulations"**
What does this mean? Please provide additional explanation to this.
- **Data dictionary—can you please clarify this item?**

A62. A data dictionary should identify each data store the program uses, including:

- The software/protocol it uses (e.g. network file system, relational database, cloud storage, etc.)
- Schema for each data set maintained in the store:
 - Column name (field)
 - Column description in plain English (domain)
 - Data type (element)
 - Constraints (if they are set within the data store – could leave off constraints enforced at a higher level)
 - Key/foreign key relationships (could be represented in entity-relationship diagram)
- The data dictionary should also document any built-in queries or reports at similar level of detail to the data tables from which they pull information.

They should also provide documentation of any custom application programming interface (API) provided, such as a web-based API they provide for integration with other systems:

- Description of authentication/connection protocols
- Description of API endpoints, including:
 - Parameters they accept (name, data type, meaning)
 - Output they return (plain language description, schema, and sample)

Altogether, this documentation should enable the Department to understand what information the product is capable of storing and how we can extend/customize to fit our needs. Depending on how the product works, the Department may be able to build integrations directly with its data stores (especially if they are relational databases) or through its API to move data to/from related systems.

Q63. Attachment 13, Item [160] "ESU Staff be able to perform statistical analyses of the data contained within the system, display the results in graphical form (such as pie charts and bar charts), and save the results as a CSV or XLSX format and as a PDF so that they can better understand the data and data relationships, graphically display this information, preserve the information, and be able to incorporate it into reports."

What kind of data does this requirement refer to? (For example: Course Completion, User Logs, etc.,)

A63. The Department requires that the LMS procured under this RFP will provide the Department with an array of robust analytical tools for analysis of a number of components and data elements within the system, including those listed in the question.

Q64. Attachment 13, Item [161]: "ESU Staff be able to create ad hoc reports of the data contained within the system so that they can better understand the data and data relationships, and effectively convey this information to others."

What kind of data does this requirement refer to? (For example: Course Completion, User Logs, etc.,)

A64. The Department requires the ability to extract information from the system to provide the agency with an array of reporting tools that encompass the data in the system.

Q65. Attachment 13, Item 168: "System Administrators be able to adjust session timeout values so that the DOS can provide effective and timely training to students."

Are you referring to the online sessions or course materials or an entire training program as session? Please provide additional explanation to this.

A65. This requirement was geared toward individual class and exam sessions. Some classes and exams may be longer and more challenging than others. Students will require more time to complete them as compared to others. It is also needed to address the instances when a user is not actively working in the system. The Department would like to establish the amount of time before a user's session expires due to inactivity.

Q66. Does the DOS require any resources from the vendor/bid winner in creating SCORM packages using Articulate? Does the organization have internal resources to generate SCORM courses?

A66. The Department currently uses Articulate. Please refer to Attachment 14 for nonmandatory (but highly desired) LMS requirements. Some of these nonmandatory but highly desired features include SCORM authoring tools.

Q67. Can the work be executed or supported from a remote location or from offshore (Non-US) delivery centers?

A67. Please see Appendix B, #12 Data Ownership, Migration, Accessibility, Location, Storage, Transport, Protection and Destruction for additional information.

Q68. Where is personal data hosted, stored, and managed currently?

A68. Personal data is currently stored in an Access database and SLMS – both of which are behind the State’s substantial firewall. Such data is encrypted in transit and at rest.

Q69. Does the system currently have a payment gateway integrated? Is there a need for payment gateway integration? If so, kindly specify the different gateways to be supported.

A69. At this time, payment is not required or anticipated for training and certification.

Q70. Does the system currently have a SMS text messaging system or integrations with other commercial messaging platforms? Will DOS require this feature?

A70. SLMS does not have this feature and DOS will not require it.

Q71. *The Department of State (“DOS” or “Department”) is seeking to procure a software as a service training system (“System”) that incorporates features of a training management system, records management database, and learning management system. Are you expecting the system to be an integrated all in one application OR we can propose two independent proven products that seamlessly assimilate with each other while satisfying the requirements?*

A71. The system does not need to be integrated in one application to be considered.

Q72. Where are you expecting the system to be hosted?

A72. DOS is anticipating a system to be hosted in the cloud.

Q73. Do we need to include hosting charges in the cost proposal? Does the cost proposal need to include hosting, support and maintenance pricing consolidated for all the 5 years? Do we need to use the NYS rates for the resources?

A73. The cost proposal should encompass all costs associated with delivery of the system as described in the RFP, including hosting, support and maintenance charges. Please see Section 2.3 of the RFP for a breakdown of the costs as they will be paid over the course of the contract. Rates proposed should be integrated into the overall price.

Q74. Are you fine with the bidder suggesting alternative tools to the currently used tools and technologies? For example, Zoom instead of WebEx

A74. The Department is seeking a LMS to replace the currently used tools and technologies. Any tools proposed will be evaluated for compliance with the requirements of the RFP.

Q75. It is mentioned that we need to "Attach separate sheets for cost narrative". Is there a template that we can use?

A75. No, there is no set template that should be used.

Q76. Approach: Throughout this RFP, the NYS Dept. of State uses terms that suggest that its preferred approach would be to have a cloud-hosted software solution that is customized to meet its requirements. Would the NYS Department of State be open to a Software-as-a-Service solution, where new features are routinely added at no additional cost but where customizability may be more limited?

A76. Yes. See Section 1.1 on page 5 of the RFP. It is also addressed in the Vendor Contract Agreement and Appendix B: IT Project Terms and Conditions, Item 16 Definitions.

Q77. Reference Manual: Would providers whose platforms include thorough online Knowledge Bases and/or other mechanisms to provide guidance to end users on the use of the software be in compliance with the Reference Manual requirements set forth in this RFP, or would they be expected to generate additional documentation specific to the NYS Department of State?

A77. Online Knowledge Bases and/or other mechanisms that provide guidance to end users may satisfy the Reference Manual requirement, provided they satisfy all the requirements for the Reference Manual that are stipulated by this RFP.

Q78. Sample Transcript and Certificate: Could the NYS Dept. of State provide a sample of the transcripts and certificates that it issues to the learners who have completed certification programs for our review?

A78. DOS does not currently provide transcripts. A sample certification is posted on the DOS website for this RFP.

Q79. SSO: Could you confirm the authentication standard that is used by the NY.GOV identity provider that is currently in place? Would the NYS Dept. of State seek to use this provider to authenticate users only?

A79. Per Section 2, Scope of Work page 9 of the RFP, the agency would like to eliminate the reliance on SLMS/NY.gov.

Q80. Prospective third party instructor workflow: Would the NYS Dept. of State be open to solutions that provide the REST API's necessary to allow it to build and host forms that enable the creation of instructors in its LMS?

A80. We are not currently looking for solutions that use REST API.

Q81. Recertification Cycles: To confirm, candidates need to complete the same courses every year in both the BSI and CEO programs offered by the Department of State – is this correct? And the expectation is that a potential system will assist in the tracking of the initial certification and recertification for each candidate in the system through both notifications, reports and a suitable front-end interface. In some cases, course requirements may be met by completing a course external to the Department of State (an “Elective”), and the Department is seeking for a mechanism to evaluate these submissions and note whether or not they are valid to claim credit against a certification program – is this accurate?

A81. No, Certified individuals do not need to take the same courses every year. Instead, certified individuals need to complete a certain amount of training every year. These individuals may determine what classes they want to complete. A percentage of the classes must be preapproved by the Department and assigned to a specific training category. Classes that are not preapproved are classified as Professional Development Electives (PDEs). The Department is seeking a LMS that will allow it to evaluate PDE submissions and note whether they may be used toward satisfying an individual's annual training requirement.

The expectation is that the LMS procured under this RFP will assist in the tracking of individual certifications and recertifications through notifications, reports, and a suitable front-end interface. It will also allow the Division to properly categorize each class, assign a training duration to each class, track all preapproved classes and PDEs that certified individuals complete, and allow individuals and the Department to perform a gap analysis on an individual's required training vs. completed training.

Q82. Do[es] NY State require a vendor number?

A82. A Statewide Financial System (SFS) vendor ID is required to enter into a contract, however it is not required to submit a proposal.

Q83. Do you require I contract on NY State paper?

A83. Requirements for executing the contract will be sent to the winning vendor. Generally, DOS does require vendors to sign a hard copy of the contract and mail it to us for execution.