

OCA/PCS-250 QUESTIONS & ANSWERS

Question(s)	UCS Response
How does the UCS expect the court fee payment processing fee to be handled?	Once court staff accept a case initiated online, the ODR System should have an online financial gateway available as described in the RFP. All fees collected on behalf of the court are to be mailed to the court via check. Please also see page 33 of the RFP for more information regarding the online financial gateway.
Would you please provide a more detailed specification of the required data integrations and/or interfaces between the data collected and maintained in the ODR System and the data collected and maintained in the Court’s existing systems?	No data integrations or interfaces are required at this time with any UCS case management system. The ODR System should provide for a dashboard or similar mechanism for the court to interface with the System and view case information.
Section VI.B of the RFP notes that the ODR System must have the capacity to host approximately 100 cases per month, but that the subscription fee “shall not be subject to adjustment based on the number of cases per month.” However, the Exhibit A Pricing Sheet requests a Subscription Fee “per 100 cases, per month.” Would you please confirm if the monthly Subscription Fee will vary per each 100 cases or if it is static at the quoted amount?	The number of cases estimated per month is included as a frame of reference only. As indicated in Article VI.B of the RFP specifications: “The Monthly Subscription fee shall not be subject to adjustment based on the number of cases per month.”
What is the basis for the 100 cases per month estimate for ODR System utilization? What is the NY UCS’s degree of confidence in that estimate?	During the pilot period UCS anticipates that 100 cases per month will be referred to the ODR system.
Question 1A – New content for the Expert System: To what extent is the bidder expected to assist, drive or develop <i>new</i> content? This refers to multimedia content as well as plain copy. “Collaborate” can mean anything from participate in meetings to design and develop infographics, multimedia and video. Can we assume that the scope of content will be defined as part of the 90-day Design Services process. (pages 7 and 31)	Bidders are expected to design a user-friendly and engaging layout and navigation system for users to access the content in the Expert System. NY UCS will provide most of the content. Bidders who have existing content (or would like to propose content to create), including infographics, multimedia, and video content for users describing how ODR works (or other relevant content) should include it in their proposals.

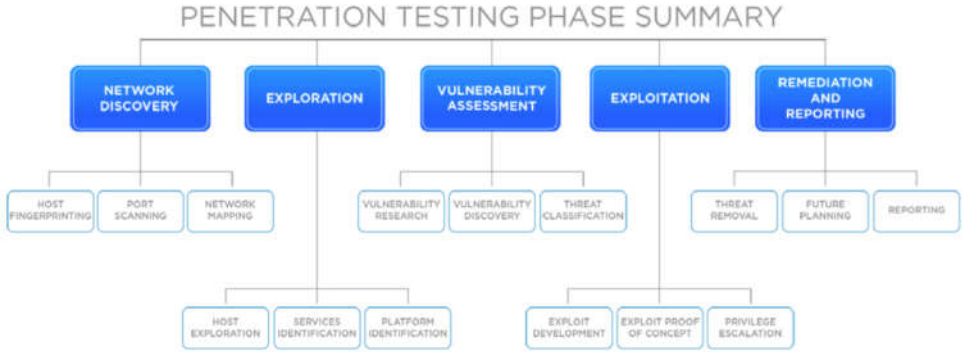
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<p>Question 1B – Existing content for the Experts System: Would the bidder be expected to edit or modify <i>existing</i> content to fit the format and structure of the new portal? (page 36)</p>	<p>Bidders are expected to design a system where the content can be accessed by users. Bidders have discretion in proposing how the content detailed on page 36 of the RFP will be accessed, displayed and navigated on their proposed systems.</p>
<p>Question 2 – Time duration definition The document refers to a ‘yearlong’ pilot – we assume this means 12 months from the Go Live date (and not from the start of the 90-day Design Services phase)? (pages 8 and 31)</p>	<p>Correct. The pilot will commence from the Go Live date.</p>
<p>Question 3 – Suspected Typo We assume there is a typo, and that the word ‘not’ shall be removed from the following sentence: “Any data to which vendor shall have access as a result of participating in the ODR System in any manner shall <i>not</i> be used solely in connection with the Project and for no other purpose.” (page 32)</p>	<p>Yes. That is a typo. The sentence should read, “Any data to which vendor shall have access as a result of participating in the ODR System shall be used solely in connection with the Project and for no other purpose.”</p>
<p>Question 4A – Data in the US I What is the definition of ‘Data’ as it is used in the sentence “Data must not leave the United States” on page 32. We assume you are referring to user data (but not content such as multimedia or copy). (page 32)</p>	<p>We are referring to all participant and court data including any information or documents specifically related to an individual or case. This data and any backups of this data when committed to persistent storage media must reside in the continental US.</p>
<p>Question 4B – Data in the US II After the system goes live, user data will be stored in the US. However, since the portal and the data it contains is available online (‘in the cloud’) is there an expectation that only users in the US will be able to access it? Must developers be physically present in the US when they work it? (page 32)</p>	<p>Access to the data via the Online Dispute System can be from outside the US. Also, developers can access data and do their development while residing outside the US. However, at all times and under all circumstances, the data itself (the data “at rest”) must reside in the US.</p>

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<p>Question 5 - Case Review Please define and/or expand what functionality is expected with regards to Case Review. (page 33)</p>	<p>Court Staff will review cases initiated online prior to acceptance of the case to ensure that statutory requirements have been satisfied. When a case is initiated online, the System should send a notification to the Court to go on to its dashboard to review the information entered and to make a determination regarding eligibility for ODR. If a case is accepted, the court will provide an index number and the System can proceed with notification to the Claimant that the case was accepted and that a fee will be collected.</p>
<p>Question 6 - Media Sanitation Please define Media Sanitation, and what is expected from the system. Please reference your preferred specific industry standard guideline for Media Sanitation. (page 29)</p>	<p>Media Sanitation definition: The process of irreversibly removing or wiping data from media where it is stored.</p> <p>Expectation for Media Sanitation: In the event the contract is terminated in the future, any data collected in the system will be provided to UCS upon request. Once UCS has the data in hand, we expect all data to be wiped according to Industry standard best practices at the time of wiping. We don't specify a specific mechanism as technologies change over time.</p>
<p>Question 7 - Allocation Please define allocation in the small claims context, and what is expected by the system to support this feature. (page 39)</p>	<p>An allocation in the small claims context is a formal address to the parties to find out if they understand the terms of a stipulation of settlement. Bidders have discretion regarding how they would propose ensuring that the parties understand the terms of settlement prior to executing a settlement agreement online. Examples of technology-assisted allocutions could be a highlighted review of the settlement terms with check off boxes for the parties to confirm understanding or audio read outs of the terms.</p>
<p>Question 8 – Case Management Could you please expand on your requirements for the case management system, and the intake and court review components thereof? (page 33)</p>	<p>Case management on the ODR system should be thought of comprehensively to include, but is not limited to, the following: the capacity to have cases initiated on the platform, the capacity to capture intake questions such as party names, email addresses, nature of the dispute, etc., the capacity to ask screening questions to ensure that the case is eligible for ODR, maintaining the assigned index number for each case, keeping a record of the method and the amount of payment, tracking the case on the system, sending various notifications for activity/inactivity, problems, or upcoming court hearings, storing case data and document uploads in the case file, storing settlement agreements in the case file, keeping a record of the mediator (if any) assigned to the case, keeping a record of the dispute resolution option the parties utilized to reach resolution, keeping a record of cases that do not reach resolution on the platform, storing case opening and closing dates, and having the capacity to export data and generate reports.</p>

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	<p>UCS will work collaboratively with the vendor to develop the intake and screening questions and the court review components outlined in the RFP.</p>
<p>Exhibit D, Technology Requirements, Overview of The Conceptual Design for the ODR System, Page 32 ODR will be mandatory for Eligible Small Claims Cases. What are the projections for volume?</p>	<p>100 cases per month.</p>
<p>Exhibit C Sec C9, Page 28 3rd Party Penetration testing. Vendor agrees to have annual independent 3rd party penetration testing & vulnerability assessment. What is required to be included in the penetration testing that we share with UCS?</p>	<p>We recommend penetration testing that at a minimum covers the aspects listed below:</p> 
<p>Exhibit D, Login Pages and Display, Display after login, Page 35 Users will have access to an online “resolution room” to work out their issue. The same online resolution room will be available to all parties (including court administrators and judges and assigned Mediation Centers) but will not be available to any user that has not been granted access to the room. Mediation and ADR is assumed to be confidential and not available to the court. If the judges and court administrators have access, does that violate that confidentiality? And how do we know who the judge is per case without integration?</p>	<p>Mediation will be confidential.</p> <p>Judges will be assigned to the cases at the court hearing, if no settlement is reached on the platform.</p>
<p>Exhibit D, Accessing the ODR System, Court Review Process, Page 34</p>	<p>Court Staff will review cases initiated online prior to acceptance of the case to ensure that statutory requirements have been satisfied. When a case is initiated online, the System should send a notification to the Court to go on to its dashboard to review the</p>

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<p>It also will explain the fees that must be paid before an index number (file number assigned to every new case) can be assigned.</p> <p>Where is the index number being generated? Is the intent that the ODR system would generate, or the court's case management system?</p>	<p>information entered and make a determination regarding eligibility for ODR. If a case is accepted, the court will provide an index number and the System can proceed with notification to the Claimant that the case was accepted and that a fee will be collected.</p>
<p>Exhibit D, Accessing the ODR System, Court Review, Page 34</p> <p>Moreover, if the claimant provides an email address for the defendant, the ODR System will email the defendant a copy of the summons and complaint after the case has been accepted and assigned an index number.</p> <p>Is there certain information that needs to be tracked for "eservice"?</p>	<p>The email to the defendant will be supplemental notification of the impending case, and not formal "e-service." Emails sent to the defendant on the System, however should be stored in the online case file.</p>
<p>Exhibit D, Collection of Court Fees, Page 34</p> <p>The System will provide a mechanism for the collection of mandatory fees for each case to be paid to the court.</p> <p>Do all cases of a specific type have the same mandatory fee amount? Does the ODR system need to track the different court cost break-down, or is a single dollar amount collected and the court's case management system responsible for the break down?</p>	<p>The same mandatory fee will be collected for each case that is eligible to participate on the ODR System.</p>
<p>Exhibit D, Timing, Page 37</p> <p>Use of the ODR System for negotiation purposes will be available to the parties until the close of business the day before the hearing date.</p> <p>Who is going to enter the hearing date into the ODR system?</p>	<p>Once a case is accepted for ODR by court staff, court staff will provide both the index number and will set the hearing date. The proposed System should be able to integrate the information entered by the court into a notification system for the parties.</p>
<p>Exhibit D, Direct Online Negotiation, Page 37</p> <p>Parties will be offered the opportunity to conduct direct party-to-party negotiations both synchronously and asynchronously.</p>	<p>The System should offer the parties the option to synchronously negotiate on the platform, at will. The System does not need to offer scheduling capabilities to the parties for direct party-to-party negotiation. If online mediation is selected, however, the mediator will benefit from scheduling capabilities available on the platform.</p>

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<p>Do synchronous negotiations assume scheduling capabilities are provided to the parties?</p>	
<p>Terminology, Pages 31/34 “Guided pathways: Users engage with dispute “streams” that provide the user with questions that, when answered, result in the user being taken down a “path” specific to their dispute.” “There will be a link to the ODR System on the Civil Court, Small Claims Part web page, and on NYCourtHelp.gov.” Does NY UCS expect the ODR System Provider to build a separate ‘Guided Pathways’ site that resides at NYCourtHelp.gov, or can the ‘Guided Pathways’ system reside at the URL of the ODR System provider (the URL referenced on page 34, line 5)?</p>	<p>The entire ODR System (including the guided pathways) should reside at the unique UCS ODR URL created by the ODR System Provider for the project. NY UCS should be able to post the UCS ODR URL at multiple web locations, including www.nycourts.gov to increase the visibility and use of the ODR system.</p>
<p>Court Review Process, Page 34 “For those cases which were not filed in court, after a claimant initiates a case online...” “Additionally, the court will mail the defendant a copy...” On page 34, the document refers to the claimant and defendant as individuals. Please explain whether cases with multiple claimants and/ or multiple defendants will be handled by the ODR System. If cases involving multiple claimants and defendants are being handled by the ODR System, can you please explain the ODR System requirements for how all or some claimants and all or some defendant will have authority to negotiate. Is it expected that the ODR System would provide a way whereby the claimant party group and defendant party group could privately discuss the matter?</p>	<p>For the pilot, each case should have only one claimant and one defendant.</p>
<p>Court Review Process, page 34</p>	<p>NY UCS will work collaboratively with the ODR System Provider to design a 1-page flier that will contain the System URL location, instructions on how to access the landing</p>

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<p>“That mailing will include a 1-page “flier” informing the defendant about mandatory ODR for the case, and instructions on how to access the landing page for the System.”</p> <p>How does the NY UCS anticipate that the ODR System Provider can match the defendant’s online registration with the paper mailing they received?</p>	<p>page, have the look and feel of the System, and will be informed by user engagement strategies.</p>
<p>Case Management, Page 34</p> <p>“There is no initial integration of the two systems.”</p> <p>On page 34, it is mentioned that “There is no initial integration of the two systems” (i.e., ODR System & NY UCS Case Management System). Are there any expected integrations between the ODR System and any external systems other than the NY UCS Case Management System? If yes, please explain the systems and types of integrations required (e.g., driver’s license system for identity verification).</p>	<p>There are currently no expected integrations between the NY UCS case management system or any other external system.</p>
<p>Registration and Log-In, Pages 34-35</p> <p>“Users will need to authenticate their identities, e.g., via a combination of picture and driver’s license.</p> <p>On page 34, it is mentioned that “Users will need to authenticate their identities, e.g., via a combination of picture and driver’s license”. Is it expected that the ODR system will have an interface to an existing driver’s license database to validate this data? If so, can that system and integration be explained? If not, what process do you expect to be in place to validate driver’s licenses, and photos?</p>	<p>It is not expected that the ODR system will have an interface to an existing driver’s license database. Bidders are provided discretion in proposing authentication procedures that would be desirable or preferable on the System.</p>
<p>Display after Log-In, Page 35</p> <p>“Because the litigants will likely have only one case pending...”</p> <p>On page 35, it is mentioned “Because litigants will likely have only one case pending...”. Does the NY</p>	<p>For the pilot, the ODR System will only be available for double pro se cases. We do not expect higher volume participants to utilize the System at this time.</p>

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<p>UCS expect that higher volume participants (e.g., Debt collection agencies, landlords, etc.) will utilize the system? If so, should they have access to a dashboard to manage their cases?</p>	
<p>Information in the Expert System, Page 36 “The Expert System will include the following: <ul style="list-style-type: none"> • The ODR Small Claims Court process “explainer” videos • The NYC Small Claims Court video regarding the statement of claims • The NYC Small Claims and Commercial Claims Guide • Court-based legal and procedural information • Legal referrals • FAQs • Access to individualized case information” On Page 36, with regard to the content of the Expert System, (e.g. videos, guides, etc.). Is the vendor expected to produce these or will these be provided to the vendor? For example, will the vendor be expected to film and script the videos mentioned/referenced in this section?</p>	<p>Bidders are expected to design a user-friendly and engaging layout and navigation system for users to access the content in the Expert System. NY UCS will provide most of the content. Bidders who have existing content (or would like to propose content to create), including infographics, multimedia, and video content for users describing how ODR works (or other relevant content) should include it in their proposals.</p>
<p>Settlements, Page 39 “...(or would like to have an attorney review it before signing...” Will claimants’ and defendants’ representatives be able to access the system and act on their behalf? What are the expectations of NY UCS regarding the functionality the ODR system will support to facilitate party representation?</p>	<p>For the pilot, the ODR System will only be available for double pro se cases. The System will contain links to legal referrals in the Expert System, and parties will have the opportunity to consult with attorneys at any time, but separate access to the platform will not be provided to attorneys.</p>
<p>Exhibit D, Case Management, Page 34 All registration (account) information and case information will be available to NY UCS on a case management system existing independent of the court’s case management system. NY UCS should be</p>	<p>Case management on the ODR system should be thought of comprehensively to include, but is not limited to, the following: the capacity to have cases initiated on the platform, the capacity to capture intake questions such as party names, email addresses, nature of the dispute, etc., the capacity to ask screening questions to ensure that the case is eligible for ODR, maintaining the assigned index number for each case, keeping a record</p>

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<p>able to run reports and export data and records. There is no initial integration of the two systems. Please clarify what expectations are for the ODR product to behave like a Case Management System. Is this only storing necessary case data?</p>	<p>of the method and the amount of payment, tracking the case on the system, sending various notifications for activity/inactivity, problems, or upcoming court hearings, storing case data and document uploads in the case file, storing settlement agreements in the case file, keeping a record of the mediator (if any) assigned to the case, keeping a record of the dispute resolution option the parties utilized to reach resolution, keeping a record of cases that do not reach resolution on the platform, storing case opening and closing dates, and having the capacity to export data and generate reports.</p>
<p>Pricing and Billing, B and Exhibit A/Pricing Sheet, Page 13 A Monthly Subscription fee (to cover Web services, staff support and technical assistance). UCS estimates that the ODR website must have the capacity to host approximately 100 cases per month. (Note this is an estimate only. The Monthly Subscription fee shall not be subject to adjustment based on the number of cases per month.) Please clarify the pricing model for the Monthly Subscription Fee. Section VI indicates the Subscription Fee shall not be adjusted based on the number of cases per month. Exhibit A / Pricing sheet seems to indicate pricing for a block of 100 cases. Will the system be limited to a maximum of 100 cases per month? What is the mechanism for pricing to be adjusted if the volume of cases is significantly more than 100 cases per month? Typically, cost is adjusted based on volume flowing through the system. Also, what is the maximum possible volume (total Small Claims caseload)?</p>	<p>During the pilot period, UCS anticipates that 100 cases per month will be referred to the ODR system.</p> <p>The number of cases estimated per month is included as a frame of reference only. As indicated in Article VI.B of the RFP specifications: “The Monthly Subscription fee shall not be subject to adjustment based on the number of cases per month.”</p>
<p>• Project Timeline (p. 8 - OCA/PCS-250) In the project timeline, it is stated that the Design Services and the training of the UCS staff need to be completed within 90 days of contract approval. Does this imply that the vendor must already have</p>	<p>Design services and the Initial Training, should be completed within 90 days post contract signing.</p> <p>NY UCS expects that the “Go Live” date will take place within a reasonable timeframe after the initial 90 days.</p>

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<p>provided, installed, and customized the ODR System and be ready to go live within this 90-day period?</p>	
<ul style="list-style-type: none"> • Subcontracting (p. 8 - OCA/PCS-250) <p>The principal respondent will be SIA PARTNERS, BVC GROUPE CYBERJUSTICE and TALLAN will act as subcontractors and will be listed as such in SIA PARTNERS’ proposal. We would like to know if subcontractors are also admissible to present staff resumes and a description of three (3) prior successfully completed projects similar in scope to the proposed ODR System.</p>	<p>Yes.</p>
<ul style="list-style-type: none"> • Physical Security (p. 27 – OCA/PCS-250) <p>The RFP states, “4) Where will desktop PCs be located? If laptops must be used, how can you provide assurance of their location? Will laptop(s) be used on secure premises? Please elaborate.” Can you provide more information about this question? Is this physical security question in reference to desktop PCs and laptops in the data center hosting the solution? Or is it about desktop PCs and laptops in NY UCS offices?</p>	<p>This question is with reference to any device where users of the system access the application from. The question is targeted for client-based applications. Since this is a web-based application, you can simply state that devices can be located anywhere, and the security of those devices is up to the user.</p>
<ul style="list-style-type: none"> • Technology Requirements (p. 33 - OCA/PCS-250) <p>Can you provide more information concerning the functionalities of the online financial gateway for the collection of mandatory fees for each case to be paid to the court via credit cards, bank or debit cards and/or payment systems such as PayPal?</p>	<p>Once court staff accept a case initiated online, the ODR System should have an online financial gateway available as described in the RFP. All fees collected on behalf of the court are to be mailed to the court via check. Please also see page 33 of the RFP for more information regarding the online financial gateway.</p>
<ul style="list-style-type: none"> • Technology Requirements (p. 33 - OCA/PCS-250) 	<p>Yes, it is reasonable to assume there will be separately defined formats for feedback, reports and data requested, since the information contained in these feeds will be fundamentally different.</p>

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<p>The RFP states, “Feedback, reports and data requested by NY UCS should be in a machine reading format, preferably XML.” Is it reasonable to assume that the vendor will need to create one XML file format for feedback, one XML file format for reports, and one XML file format for data requested by NY UCS? If not, please provide details on the feedback, reports, and data requested by NY UCS and the anticipated number of XML file formats that the vendor will need to create.</p>	
<ul style="list-style-type: none"> • Technology Requirements (p. 33 - OCA/PCS-250) <p>The RFP states, “The System should be able to provide system notifications via text and/or email.” What events are expected to trigger system notifications?</p>	<p>Events that trigger system notifications include, but are not limited to, the following: case initiation/registration, payment of case fees, case activity/inactivity, problems, request for a mediator, upcoming court hearing dates, and case termination due to lapse of time available to negotiate.</p>
<ul style="list-style-type: none"> • General Questions: <p>Is a PowerPoint deck acceptable for presentation of the bid narrative or should this be done in a linear text format?</p>	<p>No. Bidders are required to send a hard copy, linear text format proposal.</p>
<ul style="list-style-type: none"> • General Questions: <p>Should our data security requirement questionnaire in Exhibit C be submitted with our bid narrative on November 20, 2018?</p>	<p>Yes, it must be submitted with the bidder’s proposal.</p>
<ul style="list-style-type: none"> • General Questions: <p>In providing prior ODR project references, are court systems outside of the USA eligible for consideration? Is there a preference given in consideration to US court systems?</p>	<p>Court systems outside the US and within the US will satisfy the requirement for providing references.</p>
<ul style="list-style-type: none"> • General Questions: 	<p>No.</p>

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<p>Do all participants in a bid need to have a US presence?</p>	
<p>Is there a system that the UCS has seen in operation or would like to replicate? If so, please identify.</p>	<p>UCS is looking to develop the ODR system provided in the solicitation.</p>
<p>For each of the items, (2) through (5) (pages 6-7), please provide any information concerning how many vendor hours are anticipated will be associated with each task. One time, per month or annually? How do expect these hours to grow as the project rolls out?</p>	<p>For the Initial Training, up to 30 hours of staff training are expected.</p> <p>We do not have an expected schedule or number of vendor hours for the collaboration with UCS to develop the Expert System, the user engagement strategies, nor the analysis regarding system outcomes.</p> <p>We do expect however for the vendor to be responsive to all UCS requests for assistance, and to maintain an active presence in the collaborative development and maintenance of the System.</p>
<p>In connection with item 4. on page 7, how many additional hours do expect the vendor to provide either monthly or annually and how do you expect that need to grow as the project roles out?</p>	<p>The bidder should be prepared to provide the staff support and technical assistance that is needed to satisfy the bid requirements. Depending on efficiencies gained or problems that arise, the number of hours could vary as the project rolls out.</p>
<p>Under “Project Timeline” is there anticipated or preferred “go live” date? Is there a timeline for how UCS staff, mediators and judiciary personnel will be onboarded? How many mediators are anticipated to require credentials and training during the initial pilot?</p>	<p>The “Go Live” date should occur within a reasonable amount of time after the Design Services and Initial Training are completed. We approximate that 10-20 mediators will be credentialed and trained for the initial pilot. UCS personnel and mediators will be onboarded simultaneously with the System development process.</p>
<p>Reference is made to expansion to other case types. Please provide any available information concerning timeline and volumes associated with such expansion. What services, equipment and/or materials will the vendor be required to provide in connection with any such expansion? Will that expansion be subject to a further procurement process?</p>	<p>Currently, we do not have any information available regarding expansion to other case types, other than as provided in the RFP.</p>

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<p>On page 10, item 1 e. makes reference to Video Capability. Does the UCS have any information about what video-related features and/or functionality may be required? Number of participants, equipment requirements or preferences? Will witnesses be allowed to participate by video? Is there a weighting associated with Video compared to either Live Chat and AI?</p>	<p>Bidders have the discretion to propose a solution which includes video capability, to describe how it might be integrated, and/or how it might be suitable for small claims cases.</p>
<p>Reference is made to the Automated Negotiation/Double-blind Bidding on page 37, are there other settlement algorithms or solutions that have been considered as being suitable or which have been previously eliminated from consideration?</p>	<p>Vendors should propose the solutions requested in the RFP. Vendors can also offer additional solutions in their proposals.</p>
<p>In Section VI. it is noted that there will be a Monthly Subscription fee which shall not vary based upon the number of cases per month. On what information is the 100 cases per month based upon? Is there a maximum number of cases per month that is anticipated during the life of the contract? Of the 100 estimated cases per month, how many may occur simultaneously? How many participants, mediators, judiciary personnel and witnesses are anticipated per case?</p>	<p>During the pilot period, UCS estimates that 100 cases per month will be referred to the ODR system. The maximum number of cases per month anticipated during the life of the contract is unknown. It is also unknown how many cases will occur simultaneously. Each case will have two litigants and possibly a mediator assigned to the case depending on the dispute resolution process selected by the disputants.</p>
<p>Reference is made to the pilot at the NYCCC, Small Claims Part as note at page 31. If the pilot is successful, at how many other branches/locations will it be implemented and at what pace? What additional services, training and equipment is vendor expected to provide for each additional deployment?</p>	<p>As specified in the RFP, if the pilot is successful we would like to explore having the ODR System available statewide. Other than as provided in the RFP, we do not currently have any additional information available regarding expansion to other case types or what might be required.</p>
<p>What equipment is vendor to provide to the court/court users or will they utilize existing court-owned/court-provided equipment?</p>	<p>The vendor is not expected to provide the court or court users with equipment.</p>
<p>Do the settlement sessions need to be recorded or stored and if so, for what period of time?</p>	<p>The settlement sessions do not need to be recorded or stored, other than as provided in the RFP. The case data, however does need to be stored.</p>

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<p>Do the mediation sessions need to be recorded or stored and if so, for what period of time?</p>	<p>The mediation sessions do not need to be recorded or stored, other than as provided in the RFP. The case data, however does need to be stored, including the mediator assigned to the case.</p>
<p>What website material, specifically, will NY-UCS retain ownership of? Does this include only documents and supporting materials that are updated by participants?</p>	<p>NY UCS retains the rights to all ODR System data, including but not limited to, party information, case information, and uploaded documents. Additionally, all materials in whatever format produced under a contract with and awarded vendor will be deemed “Work For Hire” as detailed in the RFP.</p>
<p>Can you provide more detail regarding Stage 2 of the ODR system? Are any part of the automated negotiations, online negotiations or online mediations done in real-time through a live mediator (video session)? If not, please further explain how these sessions are expected to take place. In other words, is anything expected to be handled in real-time or is the ODR program designed to be handled as ‘step-by-step’ with available updates (via the resolution room)?</p>	<p>All three options for on-line settlement should be able to take place in real time. System notifications and written communications between the parties and/or the mediator (if one is requested) can facilitate this capacity. Video capability can also assist with online mediations taking place in real time. System scheduling capabilities may also help with synchronous communication.</p>
<p>If video is allowed for online mediations only, will NY-UCS consider a partnership/joint-submission where one ODR firm utilizes another company’s video technology specifically for face-to-face video mediations?</p>	<p>Bidders can include subcontractors for any aspect of their proposed ODR system, including video technology, provided the section entitled, “Subcontractors” located on page 8 of the RFP is complied with.</p>
<p>Is the case intake/review process handled by an employee of the NY-UCS? What is the turnaround time?</p>	<p>As provided in the RFP on pages 33 and 34, intake and screening for the ODR System will take place both in-person and on-line. In-person, UCS court staff will perform the intake and screening. On-line, the bidder will work collaboratively with UCS to design the intake and screening questions to be included on the System. Also, once intake is completed on-line, the System should send a notification to the UCS dashboard, so that Court staff can review the information to make a determination regarding whether the case is eligible for ODR, to provide an index number, and to notify the System to collect a fee.</p>
<p>Is there any objection to an entirely browser-based solution?</p>	<p>Bidders should propose solutions requested in the RFP. The System should be hosted in the cloud and available to users on the internet using secure protocols.</p>

OCA/PCS-250 QUESTIONS & ANSWERS

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