



**Office of Children
and Family Services**

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**New York State
Office of Children and Family Services
Division of Juvenile Justice and Opportunities for Youth**

Grant Procurement

REQUEST FOR PROPOSALS

**RFP # 1004
Grants Gateway # CFS01-WDDP-2019**

Workforce Development Demonstration Project

Issued: February 13, 2019

Amended: March 8, 2019

New York State
Office of Children and Family Services
Division of Juvenile Justice and Opportunities for Youth

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Grants Gateway # CFS01-WDDP-2019

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Bidder's Notice: February 15, 2019

This notice is being issued to focus attention on important information:

For this RFP, the dollar amount of the required cash match funds being contributed must be calculated by multiplying the amount of funds being requested from OCFS by 5% consistent with **Section 2.3 Purpose and Funding Availability** of this RFP.

The documentation of the required 5% cash match must meet the requirements outlined in RFP **Section 3.1 Minimum Qualifications**.

Awardees serving locations outside of Long Island may receive a two-year state award of up to \$500,000, unless additional funds become available.

Prospective applicants are encouraged to carefully review RFP **Section 5.4 Proposal Content** to ensure compliance with all mandatory requirements.

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1.0 GENERAL INFORMATION/CALENDAR OF EVENTS

The New York State Office of Children and Family Services (OCFS) Division of Juvenile Justice and Opportunities for Youth (DJJOY) is pleased to announce this funding opportunity and will award grants for a Workforce Development Demonstration Project (WDDP) that will provide education, occupational skills training, and employment services to disadvantaged youth in their communities while also providing them with opportunities to perform meaningful work and service to their communities. Please note services provided as a result of this RFP will be based on the “Pay for Success” (PFS) program model. One of the most important characteristics of PFS is its grounding in performance and articulation of specific measurable outcomes that define success. Proposed metrics should allow for midcourse corrections, and outcome targets should be ambitious, yet achievable. Targets should be chosen to reflect meaningful outcome impacts for beneficiaries and, if possible, correspond to savings for the government. Upon award, OCFS reserves the right to have discussions with selected contractors about the government’s desired objective and to determine final outcome targets for the contract term. The purpose of this discussion is so that all parties to the resulting contract understand and agree with how success will be measured during the term of the agreement to avoid confusion, complication, and disputes at implementation, conclusion and evaluation stages. As a Pay for Success Initiative, WDDP applicants will be required to provide a 5% cash match. Awardees who meet all of the performance outcomes will be reimbursed the 5% match. The reimbursement of match is included within the \$5.5 million total funds available. An additional 5% of the awarded amount will be paid to awardees exceeding their proposed targets for all five performance targets required by the RFP by at least one youth at the end of the contract term. Individual awards shall not exceed 5% of the initial contract award amount and results in up to an additional \$275,000 statewide.

Applicants must operate in accordance with all applicable laws, rules and regulations.

Note: Throughout this document, the terms *proposals*, *bids*, *offers*, and *applications* are used interchangeably, as are *applicants*, *bidders*, and *offerers*.

If the offerer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the offerer shall immediately notify OCFS (See **Section 1.1 Procurement Contact**) of such error in writing and request clarification or modification of the document.

If prior to the deadline for submission of written questions an offerer fails to notify OCFS of a known error in or omission from the RFP, or of any error or omission or prejudice in bid specification or documents with the RFP that the offerer knew or should have known, the offerer agrees that it will assume such risk if awarded funds, and the offerer agrees that it is precluded from seeking further administrative relief or additional compensation under the contract by reason of such error, omission, or prejudice in bid specification or documents.

1.1 Procurement Contact

All inquiries concerning this procurement must be addressed to the director of contracts in the RFP unit or his designee(s) at OCFS, via email (preferred) RFP@ocfs.ny.gov or via hard copy mailed to:

Director of Contracts
 Questions for RFP # 1004 Workforce Development Demo Project
 Office of Children and Family Services
 52 Washington Street
 Room 202S – RFP Unit
 Rensselaer, NY 12144

1.2 Calendar of Events

RFP # 1004 Workforce Development Demonstration Project	
EVENT	DATE
Issuance of Request for Proposals	2/13/2019
Bidders Webinar RSVP Deadline (See section 1.3)	2/20/2019 by 4:00 p.m. Eastern Time
Bidders Webinar (Optional)	2/21/2019 at 2:00 p.m. Eastern Time
Deadline for Submission of Written Questions	2/22/2019 by 4:00 p.m. Eastern Time
Responses to Written Questions Posted (on or about)	3/6/2019
Recommended Deadline to Prequalify in the Grants Gateway	3/8/2019
Deadline for Submission of Proposals	3/15/2019 by 4:00 p.m. Eastern Time
Interviews/Site Visits (optional) (not earlier than the week of)	Not Applicable
Anticipated Notification of Award (not earlier than)	4/10/2019
Anticipated Contract Start Date (not earlier than)	7/1/2019

1.3 Bidders Webinar

Offerors are encouraged to attend the bidder's webinar. Important information will be provided to those attending the Workforce Development Demonstration Project (WDDP) RFP Bidder's Webinar (see **Section 1.2 Calendar of Events**).

Please send your email contact information to RFP@ocfs.ny.gov on or about the RSVP deadline in **Section 1.2 Calendar of Events** and indicate in the

subject line of your emails **RFP # 1004 Workforce Development Demo Project Bidders Webinar**. After receipt of your email, you will receive an invitation and instructions on how to participate in the bidder's webinar.

1.4 Submission of Written Questions

All communications to report errors or omissions in the procurement process or to ask questions or to request clarification of this RFP should cite the particular RFP section and paragraph number and must be submitted via email (preferred) RFP@ocfs.ny.gov, or via hard copy mailed to the director of contracts no later than the deadline for submission of written questions specified in **Section 1.2 Calendar of Events**. Questions received after the deadline for posting responses to written questions may not be answered. The comprehensive list of questions and responses will be posted in the solicitation announcement in the New York State Grants Gateway System (<https://grantsgateway.ny.gov>) (GGS or Grants Gateway), on the OCFS Website (<http://ocfs.ny.gov/main/bcm/rfp.asp>), and the Contract Reporter website at (<https://www.nyscr.ny.gov/login.cfm>) on the date specified in **Section 1.2 Calendar of Events**.

To view the comprehensive list of questions and responses that are posted to the NYS Grants Gateway, click the link under the grant opportunity announcement in the Grants Opportunity Portal.

1.5 Deadline for Prequalification in the Grants Gateway

Not-for-Profit applicants are strongly encouraged to prequalify in the Grants Gateway by the date specified in the table in **Section 1.2 Calendar of Events**, and **MUST** prequalify by the date of submission. Please refer to **Section 3.0: MINIMUM QUALIFICATIONS TO PROPOSE AND PREQUALIFICATION PROCESS**.

NOTE: Government entities are not required to prequalify in Grants Gateway, but must register in order to submit an application.

1.6 Submission of Proposals

All proposals must be submitted electronically through Grants Gateway. Please refer to **Section 5: PROPOSAL CONTENT AND SUBMISSION** for further information. Prior to submitting a proposal, bidders must pre-qualify in the Grants Gateway System. (See **Section 3: MINIMUM QUALIFICATIONS TO PROPOSE AND PREQUALIFICATION PROCESS** for further information.)

Forms Required To Be Submitted Into the “Pre-Submission Uploads” Section of the Application (Click the hyperlinks below to access the files.):

- A. [OCFS-2633, MacBride Fair Employment Principles Certification Form](#)

- B. [OCFS-2634, Non-Collusive Bidding Certification](#) (Required by section 139d of State Finance Law.)
- C. For complete proposal and contract requirements for the Minority-and-Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) requirements, refer to Section 7.10. The following are forms to be completed and submitted with your Administrative Proposal and can be found [here](#):
- **OCFS-4629**, *Project Staffing Plan Form*
 - **OCFS-3460**, *Minority and Women-Owned Business Enterprises (MWBE) Equal Employment Opportunity (EEO) Policy Statement*
 - **OCFS-4631**, *M/WBE Utilization Plan Form*
- D. For complete proposal and contract requirements for the New York State Service-Disabled Veteran-Owned Business (SDVOB) Act, please refer to section 7.11 and complete the following attachment: [Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance](#)
- E. [OCFS-2647, EO 177 Certification](#) (See section 7.15 for more information.)

1.7 OCFS Reserved Rights

OCFS reserves the right to

1. place a monetary cap on the funding amount made in each contract award;
2. change any of the schedule dates stated in this RFP prior to the due date for the submission of proposals;
3. reject any or all proposals received in response to the RFP;
4. withdraw the RFP at any time at the agency's sole discretion;
5. make an award under the RFP in whole or in part;
6. disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP;
7. reject any proposal if, in the sole discretion of OCFS, it determines the bidder is not a responsible vendor;
8. seek clarification and revisions of proposals. Request bidders to present supplemental information clarifying their proposals either in writing or by

formal presentation. Other than the requested clarification and supplemental information, submission of new information is not permitted;

9. require that bidders demonstrate, to the satisfaction of OCFS, any feature(s) present as a part of their proposal, which may include an oral presentation of their proposal. Any such demonstration or presentation may be considered in the evaluation of the proposal;
10. amend any part of this RFP prior to opening of bids, with notification to all bidders, and direct all bidders to prepare modifications addressing RFP amendments, if necessary. Expenses incurred in the preparation of any proposals or modifications submitted in response to this RFP are the sole responsibility of the bidder or other party and will not be incurred or reimbursed by OCFS;
11. make funding decisions that maximize compliance with and address the outcomes identified in this RFP;
12. fund only one portion, or selected activities, of the selected bidder's proposal and/or adopt all or part of the selected bidder's proposal based on federal and state requirements;
13. eliminate any RFP requirements that cannot be met by all prospective bidders upon notice to all parties that submitted proposals;
14. waive procedural technicalities or modify minor irregularities in proposals received after notification to the bidder involved;
15. correct any arithmetic errors in any proposal or make typographical corrections to proposals with the concurrence of the bidder;
16. negotiate with the selected bidder(s) prior to contract award;
17. conduct contract negotiations or award a contract to the next highest bidder if contract negotiations with the selected bidder(s) cannot be accomplished within an acceptable time frame. No bidder will have any rights against OCFS arising from such actions;
18. award contracts to more than one bidder or to other than the lowest bidder;
19. require that all proposals be held valid for a minimum of 180 days from the closing date for receipt of proposals, unless otherwise expressly provided for in writing;
20. fund any or all of the proposals received in response to this RFP. However, issuance of this RFP does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted and reserves the right to withdraw or postpone this RFP without notice and without liability to any bidder or other party for expenses incurred in the preparation of

any proposals submitted in response to this RFP and may exercise these rights at any time;

21. use the proposal submitted in response to this RFP as part of an approved contract. At the time of contract development, awardees may be requested to provide additional budget and program information for the final contract;
22. utilize any and all ideas submitted in the proposals received where an award is ultimately made;
23. require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offerer's proposal and/or to determine an offerer's compliance with the requirements of the solicitation;
24. make additional awards based on the remaining proposals submitted in response to this RFP and/or provide additional funding to awardees if such funds become available;
25. make inquiries of third parties, including but not limited to, bidder's references, with regard to the applicants' experience or other matters deemed relevant to the proposal by OCFS. By submitting a proposal in response to this RFP, the applicant gives its consent to any inquiry made by OCFS;
26. require contractors to participate in a formal evaluation of the program to be developed by OCFS. Contractors may be required to collect data for these purposes. The evaluation design will maintain confidentiality of participants and recognize practical constraints of collecting this kind of information;
27. consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals.
28. rescind awards for failure of awardees to meet timeframes that OCFS is required by statute to meet for contract development and approval;
29. cancel this RFP, in whole or in part, at any time and to reject any and all proposals when appropriate in the best interests of the state; and
30. make adjustments to the funding amount requested based on program need and based on the total dollar value of the applications submitted.

Prior to the deadline for submission of proposals, any such clarifications or modifications as deemed necessary by OCFS will be posted in Grants Gateway, the NYS Contract Reporter, and on the OCFS website. Potential offerers that were sent the original bid notice via email will receive an email from the RFP unit regarding the clarifications or

modifications. All other individuals will have to check the NYS Contract Reporter or the OCFS website for any changes and check the posted Q&As.

2.0 EXECUTIVE OVERVIEW

2.1 Introduction/Description of Program Objectives and Background **(Amended 3-7-2019)**

The purpose of this RFP is to identify qualified not-for-profit or charitable foundations that, over the two-year term of this project, will provide an alternative education/workforce development model that can serve as an effective community-based intervention for high risk youth and young adults between the ages of 16 and 24. This model will provide education and workforce development services for youth and young adults who are in one of the following categories: are disconnected from traditional societal institutions; have dropped out of school; are involved in the justice system; are aging out of foster care; youth with disabilities; are unemployed or underemployed; are gang-involved or at-risk of gang-involvement; and other disadvantaged youth populations. This program focuses on high crime communities with concentrated distress and hot spots of crime and high institutional placement rates of adjudicated/sentenced youth. This model is intended to simultaneously address core issues facing these populations: educational and vocational success for urban youth, and leadership development using positive youth development principles.

WDDP will be a community-based alternative education program that balances project-based learning and occupational skills training that prepare disadvantaged youth for long term career success and opportunities for post-secondary education. The academic component will assist youth who are significantly behind in basic skills to obtain a high school diploma or state equivalency credential or will engage youth in post-secondary schooling opportunities. The occupational skills training component should prepare at-risk youth to gain placement into high demand career pathways and/or further education or training. By teaching youth marketable skills, WDDP will support the goal of increasing positive youth opportunities within the targeted communities. Occupational skills training may include, but are not limited to, trending industries based on local labor market demand such as: building trades, service industries; information technology; healthcare; security; and maintenance.

OCFS is prioritizing this approach to work-based learning to provide education and learning opportunities designed specifically for youth **16 – 24 years old** with **one or more of the following specific** risk factors, ~~who are~~:

- ~~Between the ages of 16 and 24 who are a~~ Court-involved or at-risk of involvement in the youth or criminal justice system
- Disconnected from positive supports

- Members of high need communities, in foster care (including youth aging out of foster care), disabled, not receiving positive family support, or a migrant youth
- Not engaged in traditional education and/or employment opportunities,
- At-risk of being gang-involved or participating in gangs; ~~and~~
- Lacking the skills necessary to obtain education or employment

Please Note: Applicants must propose a program that is designed to serve youth ages 16-24 in at least three of the risk categories identified in the RFP.

This RFP will utilize a Pay for Success approach which is performance based and requires applicants to demonstrate, document, and be able to provide verification of past success delivering services as proposed by the applicant. It requires careful creation of outcome measures, ability to track and collect and report data in a complete, transparent and timely fashion to the State.

Applicants must demonstrate experience and success providing at a minimum: high demand occupational skills training, job training, classroom project-based training, community service, educational programming, life skills training and employment placement. Additionally they must demonstrate the ability to meet the data collection and reporting requirements, either internally or through a partner that is a subcontractor of the Applicant. The term partner(s) is hereinafter defined as a subcontractor(s) of the Applicant.

2.2 OCFS Statewide Considerations

OCFS's mission is to serve New York's public by promoting the safety, permanency and well-being of our children, families and communities. OCFS effectuates results by setting and enforcing policies and building partnerships at the federal, state, county and community levels that impact practice. OCFS funding investments assist communities to create and/or enhance the provision of quality services in the areas of child welfare, juvenile justice, adult protective services, and services for the legally blind and visually impaired.

2.3 Purpose and Funding Availability

At-risk youth face myriad challenges, including lack of social skills, poor impulse control, negative peer groups, antisocial attitudes and beliefs, limited family support, disengagement from school, high crime/high poverty communities, with limited employment opportunities and a lack of employable skills or interests. Combinations of these risk factors place youth at high risk to become justice involved. Community-based interventions that effectively reduce risk factors across the five (5) core domains of Risk Need Responsivity Framework (RNR) are considered evidence-based practices. The five (5) domains include: individual/youth, family, school/education, community/peer and education/vocation. Programs that effectively assess and target these

areas have fueled the increased use of community-based alternatives across the country and decreased the need for residential placement of many youth.

The purpose of this RFP is to solicit qualified organizations with experience providing alternative educational programming and on-the-job training to at-risk youth between the ages of 16-24 with an emphasis on service and leadership development. Participating youth will be involved in structured programming dividing their time between occupational work sites and an alternative educational setting. WDDP is requesting a comprehensive approach that will combine opportunities for young people to learn and develop in many ways concurrently through alternative educational approaches, on-site job training, incentivized work site based training, community service and leadership development.

OCFS strongly emphasizes the use of data and evidence in policy making and program development. Programs must include an evaluation of past performance outcomes to be eligible for this funding opportunity. Those who are able to provide an independent/third-party evaluation will be given preference during the evaluation process. An independent/third-party evaluator is defined as either an individual evaluation consultant or a firm specializing in program/project evaluation. Performance outcomes to be reported on are: program enrollment and completion, academic achievement, skill training, and post-program placement. For more information and examples of identified best practice programs that obtained third party evaluations for at risk youth, please go to the following website: www.crimesolutions.gov

Please Note: The funds available under this RFP may not be used to replace any State or Federal funds that are currently funding existing youth workforce development or educational programs that fall into the four key components of the WDDP program model. WDDP funds must be used to expand existing programs to reach the eligible youth as defined in this RFP or to provide new programming that is not currently being provided by the applicant.

Award Information

This proposal is targeting those geographic areas and urban centers that have high rates of violent crime, justice involved youth and comprise the highest placement rates of adjudicated youth. OCFS will make awards to the highest scoring proposals (in score order) in two separate regions, Long Island and other localities, as defined below. The scores will be determined by combining the financial and technical scores based on the points stated in Section 5.4. Proposals with a combined financial and technical score of at least 70 will be considered for an award.

The New York State Fiscal Year 2018-19 Budget appropriates funds for PFS initiatives to improve program outcomes in various categories including

workforce development. OCFS expects to award up to \$5,500,000 statewide over a two-year period under this RFP.

Of the \$5,500,000 available, OCFS is initially allocating up to \$1,000,000 to eligible applicants proposing to serve the following locations on Long Island:

- Suffolk County - Town of Islip
- Suffolk County - Town of Huntington
- Suffolk County - Town of Babylon
- Nassau County - Town of Hempstead

The remaining funds will be available to eligible applicants proposing to serve the following locations at a **maximum State award amount of \$500,000 over the two year project period**, unless additional funds become available:

- Albany County - City of Albany
- Onondaga County - City of Syracuse
- Broome County - City of Binghamton
- Orange County - City of Newburgh
- Orange County - City of Middletown
- Chautauqua County - City of Jamestown
- Rensselaer County - City of Troy
- Dutchess County - City of Poughkeepsie
- Rockland County - Village of Spring Valley
- Erie County - City of Buffalo
- Schenectady County - City of Schenectady
- Monroe County - City of Rochester
- Ulster County - City of Kingston
- Niagara County - City of Niagara Falls
- Westchester County - City of Yonkers
- Westchester County - City of Mt. Vernon
- Oneida County - City of Utica

Awards to applicants proposing to serve locations in Nassau and Suffolk Counties (per the above list) will be awarded by listing applicants by location, in score order, creating four (4) lists. The highest score from each of these lists will be moved to a separate list, in score order, and awards will be made starting with the highest scoring proposal and moving down the list until all funds are exhausted. In the event funds are still available, secondary awards will be made by recombining all the location lists into one composite list, in score order, and additional awards will be made from the highest scoring proposal and moving down the list until all funds are exhausted. This methodology promotes the distribution of funds to as many locations as possible. Should a portion of the \$1,000,000 remain after awards are made to all qualifying applicants proposing to serve the identified locations in Nassau and Suffolk counties, those funds will be combined with the remaining \$4,500,000.

Awards to applicants proposing to serve counties in the rest of the State, (per the above list), will be awarded by listing applicants by location, in score order, creating seventeen (17) lists. The highest score from each of these lists will be moved to a separate list, in score order, and awards will be made starting with the highest scoring proposal and moving down the list until all funds are exhausted. In the event funds are still available, secondary awards will be made by recombining all of the location lists into one composite list, in score order, and additional awards will be made from the highest scoring proposal and moving down the list until all funds are exhausted. This methodology promotes the distribution of funds to as many locations as possible. In the event all applicants in this category receive awards, any surplus funds will be used to make additional awards to eligible applicants in Nassau and Suffolk counties that have not received an award.

Please Note: Bidders can submit proposals to serve more than one targeted town or city, or the Village of Spring Valley, if they meet all other requirements listed within this RFP, but are **required to submit a separate proposal for each targeted town or city, or the Village of Spring Valley.** **Proposals to serve an entire county or multiple locations within one proposal will not be accepted.**

Required 5% Cash Match

This funding opportunity is a New York State Pay for Success Initiative and applicants are required to provide a 5% cash match verified from existing resources or new funding streams which can also include private donations. **They must be private funds from a non-governmental source.** This match is a **cash contribution** which may be met with existing organizational funds if the source of those funds is non-governmental and obtained through fundraising activities. **The 5% cash match is to be calculated by multiplying the amount of funding being requested from OCFS by 5%.** In-kind donations (such as equipment, furnishings and other non-personal expenses), volunteers (personnel who donate their time to the project), or fees-for-service (income to be received from other clients or services directly) do not satisfy the requirements of the 5% cash match.

Please refer to the example listed below:

An applicant seeking a state award from OCFS of \$100,000 will require \$5,000 in private cash funds to support total project expenditures of \$105,000.

\$100,000	OCFS Funds
+ \$5,000	<u>5% Cash Match From Applicant</u>
\$105,000	Total Project Cost

Some applicants may choose to contribute additional resources to the project, which will increase the Total Project Cost. This is allowable, and will not impact the amount of the required 5% cash match. The additional contributions to the project may come from other funding sources consistent with any funding

requirements established by the source. An accurate Total Project Cost should be included in your proposed budget on **Attachment 1 – Budget Template**.

Please refer to the example listed below:

\$100,000	OCFS Funds
+ \$5,000	5% Cash Match From Applicant
+ \$45,000	<u>Additional Funds Contributed by Applicant</u>
\$150,000	Total Project Cost

Reimbursement of Required 5% Cash Match and Additional 5% of the Award Amount Payments

Awardees who meet all their proposed program performance outcomes by the end of the contract term will be reimbursed their 5% match. The reimbursement of the cash match for successfully meeting performance measures is included in the \$5.5 million total award amount.

An additional 5% of the awarded amount will be paid to awardees who exceed their proposed targets for all five performance targets required by the RFP by at least one youth at the end of the contract term. Individual awards shall not exceed 5% of the initial contract award amount and in no event shall additional sums awarded exceed \$275,000 statewide. OCFS reserves the right to negotiate the awardee's use of the additional 5% of the award amount with all selected applicants after awards are made to ensure appropriate use of State funds.

Agencies that are encouraged to apply include, but are not limited to:

- Faith-based and community organizations;
- An entity carrying out activities under the Workforce Investment Act (WIA), such as a local workforce investment board or American Job Center (formerly known as One-Stop Career Center);
- An educational institution, including a local school board, public school district, or community college;
- A community action agency;
- A state or local housing development agency;
- An Indian tribe or other agency primarily serving American Indians;
- A community development corporation;
- A state or local youth service conservation corps; or
- Any other public or private non-profit entity that is eligible to provide education or employment training under a Federal program.

It is important to note that state reimbursement will not be available until the selected bidder and OCFS enter into a contract approved by the New York

State Office of the Attorney General and the New York State Office of the State Comptroller (OSC). Costs will be paid only for expenditures incurred after the contract start date. Upon approval of the contract, an advance of up to 40 percent of the first year of the contract may be made available to the selected contractor. Claiming will be on a quarterly basis.

OCFS will provide those contractors who are selected to implement the services, copies of all applicable statutes and regulations (9 CRR-NY Title 9 (Executive Department), Subtitle E (OCFS), Parts 164 – 184) required notices to parents and bidders, and any other agency forms and notices. ALL proposed forms and required documents must be reviewed and approved by OCFS prior to their use by the contractor.

As noted in **Section 1.7 OCFS Reserved Rights** above, OCFS reserves the right to place a monetary cap on the funding amount made in each contract award.

2.4 Term of Contract

The contracts awarded in response to this RFP will be for two (2) years. The anticipated start date is **July 1, 2019**, and the anticipated end date will be **June 30, 2021**. Funding is currently anticipated to be available for the first year of the contract, and the award of a multi-year contract does not guarantee that funding will be available for subsequent years. Contractors may not begin to provide services prior to the contract start date; OCFS has no obligation to pay for services rendered prior to that time. Payments cannot be made prior to final approval by OSC of a contract.

Applicants receiving awards will be considered the main contractors to the agreement, responsible for all of the work performed pursuant to the contract, including any work performed by subcontractors. Please note that applicants selected to provide services to multiple targeted towns or cities, or the Village of Spring Valley, only need to execute one contract with OCFS that identifies all locations to be served.

3.0 MINIMUM QUALIFICATIONS TO PROPOSE AND PREQUALIFICATION PROCESS

3.1 Minimum Qualifications

All applicants must meet these mandatory eligibility criteria:

- Be a not-for-profit organization, charitable foundation, not-for-profit educational institution, or a government entity. The PFS budget appropriation that is funding this opportunity precludes for-profit entities from applying. **For-profit entities may not apply.**
- Propose to serve one or more of the eligible sites listed in RFP **Section 2.3 Purpose and Funding Availability.**

- Meet the following two experience requirements either on their own or in combination with the experience of their subcontractor(s) that have worked with the applicant for at least 3 years.
 - Have at least three (3) years of experience teaching youth occupational skills in high demand industries.
 - Have at least three (3) years of experience providing credentialed or registered educational services, including fostering post-secondary opportunities, to high-risk youth.
- Provide documentation of the required 5% cash match as dictated by Section 2.3 of this RFP. This match is a cash contribution from a private funding source to support the total program budget. **They must be private funds from a non-governmental source.** Applicants can use their own cash or cash reserves to meet the cash match requirement, unless the source of the cash or reserves was government funding. Specifics of the cash match documentation requirement are as follows:
 - The documentation **must**:
 - Be in the form of a **letter or agreement**.
 - Be **signed and dated**.
 - Be **notarized** by a notary public.
 - The documentation must **indicate**:
 - The funds will be available **during the term of the contract**.
 - **The dollar amount of cash match funds** being contributed which must be calculated by multiplying the amount of funds being requested from OCFS by 5% consistent with Section 2.3 of this RFP.
 - If the signatory to the document is signing on behalf of the donor of funds, then the documentation **must be signed by an individual authorized by law to bind the donor**.
 - For applicants that are using their own cash or cash reserves, the letter must be **submitted by the applicant indicating that their entity is using existing funds** and the letter must meet the other requirements listed in this section.

Please Note: Any and all timeframes, restrictions, commitments, guidelines and other agreements attached to the funds *must be included* in the documentation

- Be prequalified, if not exempt, in the NYS Grants Gateway on the application deadline.

3.2 Prequalification Process

New York State has instituted key reform initiatives to the grant contract process that require not-for-profit organizations to register in the New York State Grants Gateway System (GGS) and complete the Vendor Prequalification process in order for proposals to be evaluated. After becoming prequalified, Not-for-profit organizations will have the responsibility to keep their information current by updating on an annual basis.

Proposals received from not-for-profit applicants that are not prequalified in the Grants Gateway on the proposal due date and time listed in Section 1.2 Calendar of Events will be disqualified from further consideration.

NOTE: Government entities are not required to prequalify in Grants Gateway, but must register in order to submit an application.

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. [The Vendor Prequalification Manual](#) on the [Grants Reform website](#) details the requirements and an [online tutorial](#) is available to walk users through the process.

3.2.1 Register for the Grants Gateway

- On the Grants Reform website, download a copy of [the Registration Form for Administrator](#). A signed, notarized original form must be sent to the Division of Budget at the address provided in the instructions. You will be provided with a username and password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your username, email grantsgateway@its.ny.gov. If you do not know your password, click the [Forgot Password](#) link from the main log in page and follow the prompts.

3.2.2 Complete Your Prequalification Application

- Log into the [Grants Gateway](#). If this is your first time logging in, you will be prompted to change your password at the bottom of the “Profile” page. Enter a new password and click “SAVE.”
- Click the “Organization(s)” link at the top of the page and complete the required fields including selecting the state agency with which you have the most grant contracts. If you currently do not have any contracts with NYS, select OCFS. This page should be completed in its entirety before you click “SAVE”. A “Document

Vault” link will become available near the top of the page. Click this link to access the main “Document Vault” page.

- Answer the questions in the “Required Forms” and upload “Required Documents.” This constitutes your “Prequalification Application.” “Optional Documents” are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be directed to the agency contact listed in **Section 1.1 Procurement Contact**, or to the Grants Gateway Team at grantsgateway@its.ny.gov.

3.2.3 Submit Your Prequalification Application

- After completing your prequalification application, click the “Submit Document Vault” link located below the “Required Documents” section to submit your prequalification application for state agency review. Once submitted, the status of the document vault will change to “In Review.”
- If expedited review of your prequalification application is desired, please send an email request to the agency contact listed in **Section 1.1 Procurement Contact** and identify your organization by including your Grants Gateway Document Vault (GDV) number, organization name, and Federal EIN or SFS Vendor ID. It is advised that you submit this request prior to, or as soon as possible after, the **Recommended Deadline to Prequalify in the Grants Gateway** noted in **Section 1.2 Calendar of Events**.
- Your document vault will be assigned to a prequalification specialist for review. If your prequalification specialist has questions or requests modifications, you will receive email notification from the GGS.
- Once your prequalification application has been approved, you will receive a GGS notification that you are now prequalified to do business with New York State.

Vendors are strongly encouraged to begin this process as soon as possible and at the latest by the date specified in Section 1.2 Calendar of Events to participate in this opportunity.

3.3 Vendor Responsibility Requirements

Section 163(9)(f) of the NY State Finance Law requires that a state agency make a determination that a bidder is responsible prior to awarding that bidder

a state contract. Vendor responsibility will be determined based on the information provided by the bidder, on-line, through the New York State VendRep System Questionnaire or through a paper copy of the Vendor Responsibility Questionnaire. OCFS will review the information provided before making an award.

OCFS reserves the right to reject any proposal if, in its sole discretion, it determines the bidder is not a responsible vendor. All proposals are subject to a vendor responsibility determination before the award is made, and such determination can be revisited at any point up to the final approval of the contract by the New York State Office of the State Comptroller (OSC). Vendors must maintain their vendor responsibility throughout the duration of the contract.

Enrolling and completing the questionnaire online through the New York State VendRep System is the best method because both the questionnaire and answers are stored in the system. Thus, subsequent questionnaires in response to contracts or Request for Proposals from any state agency would only need to be updated in the VendRep System.

To access or enroll in the VendRep System or update your existing online questionnaire, click [On-line Questionnaire](#). Questionnaires in the VendRep System that have been completed in the last six months in response to contracts or bid announcements do not need to be updated. If the vendor is using the hardcopy notarized questionnaire, then it also has to be current within six months of the due date of the proposal.

Vendors opting to complete a paper questionnaire, can access the questionnaire by clicking the following link: [Paper Questionnaire](#). Please note that there are separate questionnaires depending on the contractor status. Not-for-profit vendors must use the *Vendor Responsibility Questionnaire Not-For-Profit Business Entity* form. For-profit vendors must use the *Vendor Responsibility Questionnaire For-Profit Business Entity* form.

Vendors are also encouraged to have subcontractors file the required Vendor Responsibility Questionnaire online through the New York State VendRep System. These subcontractors are required to submit a questionnaire when the value of the subcontract is \$100,000 or more.

Prior to executing a subcontract agreement, the contractor must provide the information required by OCFS to determine whether a proposed subcontractor is a responsible vendor.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor Identification Number or for direct VendRep System user assistance, the OSC Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at ciohelpdesk@osc.state.ny.us.

The New York State VendRep System offers the following benefits:

- Ease of completion, filing, access to and submission of the questionnaire; efficiencies are multiplied for vendors who bid and contract with the state frequently or with multiple state agencies.
- Questionnaire updates are easily filed by updating only those responses that require change from the previously saved questionnaire (as opposed to a paper copy where a new questionnaire is required each time there is a change).
- The stored questionnaire information eliminates the need to re-enter data for each subsequent questionnaire submission.
- Reduction of costs associated with paper documents including copying, delivery and filing
- Online questionnaire information is secure and accessible to authorized vendor users only. State agencies can only view certified and finalized questionnaires.
- VendRep question prompts ensure that the correct forms are completed.
- The VendRep On-Line System contains links to all definitions of the terms used in the questionnaire.

Note: The vendor responsibility questionnaire must be dated within six months of the proposal due date. Any subcontractors under that proposed contract must also complete a Vendor Responsibility Questionnaire when the value of the subcontract is projected to be \$100,000 or more for the contract term.

Confirmation of **completion** of the vendor responsibility process must be submitted with your proposal. This confirmation can take the form of registration in the VendRep system, or by submitting your completed hardcopy questionnaire. To submit this confirmation with your application, go to the bottom of your certified questionnaire, and click the button called "Form Overview." Print this page and upload it to the proposal. Upload the page into your proposal by going to the "Pre-Submission Uploads" section of the RFP in the GGS. While it is not recommended, you have the option of uploading a completed hardcopy vendor responsibility questionnaire to the "Pre-Submission Uploads" section.

4.0 PROGRAM REQUIREMENTS

4.1 Desired Outcomes and Program Requirements

Program Requirements

The four key components to the WDDP program model:

1. **Academic component:** organizations will be required to provide an alternative education program that assists youth who are functioning below grade level or have dropped out of school to obtain a high school diploma or state high school equivalency credential; organizations should

also demonstrate local partnerships that enable eligible youth to pursue post-secondary educational opportunities.

2. **Occupational skills training component:** organizations will be required to provide occupational skill instruction, to prepare at-risk youth to gain placement into career pathways and/or further education or training. Occupational skills training may include, but are not limited to, trending industries based on local labor market demand such as: building trades, service industries; information technology; healthcare; security; and maintenance. Each program must provide a hands-on training component to demonstrate skill competencies through paid or unpaid internships/apprenticeships.
3. **Supportive Services:** organizations will be required to effectively assess and meet each participant's support needs outside of educational and vocational domains. This may be through case management, direct support services on site, and partnerships with external social services. Many young people who will be eligible for WDDP have histories of trauma and are faced with many complex issues including parenthood, substance use and behavior management. They also may need significant support around basic life skills such as financial literacy.
4. **Post-program job placement component:** organizations are required to help graduating participants move on to careers, post-secondary institutions and apprenticeships once they exit the program. During the program, young people must receive instruction in filing online job applications, online job searches, effective interviewing, conflict resolution, completing college applications and career guidance.

Please Note: Applicants may propose to serve undocumented youth, provided that the youth meet all criteria as stated in this RFP, and applicants provide a plan to assist youth in becoming a documented alien or U.S. citizen. These services can be provided by employees of the applicant or through established partnerships or relationships with an organization that provides these services but must be supported by adequate documentation included with the application.

Program Outcome Requirements

As previously stated in this RFP, WDDP is a PFS funded program and as such quantifiable outcome measures are critical and must be submitted with your proposal. The finalized measures approved by OCFS will also be included in any resulting contract. Below is the list of measures that OCFS requires. Only the required outcome measures will be scored. Additional outcome measures may be added to Attachment 3 by the proposer for OCFS post-award consideration, but will not be included in the evaluation of this RFP.

All outcome measurements must be disaggregated by race, ethnicity, gender, zip code, and risk factor. Bidders must identify the number of youth who will be served in the city and surrounding areas and the scope and number of projects that will be completed under this contract. **Applicants are encouraged to propose reasonable goals, as the outcome measurements are a scored component of your application.** The table below is available as **Attachment 3 - Required Outcome Measures**. This attachment may be downloaded from the “**Pre-Submission Uploads**” section of your online application and must be completed and uploads/attached back to that section for inclusion in your application submission.

Category A	Category B	Category C	Category D	Category E
Program Enrollment Outcome Measurements	Academic Outcome Measurements	Skill Training Outcome Measurements	Post-Program Placement	Support Services
% of youth enrolled in the program that will have at least 3 of the identified risk factors listed in RFP section 2.1	% of youth who will complete the program experience literacy/ numeracy gains	% of youth that will demonstrate basic competency in entry-level occupational skills	% of youth who successfully complete the program that will be placed in paid jobs/ apprenticeships or go on to other higher educational opportunities	% of youth that will be assessed for supportive service needs within 30 days of program enrollment date
% of enrollees that will successfully complete the program within 2 years	% of enrolled youth that will receive a TASC or HS diploma or will be enrolled in post-secondary education	% of enrolled youth will earn an industry recognized certificate	% of youth who have previous justice involvement that will have no arrests while in the program	% of youth that will receive services for needs identified

Please note: OCFS reserves the right to prescribe the data collection and evaluation methodology for all proposers after awards are made.

4.2 Accessibility of Web-Based Information and Applications

Any web-based Intranet and Internet information and applications development or programming delivered pursuant to this procurement must comply with New York State Enterprise IT Policy NYS-P08-005, *Accessibility Web-Based Information and Applications*, and New York State Enterprise IT Standard NYS-S08-005, *Accessibility of Web-Based Information Applications*, as such policy or standard may be amended, modified or superseded, which

requires that state agency web-based intranet and internet information and applications are accessible to persons with disabilities. Web content must conform to New York State Enterprise IT Standards NYS-S08-005 as determined by quality assurance testing. OCFS will conduct such quality assurance testing and the test results must be satisfactory to OCFS before web content will be considered a qualified deliverable under the contract or procurement.

5.0 PROPOSAL CONTENT AND SUBMISSION

5.1 Technical Proposal Content/Work Plan (Amended 3-8-2019)

NOTE: This section describes the content requirements of the Work Plan and how to prepare your Work Plan to assist you with your application. Please refer to **Section 5.5 Proposal Submittal Process**.

The purpose of the Work Plan is to provide a clear description of what requested project funds will pay for, the expected outcomes for the proposed project services and the programmatic rationale for the proposed project budget. The Work Plan must be in compliance with all applicable state and federal laws, rules, and regulations and be responsive to the desired outcomes identified in **Section 4.1 Desired Outcomes and Program Requirements** of the RFP and provide value to the OCFS mission. OCFS expects that all project services funded by this initiative will be designed to be culturally and linguistically competent and cost efficient. Appropriate planning and development activities must be conducted by applicants to promote responsiveness to the target population of this RFP. Services provided must accommodate cultural and linguistic requirements of the target population and/or community to be served.

Prior to entering their responses to the application in the GGS, applicants should create a word document from the Work Plan Template available in GGS and use it in preparing proposed responses to questions on the Work Plan (**See Section 5.4 Proposal Content.**) To use the Work Plan template:

1. Download the Work Plan template from the “Pre-Submissions Uploads” folder in your grant application.
2. Complete the Word document, and save it to refer to later when responding to questions as part of your proposal submission in the grants gateway system. This document **will not** be submitted into the GSS with your application.
3. Save the Work Plan for future reference, because if the applicant is awarded a contract, this document will be the basis for the Work Plan in the subsequent contract for services.

The Work Plan consists of the following sections:

- A. Proposed Project Description
- B. Organizational Experience and Capacity

C. Performance Measures

Your proposal will be rated based on your organization's responses to the sections listed below. Please be sure to address all of the questions in each section comprehensively, yet succinctly. The number of points allocated to each area in the technical review appear in (parentheses) after each section below. OCFS reserves the right to add additional bonus points to the final score/rating for proposals that are responsive to **Section 2.2 OCFS Statewide Considerations**. RFPs that include the applicants' ability to receive additional bonus points will state such in **Section 6.3 Bonus Points: RECC**.

Guidelines for Each Section

A. Proposed Project Description (40 points)

1. Provide a rationale for the geographic community you are proposing to serve—describe the demographic issues, including economic and housing factors assessed, levels of crime/violence, etc. Provide sources for your data.
2. Identify the number of youth you are proposing to serve over the two year period. If the program is proposing a cohort-based methodology, provide a description of that. If the enrollment is open, please define the length of time youth are proposed to complete the program services.
3. Describe the approach to identifying, recruiting and retaining the target population. Provide a rationale or demonstrate previous success in recruiting and retaining youth who are traditionally service-resistant or educationally have been unsuccessful. Provide any evidence of the success of your proposed approach.
4. Describe, in what manner, participants will be incentivized to take part in the program full time. through your agency, community partners or subcontractors.
5. Describe all proposed civic engagement/community service programs/opportunities.
6. Describe the proposed structure of the program and for each include the rationale and demonstrate previous success with this approach that will allow the proposer to meet the proposed outcome measures. This must include but not be limited to:
 - (a) **Risk categories: Identify at least three of the RFP Section 2.1 risk categories that the program is designed to serve.**
 - (b) Educational program: Describe the educational program model you are proposing to use and the number of hours per day or week youth will receive educational programming.

- (c) Skills Training: Describe the type and scope of the skills training models you are proposing to use and include the number of hours per day or week that youth will receive occupational skills training. Demonstrate the ability to successfully provide industry-recognized certificates.
 - (d) Support Services: Describe the approach to support services as defined in section 4.1.3. Include any partners being proposed.
 - (e) Post-placement services. Describe the approach to post-placement services and include any partnerships with unions, employers, civic organizations etc.
7. The applicant must demonstrate their ability to provide the resources, materials and approvals necessary to train participants. All eligible applicants must submit a letter of agreement signed by both the applicant and each subcontractor or partner providing any of the direct participant services specifically for the WDDP program proposed in the application. The letter must be signed by individuals authorized by law to bind the organizations to a contract. The letter should include the name of the organization the applicant is partnering with or subcontracting to, the service(s) that the partner or subcontractor organization agrees to provide for this project and the general obligations of both the partner or subcontractor and the applicant in the performance of this project.

Please Note: Applicants will be required to subcontract with any entity with whom they have entered into a letter of agreement with to provide services for this program.

B. Organizational Experience and Capacity (20 points)

- 1) Describe the past accomplishments, special characteristics, and resources of your organization that are predictive of your success in achieving the stated performance objectives.
- 2) Demonstrate the organizations ability to collect, analyze and report all proposed outcome measures. Submit the organization's most recent independent/third party evaluation or organization's internal evaluation of specific performance targets that have been measured in the organization's current programs.
- 3) Identify the key people in the organization who are primarily responsible for delivering the program and reaching the performance objectives. Provide a copy of the proposed program and overall organizational chart.
- 4) Provide a description of the proposed staff. Demonstrate how they meet the requirements to be culturally and linguistically competent. Provide job descriptions and qualifications for staff.

C. Performance Measures (20 points)

- 1) Provide the percentage being proposed for each of the outcome targets on **Attachment 3 - Required Outcome Measures** as required by RFP section 4.1. Describe how the proposed outcome measures are reasonable and realistic. Only the required outcome measures will be scored. Additional outcome measures may be added to Attachment 3 by the proposer for OCFS post-award consideration, but will not be included in the evaluation of this RFP.
- 2) Describe how the proposer will define and measure successful completion of the program.
- 3) Describe how the proposer will measure gains in literacy and numeracy.
- 4) Describe how the proposer will define and measure basic competency in entry-level occupational skills.
- 5) Describe the proposed approach to data collection and reporting to OCFS. Include a description of all qualitative and quantitative methods.

Please note: OCFS reserves the right to adjust, data collection and evaluation methodologies for all proposers after awards have been made.

5.2 Proposed Budget

The budget section is worth up to 20 points.

To complete the **Attachment 1 – Budget Template** budget in the GGS, you must do the following:

1. **Download the budget from the “Pre-Submission Uploads” section** in your grant application;
2. **Complete that document and upload (attach) your completed form to the “Pre-Submission Uploads” section of your grant application.**

Follow these instructions carefully as you complete the budget. The budget for this project must be in compliance with all applicable state and federal laws, rules, and regulations. Use the following directions to briefly describe the expenses included in each budget category. The detail requested is essential to expedite the contract process. Accuracy and completeness are critical.

Please Note: The budget submission should reflect the total amount of funds being requested from OCFS over the two-year contract period, including the 5% cash match (which should be entered into the “Local Share” column of the budget). Some applicants may choose to contribute additional resources to the project, which will increase the “Total Cost” column on the budget form. This is allowable, and will not impact the amount of the required 5% cash match. The 5% cash match will be calculated by multiplying the amount of

funding being requested from OCFS by 5%. The additional contributions to the project may come from other funding sources consistent with any funding requirements established by the source. An accurate Total Project Cost should be included in your proposed budget on **Attachment 1 – Budget Template**.

The Budget must include the following:

- The cost of items is described in the budget narrative and for every line item of expense, the specific calculations for determining the total cost of each item is included in the narrative.
- All items covered by OCFS funds are directly related to the provision of services indicated in the proposal.
- All expenses are incurred *within* the contract period.
- All shared costs are prorated and the basis of the proration explained.
- Reimbursement for travel, lodging and mileage costs do not exceed the state rates currently in effect.
- All amounts listed on the budget summary form reconcile with the relevant budget narrative information.
- The total Grant Funds agrees with the amount requested on the Contract Face Page.

Non-Allowable Costs

The following items *cannot be included* as OCFS-funded costs within the project budget:

- Major capital expenditures such as acquisition, construction or structural renovation of facilities
- Interest costs, including costs incurred to borrow funds
- Costs for preparation of continuation agreements and other proposal development costs
- Costs of organized fundraising
- Legal fees to represent agency/staff
- Advertising costs, except for recruitment of project personnel, program outreach and recruitment of participants
- Entertainment costs, including social activities for program and staff, unless directly associated with the project
- Costs for dues, attendance at conferences, or meetings of professional organizations, unless attendance is necessary in connection with the project

Applicant Match

There is a required 5% cash match as dictated by Section 2.3 of this RFP. This contribution is a cash contribution from a private funding source to support the total program budget. **They must be private funds from a non-governmental source.** **The 5% cash match is to be calculated by**

multiplying the amount of funding being requested from OCFS by 5%. In-kind donations (such as equipment, furnishings and other non-personal expenses), volunteers (personnel who donate their time to the project), or fees-for-service (income to be received from other clients or services directly) do not satisfy the requirements of the 5% cash match.

- Applicants can use their own cash or cash reserves to meet the cash match requirement, unless the source of the cash or reserves was government funding. See Section 3.1, Minimum Qualifications for the required match letter that must be submitted with your proposal.
- Other Federal or State funds cannot be used as a match.
- The local share match may be reflected in any budget category. It does not need to be in the same category as the required OCFS funds.
- The local match must be cash.

Note: The applicant cash match should be entered into the **Attachment 1 – Budget Template** in the Local Share/Local Match Column.

A. Personal Services

1. Personal Services - Personnel

Personal Services (Salaries):

- List only staff positions included in the funded project.
- List the percentage of time each staff member will spend on this project.
- The percentage of time an employee is engaged in this project (or projects) cannot exceed 100 percent.
- List the base (annual) salary for each staff position. The base salary should reflect the employee's actual annual salary. The annual salary should be consistent across all projects that the employee's time is charged to.
- If a position has both administrative and programmatic responsibilities, show the position on two lines, one for programmatic responsibilities with associated percentage of time and one for administrative responsibilities with associated percentage of time. Identify administrative positions in the "Personal Narrative." The percentage of time for the position cannot exceed 100 percent.
- If the proposed project is currently operational, provide information on the percentage of salary increases, if any, included in the requested budget. Justification for raises must be provided. If you anticipate cost of living or merit raises during the contract year, include the increases in the base annual salary charged to the project and note the effective date of the raise.

Personal Services Salary Narrative: Give a brief description of the administrative or program related responsibilities of each staff position supported by the grant funds.

2. Personal Services – Fringe Benefits

Fringe benefits should be budgeted in line with your organization's policy. The total fringe benefits chargeable to this contract should not exceed the current approved fringe rate, which can be found on the NYS Office of the State Comptroller's website at [Fringe Benefits](#). A higher rate may be considered with justification; any such justification must be included with your application.

Fringe Benefits Narrative:

- List the fringe benefit rate(s) and the positions to which the rate(s) apply.
- Provide a complete list of benefits used to calculate rate(s) (e.g., Social Security-FICA, NYS Unemployment Insurance-SUI; NYS Disability Insurance and Worker's Compensation). These can be listed on the extra lines under "Personal Services." Be sure to clearly identify "Fringe."

Non-Personal Services (NPS)

Use of MWBEs for Discretionary Purchases

Contractors are required to spend thirty percent of their discretionary budget through a New York State-certified Minority or Women-Owned Business Enterprise (MWBE) in compliance with Article 15-A of the NYS Executive Law. As your organization develops its NPS budget for this contract, you must identify the discretionary purchases that are subject to the MWBE goal (See section 7.10 for more information.) The following NPS budget categories are subject to the MWBE goal:

NPS Budget Category	MWBE Goal
1. Contractual/Consultant	Discretionary expenses in this category subject to MWBE goal
2. Travel	Non-discretionary - exempt
3. Equipment	Discretionary expenses in this category subject to MWBE goal
4. Supplies	Discretionary expenses in this category subject to MWBE goal
5. Other Expenses	
a. Space/Property (Own)	Non-discretionary - exempt
b. Utilities	Non-discretionary - exempt
c. Operating Expenses	Discretionary expenses in this category subject to MWBE goal
d. Printing Services	Discretionary expenses in this category subject to MWBE goal
e. Other Expenses/Miscellaneous	Discretionary expenses in this category subject to MWBE goal
f. Other Expenses/Miscellaneous –	Non-discretionary - exempt

Administrative Expense	
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Use the DISCRETIONARY BUDGET NARRATIVE WORKSHEET of Attachment B – BUDGET SUMMARY to specify the portion of your NPS budget subject to the MWBE spending goal.

- Provide an explanation for all items excluded from the MWBE spending goal.
- Calculate the amount of the MWBE participation goal to be met based on this total discretionary NPS.

NPS Budget Categories

All budget items must be for commodities to be purchased during the contract period that in direct support of services related to the project; or for contractual/consultant services to be rendered during the contract period that directly support the project.

1. Contractual/Consultant Services

This category includes costs for institutions, individuals or organizations external to the agency.

- Specify the services to be provided and indicate how the cost was determined.
- Delineate between administrative and program cost.
- If an award is made, the contractor must get prior written approval from OCFS for any agreement, or series of agreements, with a single subcontractor that exceeds \$50,000 or 50 percent of the total contract value during the contract term. The contractor must receive such approval prior to executing the subcontract agreement, implementing any activity under its term or expending contract funds under its term. Prior approval is also required for any cost or term amendment to approved subcontracts or as otherwise requested by OCFS. All subcontract agreements, regardless of dollar value, must be submitted to OCFS prior to claim for services being submitted.
- For office or other program space rental or lease include copy of rental or lease agreement and method of cost allocation of space.
- For equipment rentals:
 - Clearly describe item(s).
 - Include model # and specifications if possible.
 - Indicate term and rate of rental.
 - Provide a justification for the rental of all equipment by giving a brief description of the program related need supported by grant funds.
- Vehicle lease for participant travel, when such travel has been approved by OCFS, must be programmatically justified. A copy of the lease agreement must be provided to OCFS prior to claim payment. Also, the

OCFS share of travel expense must be based upon state guidelines; payment cannot exceed the state rates currently in effect.

- Explain the purpose of the travel.
- Number of participants.
- Estimated miles.
- Frequency of travel (e.g., per day, per week).
- Be as clear as possible in explanation of need and cost.
- Show the percentage of time the vehicle will be used by the project and only include requested funds for this percentage.
- If a subcontractor or consultant expense is more than \$15,000, three written bids are required. If you are unable to obtain three written bids, a justification as to price reasonableness is required. If other than the lowest bidder was selected, please provide justification.
- If the consultant/contractor is reimbursed at an hourly rate, the hourly rate and the number of hours must be calculated accurately and be included in the budget narrative.
- Indicate whether consultant's rate includes travel and lodging.

2. Travel

- Travel costs include the following: air, train, bus and taxi fare; personal auto, parking fees, tolls, lodging and meals. Conference fees or outside training costs for staff to attend that are integral and essential part of this particular program and necessary in connection with the project to be funded.
- Explain which staff will be traveling and the destination, purpose, and frequency of travel.
- For local/day travel and extended travel, list the following for each trip: destination, length of stay, purpose, number of travelers, mode of transportation and its cost, meals and lodging costs.
- Includes staff travel only.
 - Consultant travel should be shown under the "Contractual/Consultant Services" category.
 - Client travel should be shown under the "Other Expenses" category.
- Reimbursement for travel, lodging, and mileage costs will not exceed the state rates then in effect.

NOTE: The OCFS share of travel expense must be based upon state guidelines; payment cannot exceed the state rates currently in effect. Refer to <http://www.osc.state.ny.us/agencies/travel/travel.htm>

- All out of state travel must be pre-approved by OCFS.

3. Equipment

This section is used to itemize the purchase of equipment.

- Equipment is defined as tangible personal property having an acquisition value of \$5,000 or more per unit.

- Obtain three written bids for any single item. If a bidder other than the low bidder is selected, a statement must be submitted explaining why that vendor was selected.
- Any budget requests for equipment purchase **using grant funds** must be fully explained and justified by program need. Note that equipment purchases are generally not allowed for a contract with a term of 12-months or less.
- Delineate between administrative and program costs.
- If the item is to be used by more than one program, the cost must be prorated.
- Explain the program function and need for each item. Be as specific as possible.
- Clearly describe each item, including type and cost.
- Vehicles cannot be purchased. They may be leased if required for program operation. If vehicles are leased, the costs must be listed under the “Contractual/Consultant Services” section of the

Equipment Narrative: Give a brief description of the program related equipment supported by grant funds. Include basis of allocation of costs between programs, if applicable.

4. Supplies

- List major supply items (used for office, program, janitorial, etc.)
- Supplies are defined as tangible personal property (including computers, computer equipment, tables, etc.) having an acquisition value of less than \$5,000 per unit. Obtain three written bids for any single item costing over \$2,500. Obtain three written or verbal quotes for any single item costing \$2,500 or less. If a bidder other than the low bidder is selected, a statement must be submitted explaining why that vendor was selected.
- Delineate between administrative and program items.
- Describe items to be purchased and provide details showing how estimated costs were developed.
- Justify these costs in terms of number of staff and programmatic functions, and how the request relates to service provision.

5. Other Expenses

“Other Expenses” are costs that do not fall under the previous budget categories. Examples are occupancy costs for owned buildings, utilities, operation expenses, printing services, allowable administrative overhead, and other miscellaneous expenses.

a. Space/Property (Own)

If the grantee owns the building, they must charge occupancy costs other than rental costs. Occupancy costs must be true costs made to a third party,

for example, mortgage payment (exclusive of property/school taxes), cleaning costs, snow removal and general maintenance.

- Provide description of space.
- Provide justification.
- Provide itemization of total costs.
- Provide method of cost allocation of space.

Space/Property Own Narrative: Provide a detailed explanation of all space and property costs supported by grant funds.

b. Utilities

Provide a budget line for each utility cost. This may include electric, heat, telephone, other communication services and internet.

Utilities Narrative: Provide a detailed explanation of all utility costs and how costs here are allocated to this grant.

c. Operating Expenses

This section is used to itemize costs associated with the operation of the program, including but not limited to, insurance, bonding, photocopying and advertising. Provide a budget line for each item.

Operating Expenses Narrative: Provide a detailed explanation of each operating expense and how costs here are allocated to this grant.

d. Printing Services

- All agencies and subcontractors must make reasonable efforts to secure the lowest responsible bidder for printing services.
- In instances where the cost of a printing job exceeds \$5,000, documentation of three (3) telephone bids is required showing that the lowest cost source has been used. This information must be provided with the *payment* claim. The state strongly encourages the participation and utilization of minority and women-owned printing firms.
- Program materials printed using these funds must be pre-approved by OCFS.

Printing Services Narrative: Provide a detailed explanation of all printing expenses.

e. Miscellaneous Expenses

- Food and refreshments are not allowable expenses for staff.
- Include items that are not applicable under any other category and that are directly related to the services to be provided.

- These items may include postage, client travel, shipping, delivery and messenger services audio-visual services, (see note below for more specific instructions), materials, development costs, advertising costs for recruiting new hires, books, journals, periodicals, computer time and library services.
- Information on these costs, including how the estimates were calculated (e.g., cost per hour, cost per page, cost per square foot, etc.) should be provided in the budget narrative.
- Delineate between administrative and program items.
- Itemize any additional miscellaneous expenses that are allowed for this project that do not fall under any other budget category.

Miscellaneous Expenses Narrative: Provide a detailed explanation of each miscellaneous expense.

f. Administrative Expense

This category cannot include any items directly charged in other budget categories. Include the base on which the administrative expense will be charged.

A. For Federally Funded Awards (Not Applicable)

For federally funded contracts (includes any contract supported in whole or in part with federal funds):

- OCFS will reimburse the federally approved indirect cost rate for federally funded contracts up to any statutory caps required by the funding streams and in accordance with the terms and conditions of the federal award. A copy of the federally approved indirect cost agreement, with narrative, addendum, and an expiration date must be submitted as part of the proposal.
- If your agency does not have a federally approved indirect cost agreement, and your agency is a non-federal entity that has never received a negotiated indirect cost rate, except for a governmental department or agency unit that receives more than \$35 million in direct federal funding, you may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) or you may elect to follow the rules for State-Funded Awards in 2. below. Please see federal regulations at 2 CFR 200.414(f) for the applicable legal requirements for this option.
- MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward. MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission,

scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000.

- Use of a federally approved indirect cost rate, or the de minimis rate, as described above, if applicable, must be in accordance with all applicable federal rules to include 2 CFR Part 200.

All costs claimed under the contract must be directly attributable to the project. State Finance Law and Generally Accepted Accounting Principles require that any expense incurred over more than one funding source or program must be charged proportionately, and the method of allocation must be documented.

B. For State-Funded Awards

Total administrative costs are limited to 15 percent of the total grant award.

- Total administrative expenses are limited to 15 percent of the grant award, less expenses for equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subcontract in excess of \$25,000.
- Administrative expenses include, but are not limited to
 - that portion of the salaries and benefits of staff performing administrative and coordination functions that cannot be attributed to particular program services, including but not limited to the executive director or chief executive officer, financial officers such as the chief financial officer or controller and accounting personnel, billing, claiming or accounts payable and receivable personnel, human resources personnel, public relations personnel, administrative office support personnel, and information technology personnel, where such expenses cannot be attributed directly to the provision of program services;
 - that portion of expenses for office operations that cannot be attributed directly to the provision of program services, including telephones, computer systems and networks, professional and organizational dues, licenses, permits, subscriptions, publications, audit services, postage, office supplies, conference expenses, publicity and annual reports, insurance premiums, equipment that is expensed (rather than depreciated) in cost reports, where such expenses cannot be attributed directly to the provision of program services; and
 - up to the first \$25,000 of each subcontract.

- Indirect costs are considered in the total administrative costs for this project (indirect cost plus any directly charged administrative personnel, related fringes and non-personal services).
- Some common methods of allocating indirect costs are based upon time, space, units of service or percentage of funding.
- All administrative costs must be individually identified

All costs included in the direct cost categories must be directly attributable to the project. State Finance Law and Generally Accepted Accounting Principles require that any expense incurred over more than one funding source or program must be charged proportionately, and the method of allocation must be documented.

6. Discretionary Budget Narrative Worksheet

On this worksheet (Attachment B – Budget Summary) you record the total amount of your discretionary budget that will be spent through a New York State-certified Minority or Women-Owned Business Enterprise (MWBE). The total budget amount for budget categories that are considered discretionary are recorded on in the “Total OCFS Funds” column of this worksheet as you complete the other parts of the budget.

- In the right-hand column, enter the “Total Discretionary Funds” that are subject to the MWBE spending goal.
- For any category where the “Total Discretionary Funds” is less than the “Total OCFS Funds,” provide an explanation in the appropriate category of the amount excluded and why it is non-discretionary.
- The amount that you must spend with an MWBE will automatically be calculated.

Please note that when you are completing the budget in the Grants Gateway, you are required to upload the budget document into the “Pre-Submission Uploads” section of your application. Please be aware that this document must be converted to a PDF before it can be uploaded to the system.

5.3 Key Concepts

- **Hands-on occupational skills training**: A key component of the program is providing training experiences in occupational skills to prepare at-risk youth to gain placement into high demand career pathways and/or further education or training. Occupational skills training may include trending industries based on local labor market demand such as: building trades, service industries; information technology; healthcare; security; and maintenance.

- **Educational experiences:** Programs must offer participants educational opportunities, such as basic skills instruction and remedial education, bilingual education, secondary education leading to the attainment of a high school diploma or its equivalent, and counseling and assistance in attaining post-secondary education and required financial aid.
- **Leadership training:** Programs must offer training that enables youth to develop leadership skills and prepare them to serve their communities.
- **Underlying support services:** Programs must provide services that will reinforce participants' chances of success.
- **Counseling services:** Programs must provide services to assist trainees in personal, health, housing, childcare, family, or legal problems and/or referral services to appropriate social service resources.
- **Incentives and stipends:** Financial reimbursements to youth to enable participants to take part in the program full time.
- **Job development and placement activities** programs will include post-graduate job placement and follow-up assistance.

5.4 **Proposal Content** (Amended 3-8-2019)

The proposal will consist of responses to the following questions in the Grants Gateway. These will be found in the “**Program Specific Questions**” section of the online application.

Applicants must complete all of the following program questions and provide all required uploads for the application to be considered complete. Please note that all questions in the Grants Gateway will only allow one document to be uploaded per question. The Reports/Multiple documents should be combined into ONE SINGLE FILE no larger than 10MB in size. If this is not possible, it is permissible to submit additional uploads to the “**Grantee Document Folder**”. Please ensure all uploads are clearly identified and labeled. DO NOT UPLOAD PASSWORD PROTECTED OR SECURED DOCUMENTS. ENSURE ALL PASSWORDS ARE REMOVED PRIOR TO UPLOADING IN THE GRANTS GATEWAY.

Administrative Questions

Required documents must be uploaded as an attachment in the “**Program Specific Questions**” section of the Grants Gateway System as part of your response to applicable questions. If there are insufficient upload slots, it is permissible to submit additional uploads to the “**Grantee Document Folder**”. Please ensure all uploads are clearly identified and labeled.

No.	Question	Yes/No
1.	Is the applicant a not-for-profit organization, charitable foundation, not-for-profit educational institution, or a government entity? For-profit entities may not apply.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
2.	Do you propose to serve one of the eligible counties and sites listed in RFP Section 2.3 Purpose and Funding Availability ? Indicate the county and site being proposed.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
3.	Do you and/or your subcontractor(s) that have worked with you for at least three years have at least three (3) years of experience teaching youth occupational skills in high demand industries? <ul style="list-style-type: none"> ○ Provide a list of projects in high demand industries that your organization and/or your subcontractors have participated in, including the names and site addresses where the projects took place, dates the project took place, a description of the project, and contact information for the project lead. ○ Upload relevant supporting documentation, which may include licenses, reports, and/or permits, that demonstrate the project took place. 	<input type="checkbox"/> Yes <input type="checkbox"/> No *
4.	Does the applicant and/or your subcontractor(s) that have worked with you for at least three years have at least three (3) years of experience providing credentialed or registered educational services to high-risk youth? <ul style="list-style-type: none"> ○ Describe the credentialed or registered educational services your organization and/or your subcontractors have provided, including the names and site addresses where the services were provided, dates the services took place, and provide a summary of the curriculum that was used. ○ Upload relevant supporting documentation, which may include authorizations, certifications, or registrations, that demonstrate your organization is authorized to provide these services. 	<input type="checkbox"/> Yes <input type="checkbox"/> No *
5.	Does the match letter(s) identify the dollar amount of cash match funds being contributed which must be calculated by multiplying the amount of funds being requested from OCFS by 5% consistent with Section 2.3 of this RFP? This match is a cash contribution from a private funding source to support the total program budget. <u>They must be private funds from a non-governmental source.</u> Applicants can use their own cash or cash reserves to meet the cash match requirement, unless the source of the cash or reserves was government funding. Specifics of the cash match documentation requirement are as follows: <ul style="list-style-type: none"> ○ The documentation <u>must:</u> <ul style="list-style-type: none"> ▪ Be in the form of a <u>letter or agreement.</u> ▪ Be <u>signed and dated.</u> 	<input type="checkbox"/> Yes <input type="checkbox"/> No *

	<ul style="list-style-type: none"> ▪ Be <u>notarized</u> by a notary public. ○ The documentation must <u>indicate</u>: <ul style="list-style-type: none"> ▪ The funds will be available <u>during the term of the contract</u>. ▪ <u>The dollar amount of cash match funds</u> being contributed which must be calculated by multiplying the amount of funds being requested from OCFS by 5% consistent with Section 2.3 of this RFP. ▪ If the signatory to the document is signing on behalf of the donor of funds, then the documentation <u>must be signed by an individual authorized by law to bind the donor</u>. ▪ For applicants that are using their own cash or cash reserves, the letter must be <u>submitted by the applicant indicating that their entity is using existing funds</u> and the letter must meet the other requirements listed in this section. <p>Please Note: Any and all timeframes, restrictions, commitments, guidelines and other agreements attached to the funds <i>must be included</i> in the documentation.</p>	
6.	Are you prequalified, if not exempt, in NYS Grants Gateway by the application deadline (see Section 3.2 Prequalification Process)?	<input type="checkbox"/> Yes <input type="checkbox"/> No *
7.	Have you completed the Vendor Responsibility Questionnaire and has it been recently certified (see Section 3.3 Vendor Responsibility Requirements)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.	Provide the name, mailing address, and phone number of the executive director of your organization who should receive notification of award/non-award.	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Provide the email address of the executive director of your organization who should receive notification of award/non-award.	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.	Provide the name, title, mailing address, and phone number of a second individual in your organization who should receive notifications regarding this proposal.	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.	Provide the email address of a second individual in your organization who should receive notifications regarding this proposal.	<input type="checkbox"/> Yes <input type="checkbox"/> No
12.	Is your Charities Registration current?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13.	Do you understand that applicants can submit proposals to serve more than one targeted town or city, or the Village of Spring Valley, if they meet all other requirements listed within this RFP, but are <u>required to submit a separate proposal</u> for each targeted town or city, or the Village of Spring Valley?	<input type="checkbox"/> Yes <input type="checkbox"/> No *
14.	For applications to serve locations outside of Long Island, does your budget limit OCFS funds to \$500,000 over the two-year project period?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

15.	Do you certify under penalty of perjury that, by submission of this bid, each bidder and each person signing on behalf of any bidder, and in the case of a joint bid each party thereto as to its own organization, has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees, and that such policy does, at a minimum, meet the requirements of section two hundred one-g of the labor law? Please note that a bid will not be considered for award nor will any award be made to a bidder who is not able to make this certification in compliance with State Finance Law section 139-l; provided, however, that if the bidder cannot make the foregoing certification, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof.	<input type="checkbox"/> Yes <input type="checkbox"/> No
* A “No” response to administrative questions 1 through 6 and 13 of this section or failure to submit the required documentation with your application will result in disqualification of your application.		

Work Plan Questions (Up to 80 points)

The Work Plan Template is available in the **“Pre-Submission Uploads”** section of the Grants Gateway System. Use this document to help prepare proposed responses to the **“Program Specific Questions”** section of your application in the Grants Gateway System. The Work Plan Template will not be uploaded or submitted with your application.

Please refer to **Section 5.1 Technical Proposal Content/Work Plan** for additional information and guidelines regarding these questions.

If any responses to individual questions exceed the 4000-character limit, please enter "See Attached Upload" in the text field for the response to that question, attach, and upload your complete and clearly labeled response to the overflow question at the bottom of the **“Program Specific Questions”** section of your online application.

No.	Question	Max. Points
A. Proposed Project Description (Up to 40 points)		
A1.	Provide a rationale for the geographic community you are proposing to serve—describe the demographic issues, including economic and housing factors assessed, levels of crime/violence, etc. Provide sources for your data.	4
A2.	Identify the number of youth you are proposing to serve over the two year period. If the program is proposing a cohort-based methodology, provide a description of that. If the enrollment is	7

	open, please define the length of time youth are proposed to complete the program services.	
A3.	Describe the approach to identifying, recruiting and retaining the target population. Provide a rationale or demonstrate previous success in recruiting and retaining youth who are traditionally service-resistant or educationally have been unsuccessful. Provide any evidence of the success of your proposed approach.	6
A4.	Describe, in what manner, participants will be incentivized to take part in the program full time. In addition, please identify whether this incentive is to be provided by the applicant or through community partners or subcontractors.	5
A5.	Describe all proposed civic engagement/community service programs/opportunities.	3
A6.	Describe the proposed structure of the program and for each include the rationale and demonstrate previous success with this approach that will allow the proposer to meet the proposed outcome measures. This must include but not be limited to: (a) Risk categories: Identify at least three of the RFP Section 2.1 risk categories that the program is designed to serve. (b) Educational program: Describe the educational program model you are proposing to use and the number of hours per day or week youth will receive educational programming and (c) Skills Training: Describe the type and scope of the skills training program models you are proposing to use and include the number of hours per day or week that youth will receive occupational skills training. Demonstrate the ability to successfully provide industry-recognized certificates. (d) Support Services: Describe the approach to support services as defined in section 4.1.3. Include any partners being proposed. (e) Post-placement services. Describe the approach to post-placement services and include any partnerships with unions, employers, civic organizations etc.	10
A7.	The proposer must demonstrate their ability to provide the resources, materials and approvals necessary to provide all proposed services to program participants. All eligible applicants must submit a letter of agreement signed by both the applicant and each subcontractor or partner providing any of the direct participant services specifically for the WDDP program proposed in the application. The letter must be signed by individuals authorized by law to bind the organizations to a contract. The letter should include the name of the organization the applicant is partnering with or subcontracting to, the service(s) that the partner or subcontractor organization agrees to provide for this project and the general obligations of both the partner or subcontractor and the applicant in the performance of this project.	5

	Upload the documents demonstrating ability to provide the resources, materials and approvals necessary to provide all proposed services to program participants. This should include required partner and subcontractor letters of agreement. Please note: Applicants will be required to subcontract with any entity with whom they have entered into a letter of agreement with to provide services for this program.	
B. Organizational Experience and Capacity (Up to 20 points)		
B1.	Describe the past accomplishments, special characteristics, and resources of your organization that are predictive of your success in achieving the stated performance objectives.	5
B2.	Demonstrate the organization's ability to collect, analyze and report all proposed outcome measures. Upload the organization's most recent independent/third party evaluation or organization's internal evaluation of specific performance targets that have been measured in the organization's current programs.	5
B3.	Identify the key people in the organization who are primarily responsible for delivering the program and reaching the performance objectives. Upload a copy of the proposed program and overall organizational chart.	5
B4.	Provide a description of the proposed staff. Demonstrate how they meet the requirements to be culturally and linguistically competent. Upload job descriptions/qualifications for staff.	5
C. Performance Measures (Up to 20 points)		
C1.	Provide the percentage being proposed for each of the outcome targets on Attachment 3 - Required Outcome Measures as required by RFP section 4.1 in the " Pre-Submission Uploads " section of your online application. Describe how the proposed outcome measures are reasonable and realistic. Only the required outcome measures will be scored. Additional outcome measures may be added to Attachment 3 by the proposer for OCFS post-award consideration, but will not be included in the evaluation of this RFP.	4
C2.	Describe how the proposer will define and measure successful completion of the program.	4
C3.	Describe how the proposer will measure gains in literacy and numeracy.	4
C4.	Describe how the proposer will define and measure basic competency in entry-level occupational skills.	4
C5.	Describe the proposed approach to data collection and reporting to OCFS. Include a description of all qualitative and quantitative methods.	4
D. Additional Information (Optional)		
D1.	Please use this optional upload to provide any answers to questions above that exceeded the 4,000-character limit if needed. Please ensure any responses contained in this upload	

	are CLEARLY LABELED with the corresponding question number.	
	Please use this upload option to submit any documentation in support of the applicant's proposal to serve undocumented youth and its plan to assist youth in becoming a documented alien or U.S. citizen.	

Budget Questions (Up to 20 points)

Upload the completed **Attachment 1- Budget Template** into the Grants Gateway in accordance with the requirements of **Section 5.2 Proposed Budget**.

The budget template can be found in the “**Pre-Submission Uploads**” section of the RFP in the Grants Gateway System. The completed operating budget is uploaded as an attachment in the “**Pre-Submission Uploads**” section of your application.

To streamline the contract process, applicants are strongly encouraged to submit budgets that reflect realistic and necessary expenses and that include justifiable and allowable costs only. In addition to completing the budget forms and budget narrative, applicants must respond to the items below.

Please Note: The budget submission should reflect the total amount of funds being requested from OCFS over the two-year contract period, including the 5% cash match (which should be entered into the appropriate “Local Share” column of the budget category). Some applicants may choose to contribute additional resources to the project, which should be entered into the “Local Share” column of the budget. This will increase the “Total Cost” column on the budget form. This is allowable, and will not impact the amount of the required 5% cash match. The 5% cash match will be calculated by multiplying the amount of funding being requested from OCFS by 5%. The additional contributions to the project may come from other funding sources consistent with any funding requirements established by the source. An accurate Total Project Cost should be included in your proposed budget on **Attachment 1 – Budget Template**.

No.	Question	Max. Points
E. Budget Section (Up to 20 points)		
E1.	Demonstrate a clear relationship between funds requested and the program activities and performance targets/outcomes.	6
E2.	Explain how funds requested are within RFP guidelines and are sufficient to comply with RFP requirements.	4
E3.	Justify that expenses are realistic, reasonable, necessary, allowable and justified based on two-year program plan.	6
E4.	Describe how the budget focuses on direct services rather than	4

	administrative expenses.	
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5.5 Proposal Submittal Process

How to Submit a Proposal

In order to access the online proposal and other required documents such as the attachments, you must be registered and logged into the NYS Grants Gateway system <https://grantsgateway.ny.gov> in the user role of either a “Grantee” or a “Grantee Contract Signatory.” For tutorials (training videos) on using the Grants Gateway, refer to: <https://grantsreform.ny.gov/youtube>.

Note: Only users logged in with the following roles can submit the application for review: (1) Grantee Contract Signatory; and, (2) Grantee System Administrator. Proposals must be submitted online via the Grants Gateway by the date and time indicated in Section 1.2 Calendar of Events of this RFP.

Please visit the Grants Reform website at the following web address: <http://grantsreform.ny.gov/grantees> and select “Quick Start Guide: Applications” from the Grants Gateway menu for information on the process.

To find the Request for Proposal, log into the Grants Gateway and from the Welcome Page, click “Browse Now!” under “Browse,” then do one of the following:

- Click the link for the opportunity; or
- Search for the opportunity by selecting the Office of Children and Family Services as the “Funding Agency” and pressing the “Search” button.

Once you locate the solicitation you are looking for, click on the name of that Grant Opportunity, and you will be taken to a summary page called *Grant Opportunity Portal – Grant Opportunity Profile*. You will see a brief description of the opportunity, a link to “View Grant Opportunity” (lower left of screen), or the option to click a link that will take you to the opportunity on an external website (upper middle of screen). Please note that even though you have access to the PDF of the RFP, all responses to the RFP must be answered in the GGS.

Please note:

- Late proposals will not be accepted.
- Proposals must be submitted into the **GGG only**.
- **Proposals may not be submitted via email, postal delivery, hand delivery, facsimile nor in hard copy format.**

Helpful Links

Some helpful links for questions of a technical nature are below. Questions

regarding specific opportunities or proposals should be directed to the OCFS contact listed in **Section 1.1 Procurement Contact** on page one of this RFP.

Grants Reform Videos (includes a document vault tutorial and an application tutorial) are available on YouTube:

<http://www.youtube.com/channel/UCYnWskVc7B3ajjOVfOHL6UA>

Grants Gateway Help Desk: 518-474-5595

Grants Team email: grantsgateway@its.ny.gov

(Proposal completion, policy, and registration questions)

<https://grantsgateway.ny.gov>

6.0 MINIMUM CRITERIA/EVALUATION PROCESS

6.1 Minimum Criteria (Pass/Fail Review Criteria)

Bidders must meet the Minimum Qualifications to submit a Proposal in accordance with **Section 3.1 Minimum Qualifications** and **Section 3.2 Prequalification Process**. Bidders not meeting these requirements will be disqualified from further consideration.

6.2 Evaluation Process

The proposal with the highest cumulative score will win the award in each region except pursuant to any rights reserved by OCFS in accordance with **Section 1.6 OCFS Reserved Rights**.

The Technical Proposal (evaluation of the work plan) will be worth 80 points of a proposal's total score and the information contained in the Financial Proposal (evaluation of the Budget) will be worth 20 points of a proposal's total score. Proposals will be rated by a review team using the criteria in **Section 5 Proposal Content and Submission**. Proposals with a combined financial and technical score of 70 will be considered for an award. The evaluation process will be as follows:

To help promote objectivity, each reviewer will score each individual proposal per the criteria specified in the RFP. Each proposal can receive a maximum total of 100 points based on the technical (up to 80 points) and cost (up to 20 points) evaluations. All individual reviewer scores will then be averaged to give each proposal a final score. All scores will be ranked from highest to lowest. OCFS will make awards to the highest scoring proposals (in score order) in two separate regions, Long Island and other counties.

If there is a tie between two proposals in a county or in a city, the proposal with the lowest budget amount will be ranked first in the scoring order.

OCFS expects to award up to \$5,500,000 statewide over a two-year period under this RFP. Of the \$5,500,000 available, OCFS is initially allocating up to \$1,000,000 to eligible applicants proposing to serve the following locations on Long Island:

- Suffolk County - Town of Islip
- Suffolk County - Town of Huntington
- Suffolk County - Town of Babylon
- Nassau County - Town of Hempstead

The remaining funds will be available to eligible applicants proposing to serve the following locations at a **maximum State award amount of \$500,000 over the two year project period**, unless additional funds become available:

- Albany County - City of Albany
- Onondaga County - City of Syracuse
- Broome County - City of Binghamton
- Orange County - City of Newburgh
- Orange County - City of Middletown
- Chautauqua County - City of Jamestown
- Rensselaer County - City of Troy
- Dutchess County - City of Poughkeepsie
- Rockland County - Village of Spring Valley
- Erie County - City of Buffalo
- Schenectady County - City of Schenectady
- Monroe County - City of Rochester
- Ulster County - City of Kingston
- Niagara County - City of Niagara Falls
- Westchester County - City of Yonkers
- Westchester County - City of Mt. Vernon
- Oneida County - City of Utica

Awards to applicants proposing to serve locations in Nassau and Suffolk Counties (per the above list) will be awarded by listing applicants by location, in score order creating four (4) lists. The highest score from each of these lists will be moved to a separate list, in score order and awards will be made starting with the highest scoring proposal and moving down the list until all funds are exhausted. In the event funds are still available, secondary awards will be made by recombining all the location lists into one composite list, in score order, and additional awards will be made from the highest scoring proposal and moving down the list until all funds are exhausted. This methodology promotes the distribution of funds to as many locations as possible. Should a portion of the \$1,000,000 remain after awards are made to all qualifying applicants proposing to serve the identified locations in Nassau and Suffolk counties, those funds will be combined with the remaining \$4,500,000.

Awards to applicants proposing to serve locations in the rest of the State (per the above list), will be awarded by listing applicants by location, in score order

creating seventeen (17) lists. The highest score from each of these lists will be moved to a separate list, in score order and awards will be made starting with the highest scoring proposal and moving down the list until all funds are exhausted. In the event funds are still available, secondary awards will be made by recombining all of the location lists into one composite list, in score order, and additional awards will be made from the highest scoring proposal and moving down the list until all funds are exhausted. This methodology promotes the distribution of funds to as many locations as possible. In the event all applicants in this category receive awards, any surplus funds will be used to make additional awards to eligible applicants in Nassau and Suffolk counties that have not been awarded.

OCFS reserves the right to make adjustments to the funding amount requested based on program need and based on the total dollar value of the applications submitted.

OCFS reserves the right to negotiate the awardee's use of the additional 5% of the award amount with all selected applicants after awards are made to ensure appropriate use of State funds.

6.3 Bonus Points: RECC

Not Applicable.

6.4 OCFS Procedure for Handling Debriefing Requests, Formal Protests and Appeals

A. Applicability

The intent and purpose of these procedures is to define the debriefing process, as well as the protest and appeal procedures. This includes the steps that must be taken when an interested party challenges a contract award from OCFS. These procedures shall apply to all contract awards made by OCFS.

B. Definitions

1. "Interested party" shall mean a participant in the procurement process and those whose participation in the procurement process has been foreclosed by OCFS.
2. "Contract award" shall mean a written determination from OCFS to an offerer, indicating that OCFS has accepted the offerer's bid or offer.
3. "Debriefing" is the practice whereby, upon request of a bidder, OCFS reviews with such bidder the reasons its bid was not selected for an award. OCFS views debriefing as a learning process so that the bidder will be better prepared to participate in future procurements.
4. "Formal Protest" shall mean a written challenge to an OCFS contract award.

5. "Procurement" shall mean any method used to solicit or establish a contract (e.g., invitation for bid, request for proposal, single/sole source, etc.)
6. "Protesting party" is the party who is filing a protest to the bid, contract award or other aspect of procurement.
7. "Formal protest determination" shall mean the determination of a formal protest by the associate commissioner for financial management of OCFS or his or her designee.
8. "Decision after appeal" shall mean the decision on the appeal of a formal protest by the executive deputy commissioner of OCFS or his or her designee.

C. Debriefing Request

In accordance with section 163 of the NY State Finance Law, OCFS must, upon request, provide a debriefing to any unsuccessful offerer that responded to the RFP, regarding the reasons that the proposal or bid submitted by the unsuccessful offerer was not selected for an award.

1. OCFS will provide notice in writing or electronically to all unsuccessful offerers that the offerer will not receive a funded award under the RFP. An unsuccessful offerer wanting a debriefing must request a debriefing in writing, within fifteen calendar days of receipt of the notice from OCFS that the offerer's proposal did not result in an award.
2. OCFS, upon receipt of a timely written request from the unsuccessful offerer, will schedule the debriefing to occur within a reasonable period of time following the receipt of such request. Debriefings will be conducted in-person, unless OCFS and the offerer mutually agree to utilize other means, including, but not limited to, telephone, video-conferencing or other types of electronic communications.
3. Such debriefing will include: (a) the reasons that the proposal, bid or offer submitted by the unsuccessful offerer was not selected for an award; (b) the qualitative and quantitative analysis employed by OCFS in assessing the relative merits of the proposals, bids or offers; (c) the application of the selection criteria to the unsuccessful offerer's proposal; and (d) when the debriefing is held after the final award, the reasons for the selection of the winning proposal, bid or offer. The debriefing will also provide, to the extent practicable, general advice and guidance to the unsuccessful offerer concerning potential ways that their future proposals, bids or offers could be more responsive.

D. Formal Protest and Appeal Procedure

Any interested party who believes that they have been treated unfairly in the application, evaluation, bid award, or contract award phases of the

procurement, may present a formal protest to OCFS and request administrative relief concerning such action.

A. Submission of Bid or Award Protests

Formal protests concerning a pending contract award must be received within five (5) business days after the protesting party knows or should have known of the facts that constitute the basis of the formal protest. Formal protests will not be accepted by OCFS concerning a contract award after the contract between OCFS and the offerer who received the contract award has been approved by the NYS Office of the State Comptroller (OSC).

In addition, where a debriefing was requested, a bidder may file a protest within five business days from the debriefing (in addition to the original 10- day window from notice of award).

B. Review and Formal Protest Determination

1. Formal protests must be filed with the OCFS associate commissioner for financial management. Any protests filed with the OCFS program division responsible for the procurement will be forwarded to the associate commissioner for financial management. Copies of all formal protests will be provided by the associate commissioner for financial management to the OCFS Division of Legal Affairs and other necessary parties within OCFS, as determined by the associate commissioner for financial management.
2. Formal protests shall be resolved through written correspondence; however, either the protesting party or OCFS may request a meeting to discuss a formal protest. Where further formal resolution is required, the program division responsible for the procurement may designate a state employee not involved in the procurement ("designee") to determine and undertake the initial attempted resolution or settlement of any formal protest.
3. The OCFS program division responsible for the procurement will conduct a review of the records involved in the formal protest, and provide a memorandum to the associate commissioner for financial management or the associate commissioner's designee summarizing the facts, an analysis of the substance of the protest, and a preliminary recommendation including: (a) an evaluation of the findings and recommendations, (b) the materials presented by the protesting party and/or any materials required of or submitted by other bidders, (c) the results of any consultation with the OCFS Division of Legal Affairs, and (d) a draft response to the formal protest.
4. The OCFS associate commissioner for financial management or his or her designee shall hear and make a formal protest determination on

all formal protests. A copy of the formal protest determination, stating the reason(s) upon which it is based and informing the protesting party of the right to appeal an unfavorable decision to the OCFS executive deputy commissioner, shall be sent to the protesting party or its agent within thirty (30) business days of receipt of the formal protest, except that upon notice to the protesting party such period may be extended by OCFS. The formal protest determination will be recorded and included in the procurement record, or otherwise forwarded to the OSC.

C. Appeal of Formal Protest Determination

1. If the protesting party is not satisfied with the formal protest determination, the protesting party **must** submit a written notice of appeal to the executive deputy commissioner of OCFS no more than fifteen (15) business days after the date the formal protest determination is sent to the protesting party.
2. The executive deputy commissioner or his or her designee shall hear and make a decision after appeal on all appeals.
3. An appeal may not introduce new facts unless responding to facts or issues unknown to the protesting party prior to the formal protest determination.

D. Reservation of Rights and Responsibilities of OCFS

1. OCFS reserves the right to waive or extend the time requirements for protest submissions, decisions and appeals herein prescribed when, in its sole judgment, circumstances so warrant to serve the best interests of the state.
2. If OCFS determines that there are compelling circumstances, including the need to proceed immediately with contract award and development of final contracts in the best interests of the state, then these protest procedures may be suspended and such determination shall be documented in the procurement record.
3. OCFS will consider all information relevant to the protest, and may, at its discretion, suspend, modify, or cancel the protested procurement action, including solicitation of bids, or withdraw the recommendation of contract award prior to issuance of a formal protest decision.
4. Unless a determination is made to suspend, modify or cancel the protested procurement action, or withdraw the recommendation of contract award, OCFS will continue procurement and contract award activity prior to the formal protest determination. The receipt of a formal protest will not otherwise stop action on the procurement and award of the contract(s) or on development of final contracts.

- a. The procurement record and awarded contract(s) will be forwarded to OSC, and a notice of the receipt of a formal protest and any appeal will be included in the procurement record. If a formal protest determination, or a decision after appeal, has been reached prior to transmittal of the procurement record and the contract(s) to OSC, a copy of the formal protest determination or decision after appeal will be included in the procurement record and with the contract(s).
- b. If a formal protest determination or decision after appeal is made after the transmittal of the procurement record and contract(s) to OSC, but prior to OSC approval, a copy of the formal protest determination or decision after appeal will be forwarded to OSC when issued, along with a letter either: a) confirming the original OCFS recommendation for award(s); b) modifying the proposed award recommendation; or c) withdrawing the original award recommendation.
- c. All records related to formal protests and appeals shall be retained for at least one (1) year following resolution of the formal protest. All other records concerning the procurement shall be retained according to the applicable requirements for records retention.

E. Appeal to the Office of the State Comptroller

If the protesting party is still not satisfied with the result of its protest after conclusion of the formal protest and appeal procedure described above, the protesting party may file a written appeal with the OSC within ten business days of the date the protesting party received OCFS's protest determination. An appeal to the OSC's Bureau of Contracts must be in writing and must contain the specific factual and/or legal allegations setting forth the basis upon which the protesting party challenges the contract award by OCFS. Such appeal must be filed with the director of the Bureau of Contracts at the NYS Office of the State Comptroller, 110 State Street, 11th Floor, Albany, NY 12236.

7.0 MANDATORY CONTRACTING REQUIREMENTS

7.1 Contract Readiness

New York State's Prompt Contracting laws require all state agencies to complete contract development and the signatory process within statutorily-prescribed timeframes. Awardees must be available and prepared to respond within the required timeframes. If selected, awardees may be required to travel to Rensselaer, New York for contract development and will be expected to cover the costs of that travel. OCFS may rescind the awards of awardees who cannot satisfactorily complete

the contracting process in order to commence services by the anticipated contract start date.

7.2 Standard Contract Language

The terms and conditions for all funded projects are specified in a detailed contract that must be signed by OCFS and approved by the New York State Office of the Attorney General (OAG) and the OSC before payments may be made. Contractor obligations or expenditures prior to the contract start date shall not be reimbursed. This RFP includes all relevant contract terms and conditions, which can be found in Section 8: CONTRACT DOCUMENTS. Upon contract award and completion of negotiations, OCFS will send successful awardees the complete contract for development and signature prior to submitting it to the OAG and to OSC for approval.

7.3 Workers Compensation Insurance and Disability Benefits Coverage

Sections 57 and 220 of the Workers' Compensation Law (WCL) and section 142 of the State Finance Law require that businesses contracting with New York State have and maintain and provide evidence of appropriate workers' compensation and disability benefits insurance coverage. If an award is made from this RFP, updated proof of coverage must be provided during contract development. Failure to submit the proof will delay the contract development process, and may result in the award being rescinded. Municipalities are not required to show proof of coverage.

Please note: The ACCORD form is not acceptable proof of Workers' Compensation or Disability Insurance coverage.

A. Proof of Workers' Compensation Coverage

To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate workers' compensation insurance coverage, submit ONE of the following four forms:

<http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>

- **Form C-105.2** - *Certificate of Workers' Compensation Insurance* issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund; or
- **Form SI-12** - *Certificate of Workers' Compensation Self-Insurance*; or **Form GSI-105.2** *Certificate of Participation in Workers' Compensation Group Self-Insurance*; or
- **CE-200** - *Certificate of Attestation of Exemption* from NYS Workers' Compensation and/or Disability Benefits Coverage.

B. Proof of Disability Benefits Coverage

To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate disability benefits insurance coverage, submit ONE of these three forms: <http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>

- **Form DB-120.1** - *Certificate of Disability Benefits Insurance*; or
- **Form DB-155** - *Certificate of Disability Benefits Self-Insurance*; or
- **CE-200** - *Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage*.

7.4 **Confidentiality and Awardee, Contractor, Employee and Volunteer Criminal History Background Checks**

OCFS is responsible for maintaining the safety of the youth served by OCFS programs.

7.4.1 **Confidentiality** - New York State law requires that any client identifiable information be kept confidential. Any awardee, or contractor, employee or volunteer of the awardee, who will be provided with confidential information of recipients served by the awardee must complete and sign form OCFS-4715, [Confidentiality Non-Disclosure Agreement](#). This form must be completed before the start date of the contract and before any such awardee, contractor, employee or volunteer is permitted access to youth served by an awardee or to any financial or client identifiable information concerning such youth. For additional information see Attachment A-1, **Section 7 Confidentiality and Protection of Human Subjects**, located at the link to a standard contract listed in section 7.2 above.

7.4.2 **Criminal History Background Checks** - Any awardee, or contractor, employee or volunteer of the awardee, who will have the potential for regular and substantial contact with youth receiving services must be subject to background screening and be cleared to hire before the start date of the contract and before such persons are permitted any unrestricted contact with youth. The screening must include a review of individuals' backgrounds through the following three (3) services: New York State Justice Center for the Protection of Persons with Special Needs Staff Exclusion List (SEL), New York State Central Register (SCR) List; and a criminal background check vendor that will conduct both a

federal check and a check of all 50 states. Additional information regarding all three (3) services will be provided upon the grant of an award. Please note that the grant of an award may be negatively impacted if background checks reveal that an individual proposed to provide services is on the SEL, is the subject of any indicated reports of child abuse and maltreatment, or has convictions for one or more prior criminal offenses. Awardees are responsible for notifying OCFS if a background check reveals that a contractor, employee or volunteer of the awardee proposed to provide services has a criminal history. Any criminal history revealed as a result of such screening will be evaluated by OCFS pursuant to Correction Law Article 23-A, section 752 on a case-by-case basis taking into consideration the duties of the position and those factors set forth in Correction Law Article 23-A, section 753. OCFS will evaluate the results of the screening in accordance with Correction Law Article 23-A and notify the awardee of its determination. The awardee shall be responsible for the cost associated with any required background screens of the individuals identified in this section.

7.5 Charities Registration (not-for-profit corporations only)

Not-for-profit vendors must be registered with the New York State Office of the Attorney General as a charitable organization, and the registration must be up to date at the time of contracting. Vendors must be sure all their documents are up-to-date and comply with the vendor responsibility requirements as outlined below. To determine the status of your charities registration information, contact:

https://www.charitiesnys.com/RegistrySearch/search_charities.jsp

7.6 Federal Requirements (if federally funded)

See Attachment A-2, *Federal Assurances and Certifications*, which is in the Master Contract for Grants and is referenced in **Section 8.0 Contract Documents**.

7.7 Required Electronic Payments and Substitute Form W-9

The Governor's Office of Taxpayer Accountability has issued a directive that all state agency and state authority contracts, grants and purchase orders executed after February 28, 2010 shall require vendors, contractors and grantees to accept electronic payment (e-pay).

As New York State proceeds with implementing the new Statewide Financial System (SFS), the OSC is preparing a centralized vendor file. To assist OSC in this project, vendors are directed to provide a *Substitute Form W-9* which includes the taxpayer identification number, business

name, and business contact person. This data is critical to ensure that the vendor file contains the information state agencies need to contract with and pay vendors.

Please note that the contractor payee name and address provided to OSC for the epay program must match exactly the contractor name and address contained in the contractor's contract with OCFS. If these do not match, then a check is printed and mailed to the payee. Note that limited exemptions may be granted for extenuating circumstances.

Vendors should file a *Substitute Form W-9* with their Electronic Payment Authorization form.

Further information concerning these requirements, including forms and contacts for questions, can be found at the following links:

<http://osc.state.ny.us/vendors/epayments.htm>
<http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>
(Guide to Financial Operations)

7.8 Iran Divestment Act

By submitting a bid in response to this solicitation or by assuming the responsibility of a contract awarded hereunder, bidder/contractor (or any assignee) certifies that it is not on the "Prohibited Entities List," as defined by the *Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012* (the Act), which is posted on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such contract any subcontractor that is identified on the "Prohibited Entities List." Bidder/contractor is advised that should it seek to renew or extend a contract awarded in response to the solicitation, it must provide the same certification at the time the contract is renewed or extended.

During the term of the contract, should OCFS receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, OCFS will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased engagement in the investment activity that is in violation of the Act within 90 days after the determination of such violation, then OCFS shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, terminating the contract and/or declaring the contractor in default.

OCFS reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract and to pursue

a responsibility review with respect to any entity that is awarded a contract and appears on the “Prohibited Entities List” after contract award.

7.9 Statewide Financial System

Recipients of grant awards must also be registered in the New York Statewide Financial System (SFS) Central Vendor Registry File and provide their identification number at the time of contracting. To register and for additional information on the vendor file, visit: http://www.osc.state.ny.us/vendor_management/index.htm

7.10 Minority and Women-Owned Business Enterprises (MWBE) – Equal Employment Opportunity (EEO) - Requirements and Procedures

This section outlines contractor requirements and procedures for business participation opportunities for New York State-certified Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunities (EEO) for minority group members and women. All forms can be found [here](#).

7.10.1 New York State Executive Law (Article 15-A)

Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations OCFS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OCFS contracts.

7.10.2 MWBE Business Participation Opportunities – OCFS Established Goals

For purposes of this solicitation, OCFS hereby establishes an overall goal of **30%** for MWBE participation, **15%** for New York State-certified Minority-owned Business Enterprise (“MBE”) participation and **15%** for New York State-certified Women-owned Business Enterprise (“WBE”) participation (based on the current availability of MBEs and WBEs). A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFP, the respondent agrees that OCFS may withhold payment pursuant to any Contract awarded as a result of this RFP pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how OCFS will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable

MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25% of the total value of the contract.

7.10.3 Contract Compliance

In accordance with 5 NYCRR § 142.13, the respondent further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a Contract resulting from this RFP, such finding constitutes a breach of contract and OCFS may withhold payment as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a respondent agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the New York State Contract System ("NYSCS"), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a respondent may arrange to provide such evidence via a non-electronic method by contacting OCFS.

Additionally, a respondent will be required to submit the following documents and information as evidence of compliance with the foregoing:

- A. An MWBE Utilization Plan with their bid or proposal. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to OCFS for review and approval.

OCFS will review the submitted MWBE Utilization Plan and advise the respondent of OCFS acceptance or issue a notice of deficiency within 30 days of receipt.

- B. If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the OCFS a written remedy in response to the notice of deficiency to mwbeinfo@ocfs.ny.gov. If the written remedy that is submitted is not timely or is found by OCFS to be inadequate, OCFS shall notify the respondent and direct the respondent to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

OCFS may disqualify a respondent as being non-responsive under the following circumstances:

- a) If a respondent fails to submit an MWBE Utilization Plan;
- b) If a respondent fails to submit a written remedy to a notice of deficiency;
- c) If a respondent fails to submit a request for waiver; or

- d) If OCFS determines that the respondent has failed to document good faith efforts.

The successful respondent will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to OCFS, but must be made no later than prior to the submission of a request for final payment on the Contract.

The successful respondent will be required to submit a quarterly M/WBE Contractor Compliance & Payment Report to OCFS, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

7.10.4 Equal Employment Opportunity (EEO) Requirements

By submission of a bid or proposal in response to this solicitation, the respondent agrees with all of the terms and conditions of Appendix A – Standard Clauses for All New York State Contracts including Clause 12 - Equal Employment Opportunities for Minorities and Women]. The respondent is required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the respondent, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

The respondent will be required to submit a Minority and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement, as referenced in **Section 1.6 Submission of Proposals**, to OCFS with its bid or proposal.

If awarded a Contract, respondent shall submit a Workforce Utilization Report and shall require each of its Subcontractors to submit a Workforce Utilization Report, in such format as shall be required by OCFS on a quarterly basis during the term of the Contract.

Pursuant to Executive Order #162, non-grant contractors and subcontractors will also be required to report the gross wages paid to each

of their employees for the work performed by such employees on the contract utilizing the Workforce Utilization Report on a quarterly basis.

Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other state and federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

7.11 Service-Disabled Veteran-Owned Business (SDVOB)

[The Service-Disabled Veteran-Owned Business Act](#), signed into law by Governor Andrew M. Cuomo on May 12, 2014, allows eligible veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB) in order to increase the participation of such businesses in New York State's contracting opportunities. The SDVOB Act, which is codified under Article 17-B of the Executive Law, acknowledges that SDVOBs strongly contribute to the economies of the state and the nation. Therefore, and consistent with its Master Goal Plan, OCFS strongly encourages vendors who contract with OCFS to consider the utilization of certified SDVOBs that are responsible and responsive for at least six (6) percent of discretionary non-personnel service spending in the fulfillment of the requirements of their contracts with OCFS. Such partnering may include utilizing certified SDVOBs as subcontractors, suppliers, protégés, or in other supporting roles to the maximum extent practical, and consistent with the legal requirements of the State Finance Law and the Executive Law. Certified SDVOBs may be readily identified through the directory of certified businesses at: <https://ogs.ny.gov/Veterans>.

For additional information relating to the use of certified SDVOBs in contract performance, and participation by SDVOBs with respect to State contracts through Set Asides, please refer to the following:

- [Attachment - Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance](#)
- [Participation by Service-Disabled Veterans with Respect to State Contracts Through Set Asides](#)

- <https://ogs.ny.gov/Veterans/default.asp>

7.12 **Omnibus Procurement Act**

The Omnibus Procurement Act of 1992 requires that by signing a bid proposal, contractors certify that whenever the total bid amount is greater than \$1 million

1. the contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors on this project and has retained the documentation of these efforts to be provided upon request to the State of New York; and has
2. documented their efforts to encourage the participation of New York state business enterprises as suppliers and subcontractors by showing that they have done the following:
 - Solicited bids, in a timely and adequate manner, from ESD business enterprises, including certified minority/women-owned businesses; or
 - Contacted ESD to obtain listings of New York State business enterprises and MWBEs; or
 - Placed notices for subcontractors and suppliers in newspapers, journals or other trade publications distributed in New York State; or
 - Participated in bidder outreach conferences; and
 - Provided a statement indicating the method by which they determined that New York State business enterprises are not available to participate on the contract as subcontractors or suppliers, *if the contractor has determined such*; and
 - Provided a statement verifying no intention of using subcontractors, *if the contractor has no such intention*.
3. The contractor has complied with the federal Equal Opportunity Act of 1972 (P.L. 92-961), as amended.
4. The contractor will be required to notify New York State residents of employment opportunities by listing any such positions with the Community Services Division of the New York State Department of Labor, providing for such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The agency agrees to document these efforts and to provide said documentation to OCFS upon request.
5. Bidders located in a foreign country are notified that the state may assign or otherwise transfer offset credits to third parties located in New York State, and the bidders shall be obligated to cooperate with

the state in any and all respects in making such assignment or transfer, including, but not limited to, executing any and all documents deemed by the state to be necessary or desirable to effectuate such assignment or transfer and using their best efforts to obtain the recognition and accession to such assignment or transfer by any applicable foreign government.

6. Bidders are hereby notified that state agencies and authorities are prohibited from entering into contracts with businesses whose principle place of business is located in a “discriminatory jurisdiction.” Discriminatory jurisdiction is defined as a state or political subdivision which employs a preference or price distorting mechanism to the detriment of or otherwise discriminates against a New York State business enterprise in the procurement of commodities and services by the same or a nongovernmental entity influenced by the same. A list of discriminatory jurisdictions is maintained by Commissioner of the New York State Empire State Development Corporation.

7.13 Executive Order Number 38

Executive Order Number 38 sets Limits on State-Funded Administrative Costs & Executive Compensation. Contracts, payment requests and reporting must comply with the regulations promulgated pursuant to this Executive Order. The order can be found at the following website address: <http://executiveorder38.ny.gov/>

7.14 Executive Order Number 175 (If Applicable)

In accordance with the requirements of Executive Order No. 175, Contractor will be expected to adhere to net neutrality principles in the provision of internet services under any Contract entered into as a result of this RFP, regardless of delivery method unless the director of contracts, or his/her designee as noted in **Section 1.1 Procurement Contact**, determines that adherence to net neutrality principles for a particular purpose is not in the best interests of the state. Nothing in this provision supersedes any obligation or authorization a provider of broadband Internet access service may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities, consistent with or as permitted by applicable law, or limits the provider's ability to do so. As used herein, “net neutrality” means that Contractor will not block, throttle, or prioritize internet content or applications or require that end users pay different or higher rates to access specific types of content or application. For the purposes of this contract, the prohibition against blocking or throttling of internet content or applications does not apply to reasonable network management practices.

7.15 Executive Order Number 177

Executive Order 177, signed on February 3, 2018, by Governor Andrew M. Cuomo, directs New York State agencies and authorities not to enter into any contracts with entities that have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected basis. The Contractor must provide the EO 177 certification statement prior to any award being made by OCFS.

7.16 State Finance Law §139-I; Statement on Sexual Harassment in Bids

New York State Finance Law §139-I, effective January 1, 2019, requires, in relevant part, that “[e]very bid . . . made to the state or any public department or agency thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain [a] statement subscribed by the bidder and affirmed by such bidder as true under the penalty of perjury. . . [that] ‘[b]y submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.’ The Contractor must provide the foregoing certification prior to any award being made by OCFS. For additional guidance on drafting an appropriate sexual harassment policy and developing appropriate training please refer to State Finance Law §139-I and <https://www.ny.gov/combating-sexual-harassment-workplace/employers#top>

7.17 Other Requirements

Not Applicable.

8.0 CONTRACT DOCUMENTS

The contract documents consist of the documents listed below.

1. Face Page
2. Signatory Page
3. NYS Standard Terms and Conditions (State of New York Master Contract for Grants)
4. Master Contract Attachment A-1 *Agency-Specific Terms and Conditions*
5. Master Contract Attachment A-2 *Federal Assurances and Certifications*
6. Master Contract Attachment B: Budget and Instructions
7. Master Contract Attachment C: Work Plan
8. Master Contract Attachment D: Payment and Reporting Schedule

9. Attachment MWBE: Minority and Women-Owned Business Enterprises

NYS Standard Terms and Conditions (State of New York Master Contract for Grants) is located in the **NYS Grants Gateway System (GGS)** at the following link:
http://www.grantsreform.ny.gov/sites/default/files/docs/nys_master_contract_for_grants_8_14.pdf

Required with bid submission (Please click the links below to download the required forms):

- A. [**OCFS-2633, *MacBride Fair Employment Principles Certification Form***](#)
- B. [**OCFS-2634, *Non-Collusive Bidding Certification***](#) (Required by section 139d of the State Finance Law)
- C. For complete proposal and contract requirements for the Minority-and-Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) requirements, refer to the [**Attachment MWBE**](#) that is referenced in section 7.10. The following are forms to be completed and submitted with your Administrative Proposal:
 - [**OCFS-4629, *Project Staffing Plan Form***](#)
 - [**OCFS-3460, *Minority and Women-Owned Business Enterprises \(MWBE\) Equal Employment Opportunity \(EEO\) Policy Statement***](#)
 - [**OCFS-4631, *MWBE Utilization Plan Form***](#)
- D. For complete proposal and contract requirements for the New York State Service-Disabled Veteran-Owned Business (SDVOB) Act, please refer to section 7.11 and complete the following attachment: [***Use of Service-Disabled Veteran-Owned Business Enterprises in Contract Performance***](#)
- E. [**OCFS-2647, *EO 177 Certification***](#) (See section 7.15 for more information)

9.0 GLOSSARY OF OUTCOME-BASED CONTRACTING TERMS

Fiscal Documentation: Documentation necessary for payment.

Grants Gateway: The New York State Grants Gateway went into operation on May 15, 2013, and serves as the primary outlet for state agencies to post upcoming and available funding opportunities.

Guide to Financial Operations (GFO): This website was created as the central storehouse of OSC policies and is intended to replace individual OSC Bulletins. The GFO can be found at <http://www.osc.state.ny.us/agencies/guide/MyWebHelp>.

Legal Documents: Legally required application/contract components.

Organizational Qualifications: The organizational characteristics and capacity (e.g., agency mission, past accomplishments/experience in serving the target population or in providing similar services to a different population, experience in collaborating with community agencies needed for program success, key people, and fiscal capability) that are likely to result in successful performance target attainment.

Baseline Estimate: The projected status of the target population without the proposed intervention. A baseline is the best estimate, using prior program experience, collected data, and/or research results, of what would happen to the target population without the program's intervention and its benefits. Projection should be numerical (a number or a percentage). A baseline estimate is required for each performance target.

Outcomes: The desired benefits or changes for the target population following their interaction with a program. These are the expected results of program intervention. Outcomes may relate to knowledge, skills, attitudes, behaviors or conditions. Either the investor or provider may set them. (They are broader, and more general than performance targets. They do not require numerical projection). In some instances the outcome may be a system change rather than an individual behavior change.

Performance Targets: Performance targets are the *measurable* verifiable improvements in the condition or behavior of program recipients that the provider expects to achieve *by the end of the contract period*. Targets are quantifiable and verifiable indicators of program performance. They contribute to the attainment of the desired outcomes for the target population. Attainment of several performance targets may be needed to indicate the achievement of a single outcome. Performance targets must include a description of the methods that will be used to verify target achievement.

Milestones: *Measurable interim* changes in the condition or behavior of the target population used to track whether the program is on course to achieve its performance targets. These are critical points of change or target population achievement that must occur to progress towards the performance targets. You must include a description of the methods that will be used to verify milestone achievement.

Program Budget: Definition of program expenditures and funding sources.

Program Description: Detailed explanation of the means (service model, plan or approach) the provider will use to achieve its performance targets and outcomes. This should include a description of the program's core features (i.e., the kinds of services provided, their intensity and duration, the essential elements, theoretical approach, delivery strategies, involvement of target population in planning, etc.).

Project Work Plan: Steps necessary to implement a program.

Staffing Pattern: Please identify the staff assigned to a program, regardless of whether it is paid through OCFS funds.

Target Population: Please describe the specific group of people (individuals, families, community members or, in certain instances, the specified personnel or entity/entities) that are the focus of change, and who will directly interact with the program. In certain instances where the desired outcome is systemic change, an agency as a whole may be considered the target population.

Verification: Statement of methods used to verify performance target and milestone attainment and/or submission of actual documentation.

Vendor Responsibility: Compliance with New York State Finance Law and guideline provisions related to vendor integrity providing reasonable assurance that the potential contractor has the capacity to perform the requirement of the contract. This includes authority to do business in the state, capacity and performance in addition to the aforementioned integrity.

Vision: OCFS Program Area Statement of ideal end-state sought for a population (e.g., prevention of child abuse and neglect).

10.0 PROGRAM-SPECIFIC REQUIREMENTS AND FORMS

The following attachments can be found in the “Pre-Submission Uploads” section of the RFP in the Grants Gateway System. Please download them from that location, complete and upload them (if required) back to that section so that they will be submitted with your application:

Attachment 1 – Budget Template*

Attachment 2 – Workplan Template

Attachment 3 – Required Outcome Measures*

* Attachments marked with an asterisk are required and must be completed and provided in your application submission.