

Title: Discretionary Opportunity (DISC) # 1052
Comprehensive Needs Assessment

Agency: Children & Family Services, NYS Office of
Bureau of Contract Management

Contract Number: TBD

Contract Term: January 1, 2021 – September 30, 2021 (nine months)

Date of Issue: July 31, 2020

Due Date/Time: August 21, 2020 by 4:00 PM Eastern Time

Location: Statewide

Counties: All NYS Counties

Background

The New York State Office of Children & Family Services (OCFS) announces a discretionary funding opportunity for qualified entities that can conduct a comprehensive statewide needs assessment (CSNA) for The New York State Commission for the Blind (NYSCB).

NYSCB provides vocational and rehabilitation (VR) services to about 4,500 consumers with blindness and visual impairment through seven (7) district offices located throughout New York State. Federal Rehabilitation Services Administration (RSA) regulations require that a comprehensive statewide needs assessment be conducted every three (3) years. The results and recommendations from this assessment are incorporated into the annual plan submitted by NYSCB to the RSA.

Please see the **Eligibility Criteria** section for additional information.

This advertisement is public notice that OCFS is seeking to contract with organizations to conduct a CSNA for NYSCB which should involve an evaluation of NYSCB case management data, along with primary data collection through the use of surveys and focus groups; leading to identification of specific areas in need for improvement within services and supports, program practices, and policies. The contractor's CSNA will include providing statewide data as well as regional office-level data for NYSCB facilitating comprehensive planning and policy development. The contractor will work in close consultation with NYSCB staff and the NYS Rehab Council to ensure the accuracy and high quality of the needs assessment white paper/policy brief. Please see the **Activities/Work to be Performed** section for additional information.

The purpose of this Discretionary Opportunity announcement is to invite any eligible and interested entities who believes they can satisfy the needs of this program, to so inform OCFS by a Letter of Interest (LOI). To be considered responsive, your organization's LOI must be received no later than the deadline specified on the first page of this announcement. OCFS intends to select **one (1)** contractor based on the criteria outlined in this announcement. Please see the **How to Apply** section for additional information and submission requirements.

This opportunity is authorized under Section 163 of State Finance Law as a Discretionary Purchase. OCFS intends to contract pursuant to its discretionary purchasing authority under State Finance Law Section 163(6), which authorizes purchases without a formal competitive process in

certain circumstances. This includes, but is not limited to, purchases up to the Discretionary Buying Threshold from New York State Small Business Enterprises (SBE), businesses certified pursuant to Article 15-A of the New York State Executive Law, New York State certified Minority and/or Women Owned Enterprises (M/WBE), New York State certified Service-Disabled Veteran Owned Businesses (SDVOB), businesses selling commodities or technology that are recycled or remanufactured, or commodity purchases that are food and are grown, produced or harvested in New York State.

As this solicitation is authorized under Section 163(6) of State Finance Law as a Discretionary Purchase, there is a not-to-exceed threshold of \$500,000 and limited to respondent organizations qualified as:

1. New York State Certified Minority and Women Owned Business Enterprise (MWBE);
2. Small Business Enterprises (SBE) domiciled in New York State as defined and clarified by New York State Empire State Development – Small Business Division; and/or
3. New York State Certified Service-Disabled Veteran-Owned Business (SDVOB)

Primary respondents must be identified as a NYS certified Minority and Women Owned Business (MWBE), NYS small business enterprise (SBE), or a NYS Certified Service Disable Veteran-Owned Business; and must complete, sign and submit an Attachment 3 – Affirmation of Business Status provided with this solicitation.

Activities/Work to be Performed

The funded organization will:

Conduct a CSNA for NYSCB to identify areas in need of improvement in services and supports, program practices, and policies as related to the provision of VR services to NYSCB consumers, consisting of the following five (5) research studies:

1. Secondary Analysis of NYSCB Case Management System Dataset
2. Survey of NYSCB District Offices
3. Focus Group for Braille and Survey of Teachers of Visually Impaired
4. Fiscal Forecasting for Needs Assessment (Pre-ETS)
5. Reasons for Participants' Unsuccessful Exit from the VR Program

Study #1 - Secondary analysis of NYSCB case management system dataset:

The focus of the contractor's analysis should be to examine the factors related to successful case closures for NYSCB participants. These factors may include individual demographic factors including their secondary disabilities and functional limitations as well as the mix of services received. The contractor should focus on understanding the impact of participation in supported employment and postsecondary education for NYSCB participants. Furthermore, the contractor should also focus on studying sub-groups such as transition-aged youth and young adults, and those receiving public benefits (e.g., SSI/SSDI). Based on the available information for costs of services, the contractor will further examine cost-effectiveness of supported employment and postsecondary education services.

The contractor will be provided limited direct access to the NYSCB VR case management system for purposes of extracting the required data. The data set will provide three (3) years of data and include such data variables as: participant's year of birth, first three digits of participant's residential zip code, secondary diagnosis (if available), education level attained, individual plan for employment (IPE) goal and services.

Study #2 - Survey of NYSCB District Offices:

The Contractor will conduct a survey of all NYSCB personnel (*approximately 58 NYSCB staff members across seven district offices*) using online survey tools to understand their perspective on some of the observed trends in participant outcomes from the secondary data analysis that needs additional explanations. This survey will also explore the NYSCB personnel's perceived barriers in providing services and collaborating with other providers of rehabilitation services for people with disabilities in NYS. This survey will further explore their satisfaction with the information systems and their needs for improving case management systems for adopting data-driven decision-making.

Please Note: Any survey platform used by the contractor, including electronic documents or online formats, must be 508 compliant and should utilize multiple formats, due to different accessibility needs.

Study #3 - Focus Groups for Braille and Survey of Teachers of Visually Impaired:

The purpose of the Braille and Success evaluation is to determine the level of success a person has related to their Braille experiences and proficiency. This evaluation will have two parts, with the first component consisting of focus group discussions with NYSCB participants and the second component being a survey of teachers who teach the Visually Impaired and Vision Rehabilitation Therapists.

Focus Groups

The contractor will conduct a total of two (2) in-person focus groups, with one in-person focus group anticipated to be held in New York City and one (1) anticipated be held in Buffalo NY. Each focus group shall consist of 20-25 participants and NYSCB will provide the contractor with a list of potential participants for the contractor to invite to the focus group(s). NYSCB will provide the physical location for each focus group and the call-in line (no cost to the contractor). Each physical location will have phone conference capability. Note: at NYSCB's sole discretion, the "in-person" component of the *Focus Groups (Part One)* deliverable may be altered or changed in favor of a "virtual" component due to factors pertaining to Covid-19.

The scope of the focus groups is to hear participant experiences and determine if braille played a positive role in the participant's success in school, college and/or vocational training. The contractor must derive both quantitative and qualitative data from these focus groups for further analysis and the contractor will be expected to provide the technology needed to complete this task.

NYSCB anticipates approximately ten (10) questions will be addressed by the focus groups, which may include but are not limited to:

- Do you feel braille contributed to your success at school? At work?
- Please describe your earliest experiences with Braille.
- Who taught you to read braille?
- What grade Braille do you read?
- Do you use Braille for reading, writing or both?
- Do you use Nemeth code?

Note: the final list of questions will be developed in consultation with the chosen contractor.

Survey of Teachers/Therapists

The contractor will conduct an online survey of Teachers of the Visually Impaired and Vision Rehabilitation Therapists in NYS. NYSCB will provide a list of these individuals to the contractor. The scope of this survey will be to ascertain their level of braille proficiency and level of experience in braille.

NYSCB expects the online survey will be about ten (10) questions in length. Survey questions may include but are not limited to:

- What is your level of expertise in Braille?
- What do you consider your proficiency to teach braille?
- Do you think public schools are supportive of Braille literacy?
- How many students do you currently have?
- How much time do you have to teach braille given all of the aspects of your work with students?
- What is your experience and/or comfort level with the Unified English Braille (UEB)?
- How do you feel about teaching dual media in Braille and large print to students?

Note: the final list of questions will be developed in consultation with the chosen contractor.

Study #4--Fiscal Forecasting for Needs Assessment (Pre-ETS)

NYSCB is required to determine the VR needs of individuals with disabilities including youth and students with disabilities age 14-21 (up until their 22nd birthday). In addition, NYSCB is looking at the extent to which these services provided are coordinated with transition services under Individuals with Disabilities Education Act (IDEA) or 504 Plan. Both ensure that a child with a disability is provided with accommodations that will ensure their academic success.

Currently, NYSCB is working to gain a better understanding by using new strategies to identify individuals NYSCB considers eligible and individuals NYSCB considers to be potentially eligible for services, as it relates to students with disabilities (age 14-21) in NYS and who may be potentially eligible for pre-employment transition services (Pre-ETS). This data will enable NYSCB to accurately forecast the amount of reserved funds necessary for ensuring the required Pre-ETS are met and available to all students that need them.

The contractor must research and determine the VR service needs of youth and students with disabilities age 14-21 (up until their 22nd birthday), including but not limited to:

- (1) Their need for pre-employment transition services or other transition services; and
- (2) An assessment of the needs of individuals with disabilities for transition services and pre-employment transition services, and the extent to which such services provided under this part are coordinated with transition services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in order to meet the needs of individuals with disabilities.

The contractor will be required to show NYSCB the methodology(ies) used to:

- identify youth and students with disabilities (age 14-21),
- determine the amount of funds necessary to make the required Pre-ETS available statewide to all eligible youth and students with disabilities (age 14-21), and
- show funds remaining to provide additional authorized activities.

The contractor will need to obtain the information needed to complete this evaluation. NYSCB is aware that some of this information can be obtained from the New York State Education Department (NYSED) and the NYS Resource Center (NYSRC) however, these two resources are a starting point for the data. The contractor will need to include the numbers of students with disabilities receiving services under both IDEA and 504 plans. It is also important to note that NYSCB provides services to children (under the state funded children's program) and many of them will be determined eligible for vocational rehabilitation services in the future.

Study #5--Reasons for Participants' Unsuccessful Exit from the VR Program

Unsuccessfully exiting the VR program means the participant has either exited before a plan for employment was developed, or after a plan was developed but before the employment goal was obtained. The contractor will conduct a telephone survey of NYSCB participants who have exited the VR program unsuccessfully. The purpose of this evaluation is to determine what factors contributed to the participants' unsuccessful exit from the VR program and is the level of engagement of participants a factor which can contribute to someone exiting unsuccessfully.

NYSCB anticipates that information obtained from the telephone survey will consist of both qualitative and quantitative information. The questions used in the telephone survey will be a mix of open and closed ended questions, which may include but are not limited to:

- Did you meet with your counselor in person or by telephone; at intake or first meeting?
- Did you meet with your counselor in person after intake or during the process?
- Did you participate in the process of determining your vocational goal or developing your career path?
- What were the reasons for closure? NYSCB can provide the list of possible closure reasons.
- Were you receiving benefits of any kind at the time you were receiving services? If yes, NYSCB can provide a list of possible benefits.
- If yes, you were receiving benefits at the time you were receiving services, did you believe that working would negatively impact your benefits?
- Were you offered benefits advisement?
- Were you under 25 when you started receiving services?
- Were you under 25 when you exited the program?
- How long did it take to develop your IPE?
- Did you sign your IPE soon after it was developed?
- If you are under 25, did you participate in any programs or activities related to picking a college or a career?
- Did you feel you had enough support with job search related activities such as resume preparation, practice interviewing and job searching.
- Was your counselor easy to talk to? Did they reach out to you often?
- Would you have liked them to reach out more or less?

Note: the final list of questions will be developed in consultation with the chosen contractor.

NYSCB anticipates the sample size will be the number of participants who have exited the VR program unsuccessfully during an 18-month time period, which is estimated to be approximately 682 participants, consisting of 658 participants in status twenty-eight closure (closure after an individual plan for employment was developed) and 24 participants in status thirty closure (closure before an individual plan for employment is developed).

Outcomes and Evaluation

Prior to the commencement of the five (5) research studies, the contractor must provide the following to NYSCB for review and approval:

- completed confidentiality forms
- the research plan
- the draft survey instruments

Note: the contractor must implement all revisions to the final research plan and survey instruments as requested by NYSCB.

At the appropriate time during and/or upon completion of the five (5) research studies, the contractor will:

- Submit the preliminary analysis of survey results to NYSCB for review;
- Presentation of the final analysis of the surveys, incorporating any feedback provided by NYSCB, to NYSCB and any other entities designated by NYSCB;
- Submit the final white paper/policy brief to NYSCB.

White Paper/Policy Brief

The contractor will develop one (1) white paper/policy brief, summarizing their analysis of the five (5) research studies. A draft version of the briefing is to be submitted to NYSCB by August 1, 2021 and the finalized version must be submitted to NYSCB no later than September 15, 2021.

The contractor will ensure that all draft reports and other written deliverables must be subject to careful and complete editing by the contractor's editors and proofreaders before submitting them to NYSCB for review and approval.

Security and Confidentiality of Data

The contractor agrees to sign a contract which contains the following conditions and procedures for disclosure of data relating to the NYSCB CSNA:

1. Contractor will perform all work and obtain necessary data through a specific contact designated by NYSCB.
2. Except as otherwise provided in this Agreement, Contractor agrees that it will not disclose any information that could reasonably be used to identify a particular individual and will ensure that no research assistant or other person working on the Project for the Contractor discloses any information that could reasonably be used to identify a particular individual. For purposes of this Agreement, disclosure shall include releasing individual record data, or aggregated data that has less than five (5) data elements per cell, or for which the data elements per cell comprise 100% of the subject population. Please see Attachment 5 – NYSCB Confidentiality Agreement for additional information.
3. Access to the data disclosed by NYSCB shall be granted only to the Contractor's designated Researcher and any research assistants or other persons working directly with and under the control of the Contractor's designated Researcher on research related to the referenced Project.
4. Contractor must obtain a completed OCFS-4715 Confidentiality Non-Disclosure Agreement from the Contractor's designated Researcher, all research assistants, and any other persons with

access to the data.

5. Contractor agrees to implement reasonable technical and physical security measures to ensure the confidentiality, integrity and availability of the data. **Please see Attachment 5 – NYSCB Confidentiality Agreement** for additional information.

6. The data disclosed pursuant to this Agreement shall only be used by the Contractor's designated Researcher, research assistants, and any other persons working on the Project, for purposes related to the Project for the benefit of NYSCB referenced in this Agreement or in any subsequent amendments to the Contract or this Agreement. The data may not be used for any other research purposes without the express prior written approval of NYSCB/OCFS.

7. Any personally identifiable data received from NYSCB under this Agreement must be destroyed by Contractor as soon as practicable upon termination or expiration of this agreement, or when such data is no longer needed for the NYSCB Needs Assessment Project. If this agreement is terminated by NYSCB due to a breach by the Contractor of security and protection of confidentiality of the data, then Contractor must destroy all personally identifiable data within forty-eight (48) hours of receipt of the notice of termination. Contractor will provide NYSCB with written confirmation that the data has been destroyed. However, to the extent that data received from NYSCB has been aggregated or merged into a database or data compilation and is no longer personally identifiable, such non-personally identifiable aggregated or merged data need not be destroyed. Please see **Attachment 5 – NYSCB Confidentiality Agreement** for additional information.

8. Contractor shall indemnify and hold harmless NYSCB/OCFS, and their officers and employees, from claims, suits, actions, damages and costs of every nature arising out of any violation by Contractor of the terms of this Agreement.

Ownership

- All surveys remain the property of NYSCB, used only for NYSCB purposes and will be turned over in entirety to the designated NYSCB representative at the conclusion of the contract.
- Data remains the property of NYSCB, used only for NYSCB purposes, and will be turned over to NYSCB as instructed by its designated representative.
- Reports created by contractor pursuant to the contract resulting from this solicitation are the property of NYSCB.

Potential Preferred Source Subcontractor

The New York State Preferred Source Program for New Yorkers Who Are Blind (NYSPSP) has expressed interest in any subcontracting opportunities within the survey portion of the needs assessment. Bidder's interested in subcontracting with NYSPSP should contact:

Tim Fiori, Director of Business Development
New York State Preferred Source Program for New Yorkers Who Are Blind
136 State Street, 2nd Floor
Albany, NY 12207
518-763-9961
tfiori@nyspsp.org

Staff Qualifications

- The contractor must employ a program supervisor that has at least three (3) years' experience working with VR agencies.
- The contractor must employ a program supervisor that has completed at least one CSNA for a state-level VR agency.

Eligibility Criteria

Applicants who meet the following mandatory requirements are eligible to apply:

- Provide an **Attachment 1 – Letter of Interest** that describes and demonstrates your organization's understanding, willingness and ability to meet the requirements and provide all services outlined above in the **Background** and **Activities/Work to be Performed** sections of this announcement, and include a total bid price for the entire scope of your proposed project.

- Be one or more of the following:

1) A New York State Minority or Woman Owned Business Enterprise (MWBE) certified pursuant to Article 15-A of the New York State Executive Law. **Note:** eligible MWBE certified organizations should be listed in the NYS Directory of Certified Firms located at the following website: <https://ny.newnycontracts.com/>; **OR**

2) A New York State Certified Service-Disabled Veteran Owned Business (SDVOB) certified pursuant to Article 17-B of the New York State Executive Law. **Note:** eligible SDVOB certified organizations should be listed in the NYS Directory of Certified Service-Disabled Veteran Owned Business located at the following website: <https://online.ogs.ny.gov/SDVOB/search>

Please Note: For this specific funding opportunity, NYS Small Business Enterprises (SBEs) are only eligible to apply if they are a certified MWBE and/or SDVOB vendor.

- Provide a completed and signed **Attachment 3 - Affirmation of Business Status** provided with this solicitation
- No later than the start of the contract, your organization must meet the staff qualifications of:
 - 1) The funded organization must employ a program supervisor that has at least three (3) years' experience working with vocational rehabilitation (VR) agencies; **AND**
 - 2) The funded organization must employ a program supervisor that has completed at least one CSNA for a state-level VR agency.
- Agree to abide by the terms of the **Attachment 5 – NYSCB Confidentiality Agreement** if selected to receive an award.
- Provide a completed **Attachment 4 – References** with three (3) professional references, one of which must have been received within the past twelve (12) months.
- Provide a **total bid price** for the entire scope of your proposed project.
- Be eligible to do business with New York State.

Funding Details

Funding for this project is contingent upon the availability of funds in the state and/or federal budgets and the number of eligible applicants that respond to this announcement. In making awards, OCFS must verify geographic coverage of the regions proposed.

Under Section 163(6) of State Finance Law as a Discretionary Purchase, there is a not-to-exceed threshold of \$500,000. NYSCB anticipates awarding one (1) contract as a result of this solicitation.

Please note that funding availability for this project is limited, and prospective applicants are encouraged to keep their proposed costs as low as possible so as to remain competitive when compared to other applicants during the selection process.

Project Payment Schedule

NYSCB will issue payment upon receipt of invoices for completed deliverables, deemed to be acceptable by OCFS. Deliverables considered “accepted by NYSCB” for payment purposes are deliverables which are approved by NYSCB and incorporate NYSCB’s comments and recommendations to the extent feasible.

- Presentation to, and approval by, NYSCB, of a detailed plan for analysis and survey instrument for each of the five (5) research studies will equate to 10% of total bid price for each research study (50% of total bid price maximum);
- Receipt by NYSCB of a final comprehensive white paper, incorporating NYSCB comments and recommendations will equate to 40% of total bid price;
- Presentation of the findings identified in the white paper to the NYSCB State Rehabilitation Council (SRC) will equate to 10% of total bid price.

Term of Contract

Contract(s) awarded in response to this announcement will be for **a term of nine (9) months**. The anticipated start date is **January 1, 2021**, and the anticipated end date is **September 30, 2021**. Funding is anticipated to be available for the first year of the contract. Contractors may not begin to provide services prior to the contract start date; OCFS has no obligation to pay for services rendered prior to the approval of the contract by the New York State Office of the State Comptroller and the Office of the Attorney General.

How to Apply

To be considered eligible, interested parties must complete and submit all required documents to this solicitation in conformance with the format and content requirements set forth herein. A response that does not provide all the information requested may be subject to rejection. The response should contain sufficient information to assure OCFS of its accuracy. The information provided should, wherever possible, provide verification that your organization meets the requirements indicated in the **Eligibility Criteria** section of this announcement.

The following documents are required to be completed and provided by each applicant:

- **Attachment 1 – Letter of Interest**
- **Attachment 3 – Affirmation of Business Status**
- **Attachment 4 – References**

Refer to the **Eligibility Criteria** section of this announcement for detailed information regarding how to complete these required documents. **Omissions in the information provided in response to any of the requirements will not be resolved in the proposer's favor.**

Additionally, the following documents should be provided at the time of application:

- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)
- **An organizational chart** that depicts the individual(s) responsible for this project and where they are located within the organization's structure.

Applicants must submit these documents via email to RFP@ocfs.ny.gov no later than the deadline specified on the first page of this announcement.

Please enter "**DISC #1052 Comprehensive Needs Assessment**" in the subject line of the email submission of your application and identify the name of the applicant in the body of the email and in the filenames of attached documents to ensure your submission is processed efficiently. **Early submissions are encouraged as late responses may be subject to rejection.**

Please limit your Letter of Interest to a maximum of **40** page(s), Arial twelve-point font, single line spacing and one-inch margins. Please see the **Attachment 1 – Sample Letter of Interest** provided for your reference. If applicable, Letters of Interest should attempt to conform to the guidance outlined in **Attachment 2 – Guidelines for Preparing Letters of Interest.**

Questions

Questions must be submitted via e-mail to RFP@ocfs.ny.gov prior to the due date and time of this announcement. Please submit your question with adequate time for response. OCFS recommends allowing at least five (5) business days. Be sure to put "**DISC #1052 Comprehensive Needs Assessment**" in the subject line. **Late questions may not be addressed.**

Under the requirement of the Procurement Lobbying Act all communications regarding advertised projects are to be channeled only through the primary contact identified herein.

Evaluation Process

An internal review by OCFS will evaluate LOI submitted in response to this announcement. This announcement is not a guarantee or promise of funding. Available funding to support this initiative will be limited to the amount(s) appropriated in the enacted budget for this purpose and will be awarded among those interested organizations who are deemed to meet the eligibility requirements and have been selected for funding.

OCFS may require additional information from an organization prior to deciding whether the interested organization is eligible and can supply the requested commodities or services. Additional information requested by OCFS must be provided within five (5) business days from request.

Selection criteria used to identify the successful vendor may include, but is not limited to the following: responsiveness of the narrative provided in your LOI regarding meeting the requirements of this announcement, budget amount requested, staff credentials, reference check results, etc.

Upon selection, OCFS will notify eligible organizations of their status and the proposed award amount (if any) and request a work plan and budget with justifications as well as other completed documents necessary to develop contracts.

OCFS Reserved Rights

OCFS reserves the right to withdraw, amend or postpone this announcement, without notice, and without liability, to any applicant, or other party, and may exercise these rights at any time. In addition, OCFS reserves the right to

- place a monetary cap on the funding amount made in each contract award;
- change any of the schedule dates stated in the announcement;
- request all bidders who submitted proposals to present supplemental information clarifying their proposals either in writing or by formal presentation;
- direct all organization who submitted LOI's to prepare modifications addressing announcement amendments;
- make funding decisions that maximize compliance with and address the outcomes identified in this announcement;
- eliminate any announcements requirements unmet by all applicants, upon notice to all parties that submitted LOI's;
- waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the applicant involved;
- correct any arithmetic errors in any proposal, or make typographical corrections to proposals, with the concurrence of the applicant;
- negotiate with the eligible applicant(s) prior to contract award;
- require that all proposals be held valid for a minimum of 180 days from the closing date for receipt of applications, unless otherwise expressly provided for in writing;
- fund any or all of the proposals received in response to this announcement. However, issuance of this announcement does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted;
- use the LOI submitted in response to this announcement 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;
- make inquiries of third parties, including but not limited to applicant's references, with regard to the applicant's experience, or other matters deemed relevant by OCFS. By submitting a LOI in response to this announcement, the applicant gives its consent to any inquiry made by OCFS;
- where applicable, 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;
- when applicable consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals; and
- reject any extraneous terms, alternate activities/work to be performed, added conditions, or exceptions stated by applicants within their LOI. This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

Contract Documents

The applicant must review the contract terms and conditions of the contract template provided below.

If applying, your organization must read, understand, and accept all provisions of Appendix A – Standard Clauses for NYS Contracts. Appendix A contains important information related to the contract to be entered into as a result of this SOI and will be incorporated, without change or amendment, into the contract entered into between OCFS and the selected organization(s). By submitting a response to the SOI, your organization agrees to comply with all the provisions of Appendix A. Please review the sample non-grant contract template, which includes the Appendix A, available at: <https://ocfs.ny.gov/main/bcm/grantawards.asp>.

In addition, the following documents will be required prior to contracting:

- [Vendor Responsibility Questionnaire](#) (if applicable)
- [Proof of Workers Compensation Insurance](#) (if applicable)
- [Proof of Disability Benefits Coverage](#) (if applicable)
- [ST-220-TD, Contractor Certification](#) (if applicable, for reference only)
- [ST-220-CA, Contractor Certification to Covered Agency](#) (if applicable)
- [Attachment A-2, Federal Assurance and Certifications](#) (if applicable)
- [OCFS-4822, Procurement Lobbying Act – Offerer Certification Form](#) (if applicable)
- [OCFS-4631, MWBE Utilization Plan Form](#) (if applicable)
- [OCFS-4629, Project Staffing Plan Form](#)
- [OCFS-3460, Equal Employment Opportunity \(EEO\) Policy Statement](#)
- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)
- **Attachment 5 - NYSCB Confidentiality Agreement** (see attachments)

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>

Other Contracting Requirements

1. If applicable, Not-For-Profit organizations must be registered in the NYS Grants Gateway and complete the Vendor Prequalification process prior to contract execution per [New York State Division of Budget Bulletin H-1032 Revised](#), dated July 16, 2014.
2. 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.

3. 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 announcement, 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.
4. 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.
5. By submitting an LOI 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.
6. All offerers and their employees must be aware of and comply with the requirements of the New York State Public Officers Law, and all other appropriate provisions of New York State law and all resultant codes, rules and regulations from state laws establishing the standards for business and professional activities of state employees and governing the conduct of employees of firms, associations and corporations in business with the state. In signing the proposal, each offerer guarantees knowledge and full compliance with those provisions for any dealings, transactions, sales, contracts, services, offers, relationships, etc. involving the state and/or state employees. Failure to comply with those provisions may result in disqualification from the bidding process and in other civil or criminal proceedings as required by law: <https://www.nysenate.gov/legislation/laws/PBO>
7. 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. If applicable, a contractor on any contract resulting from this procurement 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 opportunity, the respondent agrees that OCFS may withhold payment pursuant to any Contract awarded as a result of this announcement pending receipt of the required MWBE documentation. The directory of MWBES can be viewed at: <https://ny.newnycontracts.com>. OCFS will request any necessary completed MWBE documents from the contractor during the contract development process.

8. If applicable, 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

Contact Information

Primary contact:

Director of Contracts
Office of Children & Family Services
52 Washington Street
Room 202S – Procurement Unit
Rensselaer, NY 12144
RFP@ocfs.ny.gov

Submit to contact:

Director of Contracts
Office of Children & Family Services
52 Washington Street
Room 202S – Procurement Unit
Rensselaer, NY 12144
RFP@ocfs.ny.gov

Attachments

Please see the following attachments to this announcement, which are available on the NYS Contract Reporter website at <https://www.nyscr.ny.gov>.

Attachment 1 – Sample Letter of Interest*

Attachment 2 – Guidelines for Preparing Letters of Interest (for reference only)

Attachment 3 – Affirmation of Business Status*

Attachment 4 – References*

Attachment 5 – NYSCB Confidentiality Agreement (for reference only)

* Attachments marked with an asterisk must be completed and included with your bid proposal.