

**Title:** SOI # 2019-01  
**Job Placement Services and Diagnostic Vocational Evaluation Services**

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

**Contract Number:** TBD

**Contract Term:** Five (5) Years: 1/1/2020 - 12/31/2024

**Date of Issue:** 7/19/2019

**Due Date/Time:** 8/9/2019 by 4:00 PM Eastern Time

**Location:** Statewide

**Counties:** Statewide

### **Background**

New York State Office of Children and Family Services (OCFS) announces a Solicitation of Interest (SOI) for qualified entities that provide Job Placement Services and/or Diagnostic Vocational Evaluation Services to individuals who are legally blind. Please see the **Eligibility Criteria** section for additional information.

The New York State Commission for the Blind (NYSCB) is the state entity designated to provide services to New Yorkers who are legally blind. NYSCB is looking to broaden the availability of job placement services and diagnostic vocational evaluation services to individuals who are legally blind in New York State. The expectation is, having a more diverse provider network for these services will result in greater options for NYSCB's participants, particularly in the more isolated regions of the state.

NYSCB estimates that statewide, 200 NYSCB participants will require Job Placement Services and 100 NYSCB participants will require Diagnostic Vocational Evaluation Services annually.

The Placement Services Guidelines and the Diagnostic Vocational Evaluation Guidelines are both available online at: [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp).

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

This advertisement is public notice that OCFS is seeking to contract with organizations to provide Job Placement Services and/or Diagnostic Vocational Evaluation Services. Please see the **Activities/Work to be Performed** section for additional information.

The purpose of this SOI is to invite any eligible and interested entities who believe 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. Please see the **How to Apply** section for additional information and submission requirements.

### **Activities/Work to be Performed**

Funded applicants will provide Job Placement Services and/or Diagnostic Vocational Evaluation Services to New Yorkers who are legally blind.

## **Job Placement Services**

Job Placement Services (JPS) are the services directly related to assisting a participant to prepare for, and achieve or maintain non-subsidized, integrated employment. Job Placement Services are defined within the Placement Services Guidelines: [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp).

The following are the definitions of the Job Placement Services that are new to the program. These new services and associated payment for outcomes will be further outlined in the Placement Services Guidelines before the start of any agreement resulting from this SOI.

**Employment Customization:** Employment customization requires the placement provider to have face-to-face meetings with the participant and the employer, which enables them to create a job match that is significantly more complex and difficult than the average job placement. It requires a blend of flexible strategies that result in the provision of individually negotiated and designed services, supports and job opportunities that lead to an employment outcome. The negotiating can be done during the job development phase of job placement. This includes customizing a job description based on the employer's current needs and developing a set of job duties, work schedule, and the specifics of supervision tailored to the individual participant. The key factor in deciding if a service will be considered a customized employment, is the presence of employer negotiation, which include **all** of the following conditions:

- Customizing a job description based on current unidentified and unmet needs of the employer and the needs of the employee
- Developing a set of job duties and/or tasks
- Developing a work schedule (including determining hours worked)
- Determining a job location
- Developing a job arrangement (such as job carving\*, job sharing, or a split schedule)
- Determining specifics of supervision

\*Job Carving is not in itself Customized Employment but can be a component of it.

Employment Customization is a flat fee service. Employment Customization can be billed in conjunction with "Job Placement 90-Day" only when the written customized employment report documents and verifies the placement provider negotiated with the employer to develop a unique, highly individualized set of job responsibilities which were tailored to the skills and strengths of the individual participant.

Payment will be made to the placement provider upon NYSCB's review and approval of a detailed, customized employment report that documents the placement provider both, performed the specific customized employment activities related to assessing the individual participant's strengths and the placement provider negotiated with the employer to match a set of job responsibilities to those assessed participant strengths. Services rendered by the placement provider must involve a blend of flexible strategies that result in the provision of individually negotiated and designed services, supports, and job opportunities for the individual participant and lead to the employment outcome of customized employment, which could include self-employment, as described in the service definition herein.

**New Employer:** A successful placement with an employer in which no participant was previously placed by NYSCB or NYSCB\_placement providers is eligible for the New Employer payment in addition to the Job Placement-90 Days outcome. This placement will be found solely by the placement provider and not by or in conjunction with the NYSCB counselor. NYSCB will evaluate each placement based on internal data and the final determination, if a placement qualifies as a New Employer outcome is at NYSCB's sole discretion.

**Substantial Gainful Activity:** A successful placement in which the participant is engaging in Substantial Gainful Activity (SGA) for a minimum of two (2) months is eligible for the Substantial Gainful Activity Outcome in addition to the Job Placement- 90 Days outcome. This payment will be tied to the yearly federal standard of SGA for blind individuals. Successful SGA will mean that a participant earns at or above the SGA for blind individuals, starting from day 1 to day 30 of employment or from day 31 to 60 of employment, and that their earnings are above the SGA for blind individuals from Day 61-90 days of employment.

Documentation of earnings will be required for this outcome, at the end of 90 days.

Documentation submitted after the placement provider signs the 90-day authorization, will not be accepted.

### **Additional Job Placement Services Guidelines Changes:**

In addition to the above outcomes and payments, the following changes will be incorporated in to the Job Placement Services Guidelines for any agreement resulting from this SOI with a term beginning in 2020. Only job placements that occur in competitive integrated employment settings are eligible for the following outcomes: 6-day Job Placement or 90-day Job Placement. During the job placement process if a participant decides to accept a position that does not meet the threshold of competitive integrated employment, the placement provider may be eligible for payment under Placement Assessment, Job Seeking, and Job Development outcomes, if the standards for these outcomes were met. Job placement providers cannot accept participants into the placement process if the goal of the placement provider or the goal of the participant is to be placed into positions which are not considered to be competitive integrated employment. 6-day Job Placements and 90-day Job Placements will not be eligible for payment if the participant is placed within the job placement provider's organization or related entities.

### **Job Placement Services - Staff Qualifications**

Job Placement Services must be provided to NYSCB referred participants only by NYSCB approved, funded organization staff members who possess the qualifications as defined within the Placement Services Guidelines under either Job Placement Services Staff Qualifications, Diagnostic Vocational Evaluation Staff Qualifications or Situational Assessment Staff Qualifications: [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp)

### **Diagnostic Vocational Evaluation Services**

Diagnostic Vocational Evaluation (DVE) services enable the NYSCB counselor and participant to obtain information, through comprehensive DVE testing and/or community-based situational assessment, to assist in the determination of eligibility or development of a vocational goal, which will enable the participant to make informed choices in selecting a vocational goal and the means to achieve that goal. DVE services also clarify issues which may be impeding vocational rehabilitation services.

DVE services must provide information to assist in the determination of eligibility for or development of a vocational goal, and/or clarify issues which may be impeding vocational rehabilitation services. DVE's are defined within the Diagnostic Vocational Evaluation Guidelines: [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp)

### **Diagnostic Vocational Evaluation Services - Staff Qualifications**

DVE Services must be provided to referred NYSCB participants only by funded organization staff members who possess the qualifications as defined within the Diagnostic Vocational Evaluation

Guidelines: [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp)

Situational Assessment Staff Qualifications: Situational Assessments may be conducted by anyone qualified to provide diagnostic vocational evaluations, or by a job coach, under the supervision of an evaluator or placement specialist, who possess the qualifications as defined within the Diagnostic Vocational Evaluation Guidelines: [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp)

### **Eligibility Criteria**

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

- Applicants who have certified that they have Reviewed the NYSCB Job Placement Services and Diagnostic Vocational Evaluation Guidelines and agree to provide the services outlined within [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp) for Job Placement Services and/or Diagnostic Vocational Evaluation Services. This must be documented by the provision of an **Attachment 1 – Submission Checklist** and **Attachment 4 – Listing of NYS Counties and NYC Boroughs**.
- Have a minimum of 1-year experience providing the services for which the organization is proposing (*Job Placement Services and/or Diagnostic Vocational Evaluation Services*). NOTE: The 1-year experience does not need to be specific to providing Job Placement Services and/or Diagnostic Vocational Evaluation Services to individuals who are blind. Providing such services to the general population for a minimum of 1-year would qualify. **This must be documented in your Attachment 2 – Letter of Interest.**
- Be eligible to do business with New York State.
- Employ staff or commit to hiring staff, meeting the minimum staff qualification requirements for the service(s) the organization is applying (*Job Placement Services and/or Diagnostic Vocational Evaluation Services*). Staff Qualifications must be approved by NYSCB before any services can be provided by the funded organization. **The qualifications of current staff and/or the plan to hire additional qualified staff must be described in detail in your Attachment 2 – Letter of Interest.** Omissions in information provided by the applicant may not be resolved in the applicant's favor.
- Organizations with 14C Certificates must: **Specify a date in the Attachment 2 – Letter of Interest**, stating when the organization will cease to operate under a 14c Certificate and will cease paying any of the organization's employees less than the NYS minimum wage. Said date must be no greater than eighteen (18) months from the anticipated award start date of January 1, 2020. In the event the specified date is greater than eighteen months (*beyond June 30, 2021*), the organization is not eligible for an award under this SOI. (applicable to organizations with 14C certificates only) (See subsection **Note to Organizations with 14C Certificates** under the **Contract/Funding Details** section.)
- Pay the New York State minimum wage or higher to all employees of the organization located in New York State, for the duration of the award term.

### **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 SOI. In making awards, OCFS must verify geographic coverage of the regions proposed.

NYSCB intends to make multiple fee-based awards throughout New York State, ranging in value from

\$10,000 to \$1,500,000 per 5-year term, in response to this SOI. Referrals of NYSCB participants to funded organizations will be made in accordance with federal regulation “Title 34 → Subtitle B → Chapter III → Part 361.52 Informed Choice” that requires the participant to select the vendors based upon information/options provided by NYSCB. There is no guarantee of the number of referrals and/or revenue from any award pursuant to this SOI.

NYSCB further intends to award a fee-based contract or letter of agreement (LOA) to all organizations meeting the eligibility requirements and whose proposals pass the minimum pass/fail requirements in the Checklist. Payment for services will be according to the fixed fee schedule (see **Payment Schedule** section) and upon NYSCB’s approval of the Consumer Information System (CIS) authorization, as applicable.

The individual award funding levels will be determined by a panel of experts consisting of Job Placement and Diagnostic Vocational Evaluation Counselors who hold advanced degrees and have extensive experience in the field of Job Placement Services and Diagnostic Vocational Evaluation Services. The panel will estimate levels of utilization for each award and use the utilization amounts to estimate the award value for each funded organization. In the event the panel underestimates usage for any award, NYSCB will reach out to the funded organization and perform the necessary amendment to realign values with utilization.

Organizations who meet the eligibility requirements to receive an award under this SOI, but are determined by the NYSCB panel of experts to be providing \$ 10,000 or less in Job Placement Services and/or Diagnostic Vocational Evaluation Services in a given calendar year, will be offered a LOA to provide services as a “Non-Contract Provider” (*This LOA will hereafter be referred to as a “Non-Contract Provider Authorization Agreement.”*) Funded organizations providing services under a Non-Contract Provider Authorization Agreement will be paid the various fixed fee(s) applicable for the service(s) provided to NYSCB’s referred participants, through a CIS authorization (*In accordance with [New York State Division of Budget Bulletin H-1032 Revised](#)*). Further, organizations can request to be designated as a Non-Contract Provider by requesting to be so designated within their Letter of Interest (LOI) and submitting a completed *Job Placement Services and Diagnostic Vocational Evaluation Services Non-Contract Provider Authorization Agreement* (Attachment 5). The Non-Contract Provider Authorization Agreement provides an administratively streamlined way for otherwise qualified organizations who are unsure of the fiscal viability of expanding into the provision of Job Placement Services and/or Diagnostic Vocational Evaluation Services to individuals who are legally blind. To provide and receive payment for more than \$10,000 in Job Placement Services and/or Diagnostic Vocational Evaluation Services, in a given calendar year, a funded organization may be required to have a contract with NYSCB/OCFS. Any organization that opts to initially be designated a Non-Contract Provider in response to this SOI will have the ability to become a “contract provider” at any time during this 5-year award term, contingent upon contract approval by the NYS Attorney General (AG) and the NYS Office of the State Comptroller (OSC).

Please be aware that NYSCB promotes Participant Informed Choice and ultimately the usage of any contract or Non-Contract Provider Authorization Agreement will be determined by NYSCB participants and not by the panel of experts and therefore all contract or Non-Contract Provider Authorization Agreement values should be considered estimates of potential usage only.

Non-Contract Provider organizations that do not respond to this SOI will not be eligible to become contract providers under this procurement.

If the organization proposes both Job Placement Services and Diagnostic Vocational Evaluation Services and the organization meets the eligibility requirements stipulated herein this SOI and whose proposal passes the minimum pass/fail requirements stipulated in the Checklist, NYSCB will combine both service types under one contract or Non-Contract Provider Authorization Agreement with the funded organization.



## **Note to Organizations with 14C Certificates**

Organizations who currently hold certificates issued under section 14(c) of the Fair Labor Standards Act, which authorizes the payment of subminimum wages to employees may submit a response to this SOI in anticipation of the organization eliminating such positions as per the NYS Employment First Commission Recommendations. (See *link below*)

[https://www.nyess.ny.gov/docs/employment\\_first\\_march2015\\_final.pdf](https://www.nyess.ny.gov/docs/employment_first_march2015_final.pdf)

NYSCB will not contract with, or approve a Non-Contract Provider Authorization Agreement with, organizations who pay their employees less than the NYS minimum wage. If the organization otherwise meets the requirements of this SOI and said organization is chosen for an award, the start date of the resulting contract or Non-Contract Provider Authorization Agreement will be the next business day after the organization ceases paying its employees less than the NYS minimum wage. Any contracts or Non-Contract Provider Authorization Agreements resulting from this SOI will have the same anticipated end date of December 31, 2024. See **Eligible Criteria** section for more information on how to submit a LOI if your organization holds a 14C Certificate.

## **Payment Schedule**

Services provided under contracts or Non-Contract Provider Authorization Agreements resulting from this SOI will be used on an as-needed basis, as authorized by the NYSCB District office, to support the attainment of outcomes. Payment for these services is on an achieved outcome basis according to the following Payment Schedule, for outcomes that has been reviewed and approved by NYSCB.

Payment Schedule	
Job Placement Services	Amount
Job Placement Assessment: Either A or B is allowed	
A) Completion of Assessment Report, (Not Ready w/reasons)	\$850
B) Completion of Assessment Report and Job Placement Plan (Ready)	\$850
Job Placement Services	
Job Seeking (upon Placement Plan approval)	\$900
Job Development (upon Placement Plan approval)	\$1,600
Job Placement, 6 Day	\$1,500
Job Placement, 90 Day	\$2,500
Employment Customization, 90 Day <u>(New Payment)</u>	\$1,500
New Employer <u>(New Payment)</u>	\$250
Substantial Gainful Activity <u>(New Payment)</u>	\$500
Diagnostic Vocational Evaluation	Amount
Comprehensive Diagnostic Evaluation	\$2,000
Situational Assessment I (Trial Work)	\$200/per day
Situational Assessment II (Up to 10 Days)	\$150/per day

## **Payments and Reports**

The funded organization will be paid upon submission to the NYSCB District Office a completed CIS authorization along with the required reports and upon approval of payment request and reports by the NYSCB District Office and the NYS Office of Children and Family Services Bureau of Contract

Management and upon approval and processing of the payment voucher by the New York State Office of the State Comptroller, at the amounts identified above.

New Services will be paid based on the criteria identified in the **Activities/Work to be Performed** section, and further refined and clarified in the 2020 to 2024 Placement Services Contract Guidelines when they are posted at [http://ocfs.ny.gov/main/cb/provider\\_info.asp](http://ocfs.ny.gov/main/cb/provider_info.asp).

The award of a contract or Non-Contract Provider Authorization Agreement will **NOT** guarantee the funded organization(s) any referrals or related payments from NYSCB. Referrals will be made by NYSCB only as the need arises in the local NYSCB District Offices. Therefore OCFS/NYSCB does not guarantee any specific level of income, or level of referrals in any of the contracts or Non-Contract Provider Authorization Agreements resulting from this SOI.

### **Term of Contract**

Contract(s) and Non-Contract Provider Authorization Agreement(s) awarded in response to this SOI will be for **a period up to five years** (See **Note to Organizations with 14C Certificates** section.) The anticipated start date is **1/1/2020**, and the anticipated end date is **12/31/2024**. Funding is anticipated to be available for the first year of the contract. The award of a 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 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 SOI 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 SOI.

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

- Attachment 1 – *Submission Checklist*
- Attachment 2 – *Letter of Interest*
- Attachment 4 – *Listing of NYS Counties and NYC Boroughs*

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

- Attachment 5 – *Job Placement Services and Diagnostic Vocational Evaluation Services Non-Contract Provider Authorization Agreement* (optional and only for organizations requesting to be designated as a non-contract provider. See **Contract/Funding Details** section for more information.)
- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)
- Current service pamphlet or brochure (*optional*)
- Current Organization Chart that depicts the entire organization structure and indicates where the organization head or the Chief Administrative Officer and the Contract Developers, Contract Signatories and Claim Signatories appear in relation to the Board of Directors and the organization as a whole. (*optional*)

**Applicants must submit these documents via email to [RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov) no later than the**

**deadline specified on the first page of this announcement.**

Please enter “**SOI #2019-01 Job Placement Services and Diagnostic Vocational Evaluation Services**” in the subject line of the email submission of your application. **Early submissions are encouraged as late responses may be subject to rejection.**

Please limit your Letter of Interest to a maximum of **fifty (50)** page(s), Arial twelve-point font, single line spacing and one-inch margins. Please see the **Attachment 2 – Sample Letter of Interest** provided for your reference. If applicable, Letters of Interest should attempt to conform to the guidance outlined in **Attachment 3 – Guidelines for Preparing Letters of Interest.**

### **Questions**

Questions must be submitted via e-mail to [RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov) prior to the due date and time of this SOI. Please submit your question with adequate time for response. OCFS recommends allowing at least five (5) business days. Be sure to put “**SOI #2019-01 Job Placement Services and Diagnostic Vocational Evaluation Services**” in the subject line. All questions must be submitted at least five (5) business days prior to the due date. Late submissions may not be addressed.

### **Evaluation Process**

An internal review by OCFS will confirm eligibility. This solicitation of interest 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.

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.

Upon determination of eligibility, 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 SOI, 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 date stated in the SOI;
- 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 SOI amendments;
- make funding decisions that maximize compliance with and address the outcomes identified in this SOI;
- eliminate any SOI 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 SOI. However, issuance of this SOI does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted;
- use the LOI submitted in response to this SOI 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 SOI, 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; and
- when applicable, consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals.

### **Contract Documents**

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

The contract documents consist of the following:

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 (Federally Funded Grants)
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

A copy of the NYS Standard Terms and Conditions (State of New York Master Contract for Grants) and a sample grant contract is available for review at the following link:

[https://grantsreform.ny.gov/sites/default/files/docs/nys\\_master\\_contract\\_for\\_grants\\_8\\_14.pdf](https://grantsreform.ny.gov/sites/default/files/docs/nys_master_contract_for_grants_8_14.pdf)

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)
- [Attachment A-2, Federal Assurance and Certifications](#) (if applicable)
- [OCFS-4629, Project Staffing Plan Form](#)
- [OCFS-3460, Equal Opportunity Policy Statement](#)

## **Letter of Agreement (LOA) Documents (Non-Contract Provider Authorization Agreement)**

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

The contract documents consist of the following:

1. Non-Contract Provider Authorization Agreement
2. Appendix A – Standard Clauses for New York State Contracts

A copy of the LOA has been provided as **Attachment 5 - Job Placement Services and Diagnostic Vocational Evaluation Services Non-Contract Provider Authorization Agreement**.

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

- [Proof of Workers Compensation Insurance](#) (if applicable)
- [Proof of Disability Benefits Coverage](#) (if applicable)

### **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 Requirements**

1. 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 SOI, 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. 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](https://www.charitiesnys.com/RegistrySearch/search_charities.jsp)

## **Contact Information**

### **Primary contact:**

Director of Contracts  
New York State Office of Children and Family Services  
52 Washington Street  
Room 202S – RFP Unit  
Rensselaer, NY 12144  
[RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov)

### **Submit to contact:**

Director of Contracts  
New York State Office of Children and Family Services  
52 Washington Street  
Room 202S – RFP Unit  
Rensselaer, NY 12144  
[RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov)

## **Attachments**

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

**Attachment 1 – *Submission Checklist* (REQUIRED)**

**Attachment 2 – *Sample Letter of Interest* (REQUIRED)**

**Attachment 3 – *Guidelines for Preparing Letters of Interest* (for reference only)**

**Attachment 4 – *Listing of NYS Counties and NYC Boroughs* (REQUIRED)**

**Attachment 5 – *Job Placement Services and Diagnostic Vocational Evaluation Services Non-Contract Provider Authorization Agreement* (optional and only for organizations requesting to be designated as a non-contract provider. See **Contract/Funding Details** section for more information.)**