



**Office of Temporary
and Disability Assistance**

REQUEST FOR PROPOSALS

Operational Support for AIDS Housing (OSAH)

RFP Release Date: Feb 17, 2023

RFP Due Date: 2:00 PM: April 10, 2023

Designated Contact:

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Agency: Office of Temporary & Disability Assistance

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Office of Temporary and Disability Assistance

OPERATIONAL SUPPORT FOR AIDS HOUSING (OSAH)

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Timeline of Key Events and Procurement Schedule

Event	Date
Request for Proposals Release	February 17, 2023
Deadline to Submit Questions	March 3, 2023
Proposed Date of Answers (on or about)	March 10, 2023
Proposals Due	April 10, 2023
Notification of Awards on or about	May 17, 2023
Contract Start Date	September 1, 2023
Contract End Date	August 31, 2028

Inquiries:

Any questions about this RFP must be submitted in writing by 2pm on March 3, 2023 to the attention of Sandra Ayers at the New York State Office of Temporary and Disability Assistance (OTDA), Bureau of Housing and Support Services, 40 North Pearl Street, Floor 10B, Albany, New York 12243, or e-mail to servicesRFP.qanda@otda.ny.gov.

All questions must be typed. Along with your question(s), provide your name, organization, mailing address and email address. Questions may be submitted prior to the 2 PM March 3 deadline.

The written responses to all questions will be posted at www.otda.ny.gov. The NYS Office of Temporary and Disability Assistance will not entertain questions via telephone. Any question received after the specified deadline may be answered at the discretion of OTDA and if answered would be published in the Question-and-Answer document.

TABLE OF CONTENTS

Section One- SUMMARY INFORMATION

	Page
1.1....Introduction.....	1
1.2....Eligible Applicants.....	2
1.3....Prequalification Requirement in Grants Gateway.....	2
1.4....Program Description.....	4
1.5....Eligible Target Populations.....	4
1.6....Eligible Services and Costs.....	4
1.7 ...Maintenance of Effort.....	6
1.8 ...Selection Process.....	6
1.9 ...Award Procedure.....	8
1.10...Reports and Record Keeping.....	9
1.11...Bid Protest Procedure.....	10
1.12...General Terms and Conditions.....	12

Section Two- APPLICATION INSTRUCTIONS

Section Three- PRE-SUBMISSION UPLOAD FORMS

Section Four- GRANTS GATEWAY APPLICATION QUESTIONS

Section One- SUMMARY INFORMATION

1.1 INTRODUCTION

The New York State Office of Temporary and Disability Assistance (OTDA) announces a funding opportunity from the NYS homeless housing programs fund anticipated in the State Fiscal Year (SFY) 2023-24 Aid to Localities budget for the Operational Support for AIDS Housing (OSAH) program. OTDA will make funding available statewide for eligible projects. Applications will be accepted from units of local government, local social services districts, tribal organizations and nonprofit corporations. These funds may be used to provide services and operational support to applicants that have received a capital grant awarded through the Homeless Housing and Assistance Program (HHAP) to provide housing specifically for homeless individuals and/or families living with HIV/AIDS. HHAP funds must have been used to construct or rehabilitate the specific AIDS housing units for which OSAH funding is requested. OTDA reserves the right to adjust funding levels based on the availability of funds.

To qualify for funding, a private nonprofit organization must be one which is exempt from taxation under subtitle A of the Internal Revenue Code, has an accounting system, a voluntary board of directors, and practices nondiscrimination in the provision of assistance. Additionally, a nonprofit corporation applying to OTDA for funds should provide certification from both the local Social Services District and the local Continuum of Care (CoC) body supporting the project.

Current OSAH contractors MUST submit a proposal in response to this RFP to be considered for future funding.

Contracts under the OSAH program may fund services and/or operational support for eligible projects. Applicants must demonstrate a clear need for funds to supplement the operating budgets established for their existing HHAP project. Funded applicants are expected to provide support services to the population served. Funds acquired through this RFP may not supplant existing Federal, State, or local funding.

Contracts awarded under OSAH may include Mortgage Insurance Funds (MIF), or other funds that utilize, the Homeless Housing and Assistance Corporation (HHAC) as a funding source. OTDA will award available funds statewide for OSAH projects on a competitive basis.

Contract awards will be for a five-year contract term (September 1, 2023, to August 31, 2028) to be funded annually in one-year periods depending upon the availability of continued OSAH funding, satisfactory performance, and at the discretion of OTDA. OTDA reserves the right to consider additional renewal terms. Proposals should reflect projections, needs, and budgeted items for a one-year period. If selected, the proposal and all parts of it submitted in response to this RFP may become part of a contract with OTDA, subject to approval by the New York State Attorney General (OAG) and the Office of the State Comptroller (OSC). At the time of contract development, awardees may be required to submit additional budget, program and/or other information for the final contract. OTDA reserves the right to negotiate any aspect of a proposal to ensure that the final agreement meets OTDA objectives.

Applications must be submitted electronically through Grants Gateway at <https://grantsgateway.ny.gov>.

OTDA will conduct a thorough review of each application submitted. Eligible applicants should answer all questions and submit all forms requested by this RFP. Failure to submit all required forms and answer all required questions will adversely affect the overall competitive score of an application. Applications cannot be submitted in Grants Gateway after the deadline. Any application received after the deadline or outside of the Grants Gateway system may be reviewed solely at the discretion of OTDA.

All applications must meet the two following requirements:

- Applications must be submitted by Eligible Applicants, as defined in Section 1.2 and prequalified in Grants Gateway as outlined in Section 1.3.
- Proposals must serve an Eligible Target Population, as defined in Section 1.5.

Should an application fail to meet these requirements, it will be disqualified.

1.2 Eligible Applicants

Eligibility to apply for OSAH funding through this Request for Proposals (RFP) is specifically limited to those projects developed with HHAP funds to serve homeless and/or formerly homeless persons living with HIV/AIDS. Eligible HHAP applicants include nonprofit corporations, governmental, or tribal agencies that either exclusively serve individuals and/or families with HIV/AIDS or are obligated to set aside a specific number of units for individuals and/or families living with HIV/AIDS. HHAP funds must have been used to construct or rehabilitate the specific AIDS housing units for which OSAH funding is requested.

Units that are currently in receipt of Empire State Supportive Housing Initiative funding will not be eligible for OSAH funds.

Agencies currently receiving OSAH funds from OTDA must compete successfully under this RFP to receive continued funding.

1.3 Prequalification Requirement

All nonprofits are subject to the Prequalification Requirement in Grants Gateway. Units of local government, local social services districts and tribal organizations that register in Grants Gateway are also eligible to apply for these funds.

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, NYS has instituted key reform initiatives to the grant contract process which require nonprofits to register in Grants Gateway and complete the Vendor Prequalification process in order for proposals to be considered and evaluated. Information on these initiatives can be found on the Grants Management website <https://grantsmanagement.ny.gov/resources-grant-applicants>.

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. The Grants Management website details the requirements, and an online tutorial is available to walk users through the process. Prequalification details can be found at this link <https://grantsmanagement.ny.gov/get-prequalified>.

1. Register for the Grants Gateway

- On the Grants Management Website, download a copy of the Registration form at the following: [Register Your Organization | Grants Management \(ny.gov\)](#). Signed, notarized forms should be sent electronically to GrantsReform@its.ny.gov. 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, please email grantsreform@budget.ny.gov. If you do not know your password, please click the [Forgot Password](#) link from the main log-in page and follow the prompts.

2. Complete your Prequalification Application- Nonprofits only

- Log in to the [Grants Gateway](#). **If this is your first time logging in**, you will be prompted to change your password at the bottom of your 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 you have the most grants with. If you do not have contracts with a State agency, select OTDA. This page should be completed in its entirety before you 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 referred to Grants Gateway at GrantsGateway@its.ny.gov.

3. Submit Your Prequalification Application

- After completing your Prequalification Application, **click the *Submit Document Vault*** link located below the *Required Documents* section in order to submit your Prequalification Application for state agency review. The system will send you an email confirming that your Document Vault has been submitted for review. If you do not receive an email, you may not have actually submitted the vault. Once submitted the status of the Document Vault will change to *In Review*. If your Prequalification reviewer has questions or requests changes, you will receive an email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Grants Gateway notification that you are now prequalified to do business with NYS.

1.4 Program Description

OSAH is designed to help establish and maintain a viable continuum of residential opportunities for previously homeless persons with HIV/AIDS and/or their families living in supportive housing created through HHAP. OSAH funds assist HHAP-funded AIDS housing programs with providing necessary operational support and covering maintenance and operating expenses.

Contracts under this RFP may fund up to five years of services and operational support to eligible projects. This RFP governs the provision of OSAH services for a five-year contract term to be funded annually for one (1) year periods depending upon the availability of continued OSAH funding, satisfactory performance, and the discretion of OTDA. Funding under this round of OSAH is expected to be highly competitive. Applicants must demonstrate a clear need for OSAH funds to supplement the operating budget established for the HHAP project. The amount of each individual contract may vary, based on the size of the project, the demonstrated needs of the sponsor and the overall demand for funding.

1.5 **Eligible Target Populations**

The eligible population to be served under the provisions of this RFP is homeless and/or formerly homeless families and/or individuals that reside in HHAP-funded housing units specifically constructed or set-aside to house persons living with HIV/AIDS. **OSAH funds may not be used to provide services to individuals or families residing in units not designated for persons living with HIV/ AIDS within eligible projects.**

1.6 **Eligible Services and Costs**

To be eligible for funding under this RFP, activities must be in direct support of the operation of eligible projects. Eligible activities under this RFP are limited to the following:

- **Maintenance and Operation** - These are activities directly associated with the maintenance and operation of the eligible HHAP project and its grounds. Such activities include, but are not limited to:
 - maintenance, security, housekeeping, grounds keeping services or staff;
 - heating and utilities;
 - supplies, equipment, and furniture;
 - leased vehicles;
 - service contracts;
 - food and/or clothing for residents; and
 - other related activities for which a need is clearly articulated.

- **Support Services** - Funds may be used to provide residents with necessary support services for which funding is not otherwise available. Eligible services include, but are not limited to:
 - admission and discharge planning;
 - case management, including benefits advocacy and health care advocacy;
 - assistance in accessing community-based services, including primary and chronic health care, mental health services, physical therapy and/or rehabilitation, substance abuse treatment and/or harm reduction services;
 - assistance with shopping, housekeeping, and other activities of daily living;
 - preparation and serving of food;
 - on-site educational and vocational training;
 - transportation services;
 - nutritional services;
 - childcare;
 - crisis intervention services;
 - counseling, pastoral care, bereavement counseling; and

- recreation and social activities.

The services listed above may be provided directly by the funded agency or through service agreements with other local organizations. If referral agencies are utilized, documentation of actual service provision and outcomes is the responsibility of the funded agency.

- **Construction/Rehabilitation** - Funds may be used for minor construction and/or rehabilitation activities that will directly support and improve the operation of the eligible HHAP project. **Please note:** Funds available for construction/rehabilitation are limited and will be awarded strictly on a case-by-case basis. The applicant must clearly demonstrate that such funds are critical to the on-going viability of the project. Activities deemed to be cosmetic in nature will not be considered. A visit to the project site by OTDA staff or their representatives may be required before funds are awarded for construction/rehabilitation costs. If funds for construction/rehabilitation are requested, the application must include a detailed cost estimate from at least one contractor. Before funds are released for payment of actual costs, OTDA will require that the applicant provide at least three cost estimates from qualified contractors. OTDA may require that the applicant use the lowest reasonable bid.

Funds requested for this category should demonstrate how the construction or repair work will:

- address issues to protect the health and safety of residents;
 - correct code compliance issues or meet handicapped accessibility requirements, and/or
 - assure continued viability and operation of the HHAP project.
- **Administrative Costs:** A maximum of 10% of the award amount may be allocated for administrative costs, inclusive of indirect costs, provided that the costs of such activities are sufficiently documented and can be appropriately charged to OSAH. For example, a portion of the Bookkeeper, Executive Director, and Program Director's salary may be considered administrative, however those associated portions of the salaries then cannot be charged in the personal services budget.

Indirect costs of up to 10% of the grant request are permissible for agencies that have a federally approved rate. Any cost that is budgeted completely or partially in an itemized direct cost category may not be part of the budgeted indirect costs. Normally, indirect costs are those that may apply to several programs, areas or functions of the provider agency and are not readily or easily assigned to a specific program. The sub-division of such costs on a direct basis to each specific provider, service and operation may cause detailed accounting and is not desirable. For this RFP, an indirect or administrative rate of up to 10% may be charged with a federally approved rate. Documentation establishing the federal rate is required to use an indirect rate.

Administrative costs should not be included in the Personal Services category. Some examples of administrative costs include OSAH portion of audit fees, associated payroll costs, and staff salary/fringe costs related to their percentage of time spent:

- preparing program budgets, schedules and/or amendments;

- developing systems to assure program compliance;
- developing agreements (interagency/sub-recipient/contractors) to carry out program activities;
- monitoring program activities;
- preparing reports and other documents directly related to the program;
- coordinating the resolution of audit and monitoring findings;
- evaluating program results against objectives;
- managing/supervising OSAH direct service staff;
- Indirect costs as described above and/or
- other administrative costs

Funding for any staff that provide both direct services and administrative duties may be split accordingly between the personnel and administrative cost categories. The explanation/justification should be very specific as to the time spent on activities in such instances. The administrative total must not exceed 10% of the budget total.

1.7 Maintenance of Effort

Funds awarded through this RFP may be used to initiate services, expand services, or enhance a program that is reapplying for OSAH funding. Funds awarded through this RFP **cannot** be used to supplant or replace existing public or private funding used for ongoing activities. Applicants should clearly demonstrate that existing funds have not been supplanted.

1.8 Selection Process

All applications will be reviewed by OTDA staff. Following the review of applications, several other steps may take place to further evaluate proposals. These steps may include a telephone interview with the designated contact person in the organization; a request for additional written information or documentation, if necessary; a site visit; and/or a face-to-face meeting with agency representatives; and/or communication with references.

Applications will be judged on the following general criteria:

- Responsiveness to the RFP (all information and documentation requested is provided in a satisfactory manner). The most critical purpose of OSAH is to maintain the viability of established HHAP AIDS housing projects through the provision of services and operational support;
- Projects that demonstrate a compelling need for OSAH funds. Funding priority will be given to those applicants that demonstrate the funding request is critical to the support of the ongoing project;
- Completeness of the application including the "Program Specific Questions", "Budget", "Work Plan", and "Upload Submission" portions of the application. The applicant must provide both fiscal data and specific information regarding the shortfalls in the existing HHAP project operating budget;
- Clarity of the expected results of the program and the potential for their achievement;
- Evidence that the applicant can successfully carry out the proposed activities, and that the applicant is financially stable and responsible;
- Evidence of the applicant's understanding of the support services needs of the individuals and/or families they plan to serve;

- Evidence of clear mechanisms to interact with and provide needed services to individuals and families which will help them to obtain the maximum degree of self-sufficiency possible;
- Fiscal viability and reasonableness of the request;
- Programmatic feasibility of the proposed program within the time outlined. The applicant must provide clear evidence that the program will use OSAH funds within the contract term:

Proposals will be prioritized based on the following criteria:

- Projects that demonstrate an urgent need for OSAH funds;
- Projects providing employment and/or educational programs; and
- Proposals that demonstrate an ability to operate the program for the complete term of the contract.

All proposals will be evaluated based on a comparative analysis basis among proposals received. Proposals will be reviewed and assigned an overall competitive score. Proposals will be funded based upon the application's score and will be subject to the availability of funds and awards will be subject to the availability of funds. Projects will be awarded OSAH funds in descending order, beginning with the highest ranked proposal, until the initial year's funding is exhausted, with the following exceptions:

- Awards may be reduced during the application process or contract term if another source of funding becomes available, and is deemed appropriate, in which case OTDA may choose to dedicate those funds to other activities at its discretion;
- If there are additional proposals which qualify for funding, no one agency will be awarded more than 30% of the total funds available under this RFP;
- The lowest scored awarded proposal may not receive the entire requested amount if there are insufficient funds remaining;
- Awards may be proportionately reduced to ensure the availability of funds statewide;
- The requested amount of funding may be reduced by ineligible expenses;
- The requested amount may be reduced for projects that will not be operational for the full contract term; and
- The requested amount of funding may be reduced based on past OSAH spending practices. In the event OTDA has determined via a competitive scoring process that an existing grantee with a history of unspent contract monies should be awarded new funds, OTDA reserves the right to reduce the award based on the contractual spending history and the reasonableness of the request.

In the event that two or more proposals receive an overall score that is tied, and funding would be exhausted before an award could be made to each applicant for the requested amount, OTDA will award each applicant a prorated portion of the remaining funds based upon funds requested and amount available.

The following shows the relative weight for each section of the application:

- | | |
|--|-----|
| • Program Specific Questions /Workplan | 55% |
| • Budget and related uploads | 35% |

- Pre-Submission uploads 10%

Regardless of score, OTDA reserves the right to fund or not fund an application based on other relevant information, such as the occurrence of OSAH funds supplanting existing funds; an agency's financial position; finding or issues raised by other Government funders; an agency's prequalification status in Grants Gateway; vendor responsibility determination; and the status of the vendor's NYS OAG Charities Registration filing.

Funding decisions will also consider information available to OTDA from sources other than the written proposal. These may include:

- BHSS staff's direct knowledge of the need for OSAH funds based on ongoing HHAP project management, site visits, fiscal audit reports and HHAP annual reports;
- Availability to the project of capital or replacement reserves and other funding resources; and/or
- BHSS staff's assessment of the applicant's ability to carry out the proposed activities successfully and within the time outlined.

OTDA reserves the right to award an amount less than the amount requested, condition awards contingent upon reduction or elimination of certain budget items such as construction/ repairs; or not to award any proposals under this RFP.

In selecting applications for funding, OTDA reserves the right to conduct site visits to assess the need for OSAH funds. OTDA may also call on the knowledge and expertise of other State agencies, including Homes and Community Renewal (HCR), the AIDS Institute of the Department of Health (DOH), and the Dormitory Authority of the State of New York (DASNY).

1.9 Award Procedures

The contracts resulting from this RFP will start on or about September 1, 2023. It is anticipated that successful applicants will receive multi-year contracts for five years with a provision for termination at any time and an allowance for additional renewal terms. Contracts submitted to the NYS OSC and the NYS OAG will include the maximum amount of the award for the entire five-year period. Upon approval of funding recommendations by OTDA and award notices, contract development instructions will be issued to awardees. If additional funding becomes available or the program needs increase, the procurement may be reopened at the discretion of OTDA. OTDA reserves the right to negotiate any aspect of a proposal in order to ensure that the final agreement meets OSAH program objectives. Awardees will be asked to develop and provide a detailed implementation plan that sets forth the program goals. Successful applicants are encouraged to register with the OSC Vendor Responsibility System at <http://www.osc.state.ny.us/vendrep>.

Should additional funds become available at any time during the period of which this RFP covers, in lieu of releasing a new RFP if deemed in the best interest of the State:

- OTDA may make additional awards based on the remaining unfunded proposals submitted to OTDA in response to this RFP in a manner consistent with the award methodology set forth herein;

- OTDA may increase previously proportionally reduced award amounts to current contractors;
- OTDA may increase awards to contractors who are on track to expend 90% of their awarded funds by the end of an annual funding cycle, who can demonstrate a need in the community for increased funds, and/or who acquire additional eligible supportive housing units;
- OTDA may choose to change its projected use of funds;
- OTDA will award funding in a manner consistent with the eligibility guidelines and award methodology set forth in this RFP.

OTDA reserves the right to:

- Award all, some, or none of the monies available for OSAH.
- Adjust funding levels in subsequent contract years should a contractor not maintain an overall 90% occupancy rate. The overall occupancy rate would be determined by averaging the occupancy rates stated in previous Quarterly Reports.
- Reallocate unused and/or unspent funds from contractors unable to spend their full award amount to OSAH contractors who will exhaust funds by the end of a funding cycle and who demonstrate additional need.
- Solicit and accept new proposals, as funding becomes available, should there not be acceptable remaining proposals.
- Reduce awards on a pro-rated basis and/or based on prior years OSAH spending history should available funds be decreased in future years, .
- Withhold funding during the contract term should approved housing units be unavailable for more than a 90-day period.
- Change any of the scheduled dates stated in the RFP.
- Waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the bidder involved.
- Correct arithmetic errors in any proposal, or make typographical corrections to a proposal, with concurrence of the bidder.

1.10 Reports and Record Keeping

Reports will be required on at least a quarterly basis, describing the progress of OSAH activities, certifying the number and types of services provided, the number of individuals served, certification of an HIV/AIDS diagnosis for program participants, the occupancy rate per month, and the number of available beds. A reporting format will be distributed to contractors.

Contractors must ensure that books, client records, documents, and other evidence associated with the services, costs and expenses of the contract are maintained. The detail of these records must document all costs of materials, equipment, supplies, services, and all other costs and expenses for which reimbursement is claimed or payment is made under the contract. All expenditures shall be reported on an accrual basis.

All records, pertaining to contracts awarded under this funding opportunity, including financial audits, budgets, plans/drafts, supporting documents, statistical records, etc., must be retained for a period of at least six (6) years following submission of the final expenditure report.

Grantees are expected to collect, and may be required to submit, relevant Medicaid patient data to the State Department of Health or other designated state agency to track Medicaid cost

savings. Since this Medicaid patient-specific data is classified as confidential it must be maintained and transmitted in a secure format.

Contractors shall provide OTDA or its designees access to program sites and records during the project. Failure to do so may result in immediate termination of the contract.

In the event that any claim, audit, litigation, or State/Federal investigation is commenced before the expiration of the aforementioned record retention period, the records must be retained by the contractor until all claims or findings regarding the records are finally resolved. OTDA or its designee shall have access to any records relevant to the project (including books, documents, photographs, correspondence, and records), for audits, examinations, transcripts, and excerpts. If OTDA determines that such records possess long-term or historic value, they must be transferred, as requested to OTDA.

To the extent permitted by Federal law and regulation, OTDA may, at its own discretion, make advance payments to the Contractor of up to 25%, upon the submission of sufficient justification. Said advance may be eligible for payment only upon approval by the Attorney General and by the Comptroller of the State of New York and upon the submission to OTDA by the Contractor of a properly executed State of New York Standard Voucher in a form acceptable to OTDA and to the Comptroller of the State of New York. Any unexpended advance balance at the end of the contract period will be refunded by the Contractor to OTDA. In the event either party terminates the contract prior to its expiration, the Contractor agrees to refund to OTDA immediately any outstanding advance balance.

1.11 Bid Protest Procedure

Procedure for Handling of Protests/Appeals of Bid Specification(s) and Proposed Awards

It is the policy of OTDA to provide all Offerors with an opportunity to resolve complaints or inquiries related to bid solicitations or pending contract awards administratively. OTDA encourages all Offerors to seek resolution of complaints concerning the contract award process through consultation with OTDA. All such matters will be accorded impartial and timely consideration. Detailed procedures are as follows:

Formal Written Protests - Final agency decisions or recommendations for award generally may be reconsidered only in the context of a formal written protest as described below. Any Offeror or prospective Offeror who believes that there are errors or omissions in the procurement process or who otherwise has been aggrieved in the drafting or issuance of this RFP, proposal evaluation, award, or contract award phases of the procurement, may present a formal complaint to OTDA and request administrative relief concerning such action ("formal protest"). A formal protest must be submitted in writing to OTDA, by ground mail, except where alternate arrangements have been made, to the Director of the OTDA Bureau of Contract Management (BCM), 40 North Pearl Street, 12th Floor, Section D, Albany, NY 12243. A formal protest must include a statement of all legal and/or factual grounds for disagreement with an OTDA specification or purchasing decision; a description of all remedies or relief requested; and copies of any and all applicable supporting documentation.

Deadline for Submission of Formal Protests for Errors or Omissions in the Procurement Process – OTDA must receive formal protests concerning errors,

omissions, or prejudice, including patently obvious errors in this RFP specifications or documents, at least 10 calendar days before the Bid Submission Date.

Deadline for Submission of Formal Protests of Contract Award – OTDA must receive a formal protest concerning a contract award within 10 business days of the issuance of notice of contract award.

Review and Final Determination of Protests - Protests will be resolved through written correspondence. However, the protester may request a meeting to discuss a formal protest or OTDA may initiate a meeting on its own accord, at which time the participants may present their concerns. Either the protester or OTDA may decline such a meeting. Where further formal resolution is required, the Director of BCM may designate an OTDA employee ("designee") to determine and undertake the initial resolution or settlement of any protest. The designee will conduct a review of the records involved in the protest and provide a memorandum to the Director of BCM summarizing the facts as determined by the designee, an analysis of the substance of the protest and a preliminary recommendation. The Director of BCM shall: (a) evaluate the designee's findings and recommendations, the evaluation team's reports and recommendations; (b) review the materials presented by the protesting party and/or any materials required of or submitted by other Offerors; (c) if necessary, consult with OTDA Counsel's Office; and (d) prepare a response to the protest. A copy of the protest decision, stating the reason(s) upon which it is based and informing the protester of the right to appeal an unfavorable decision to OSC shall be sent to the protester or its agent within 45 calendar days of receipt of the protest, except that upon notice to the protester such period may be extended. The protest decision will be recorded and included in the procurement record, or otherwise forwarded to OSC upon issuance.

Appeals - Upon receipt of the OTDA's determination of a protest, a protester has 10 business days to file an appeal of the determination with OSC Bureau of Contracts. The appeal must be filed with Bureau Director at bidprotests@osc.ny.gov or Bureau of Contracts New York State Office of the State Comptroller 110 State Street, 11th Floor Albany, NY 12236.

The protesters appeal must contain an affirmation in writing that a copy of the appeal has been served on OTDA, the successful bidder (except where the contracting agency upholds the protest, and the successful bidder is the appealing party) and any other party that participated in the protest. In its appeal, the interested party shall set forth the basis on which it challenges OTDA's determination. The OSC Bureau of Contracts will conduct a formal review and issue its determination of the appeal in accordance with its established policy and procedures.

Reservation of Rights and Responsibilities of the OTDA - OTDA 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 and OTDA. If OTDA determines that there are compelling circumstances, including the need to proceed immediately with the contract award in the best interest of the state, then these protest procedures may be suspended, and such decision shall be documented in the procurement

record. OTDA 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.

Procurement Activity Prior to Final Protest Determination - Receipt of a formal bid protest shall not stay action on a procurement unless otherwise determined by OTDA. If a formal protest or appeal is received by OTDA on a recommended award prior to the underlying contract being forwarded to OSC, notice of receipt of the protest and appeal must be included in the procurement record forwarded to OSC. If a final protest decision or final decision on appeal has been reached prior to transmittal to OSC, a copy of the final decision must be included in the procurement record and forwarded with the recommendation for award. If a final protest decision is made after the transmittal of a bid package to OSC, but prior to OSC approval under State Finance Law § 112, a copy of the final OTDA decision shall be forwarded to OSC when issued, along with a letter either: a) confirming the original OTDA recommendation for award and supporting the request for final § 112 approval, b) modifying the proposed award recommendation in part and supporting a request for final § 112 approval as modified; or c) withdrawing the original award recommendation.

Record Retention of Bid Protests - All records related to formal Offeror protests and appeals shall be retained for at least one year following resolution of the protest. All other records concerning the procurement shall be retained according to the statutory requirements for records retention.

1.12 General Terms and Conditions

Contracts resulting from this RFP will commence on or about September 1, 2023. This RFP governs the provision of OSAH for a five (5) year contract cycle to be funded annually for one (1) year budget periods. All contract funding will be dependent upon the availability of continued OSAH funding, the need for the services, satisfactory performance and at the sole discretion of OTDA. OTDA will conduct a review of all prospective contractors to provide reasonable assurances that the vendor is responsible. Vendor Responsibility will be determined regarding each bidder or offeror's authority to do business in New York, their business integrity, as well as financial and organizational capacity, and performance history.

Successful contractors will be required to submit all final contract documents, narratives and budgets electronically. The following will be incorporated into any contracts resulting from this RFP:

- The Master Contract
- Attachment A-1, (OTDA and OSAH Program terms and conditions)
- Attachment A-2, (Federally Funded Terms)
- Attachment B-1 (Expenditure Based Budget)
- Attachment C (Workplan)
- Attachment D (Payment and Reporting Schedule)

As referenced in Sections IV J-K of the Master Contract and Attachment A-1, Equal Employment Opportunities (EEO) for Minorities and Women apply as do Minority and Women-Owned Business Enterprise (MWBE) goals on discretionary expenses.

The terms and conditions specified in a detailed contract must be signed by OTDA and approved by NYS OAG and the OSC before any work is begun or payments made. **Please note that no services may be reimbursed until a contract has been fully executed.**

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN

NEW YORK STATE LAW

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, OTDA 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 OTDA contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, OTDA hereby establishes an overall 30% M/WBE participation goal, and specific participation goals for both New York State-certified Minority-owned Business Enterprises (“MBE”) and New York State-certified Women-owned Business Enterprises (“WBE”) will be assessed based on the nonprofit’s discretionary, non-personal services, spending budget and participation opportunities therein. 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 OTDA 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 OTDA 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. [FOR CONSTRUCTION CONTRACTS – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60 percent of the total value of the contract. 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 the monetary value for fees, or the markup percentage, charged by the MWBE]. [FOR ALL OTHER CONTRACTS - 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 percent of the total value of the contract.

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 OTDA 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 the Contract's program manager at OTDA.

Additionally, a respondent will be required to submit the following documents and information and 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 OTDA for review and approval.

OTDA will review the submitted MWBE Utilization Plan and advise the respondent of OTDA 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 OTDA a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by OTDA to be inadequate, OTDA 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.

OTDA 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 OTDA 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 OTDA 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 MWBE Contractor Compliance & Payment Report to OTDA, by the 7th 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.

Equal Employment Opportunity and Workforce Utilization Reporting 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 OR Authority equivalent to Appendix A]. 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, Form OTDA-4970, to OTDA with its bid or proposal.

If awarded a Contract, respondent shall submit form OTDA-4971 Workforce Utilization Report and shall require each of its Subcontractors to submit a Workforce Utilization Report, in such format as shall be required by OTDA on a QUARTERLY basis during the term of the Contract.

Pursuant to Executive Order #162, 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. Note – NFP grantees are exempt from Executive Order #162. 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.

Participation Opportunities For New York State Certified Service-Disabled Veteran Owned Businesses

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOB"), thereby further integrating such businesses into New York State's economy. OTDA recognizes the need to promote the employment of service-disabled veterans and to ensure that certified

service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of OTDA contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, OTDA conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/veterans/>

Bidder/Contractor is encouraged to contact the Office of General Services' Division of Service-Disabled Veteran's Business Development at 518-474-2015 or to discuss methods of maximizing participation by SDVOBs on the Contract.

Executive Order No. 190: Incorporating Health Across All Policies Into State Agency Activities

Per Executive Order 190 (EO 190), this RFP incorporates the New York State Prevention Agenda and the World Health Organization (WHO) Eight Domains of Livability to further the Health Across All Policies initiative.

The New York State Prevention Agenda is the blueprint for action to improve the health of New Yorkers and become the healthiest state for people of all ages. The five priority areas of the New York State Prevention Agenda are:

1. Preventing Chronic Diseases
2. Promoting a Healthy and Safe Environment
3. Promoting Healthy Women, Infants and Children
4. Promoting Well-Being and Preventing Mental Health and Substance Use Disorders
5. Preventing Communicable Diseases

The WHO Eight Domains of Livability include:

1. Outdoor Spaces and Buildings
 - Providing safe, accessible places for the public to gather indoors and outdoors. Ensuring that parks, sidewalks, safe streets, outdoor seating, and accessible buildings can be used and enjoyed by people of all ages.
2. Transportation
 - Increasing the accessibility, availability, and affordability of public transit options, as well as ensuring safe roadways.
3. Housing
 - Expanding affordable housing options for varying life stages, and enacting programs that help people remain in their homes longer to age in place.
4. Social Participation
 - Increasing access to affordable and community-based social activities can help address loneliness and isolation.

5. Respect and Social Inclusion
 - Increasing the availability of intergenerational activities and programs.
6. Civic Participation and Employment
 - Provide ways that all people, including older people, can, if they choose to, work for pay, volunteer their skills, and be actively engaged in community life.
7. Communication and Information
 - Providing information through a variety of means and in a culturally competent manner, recognizing that not everyone has a smart phone or internet access.
8. Community and Health Services
 - Ensuring accessible and affordable health services in every community.

The Health Across All Policies initiative is a collaborative approach that integrates health considerations into policymaking across all sectors to improve community health and wellness. To successfully improve the health of all communities, health improvement strategies must target social determinants of health and other complex factors that are often the responsibility of non-health partners such as housing, transportation, education, environment, parks, and economic development.

Consistent with EO 190, where requested in this RFP, applicants must describe how their proposals can improve community health and wellness through alignment and coordination with the NYS Prevention Agenda priorities and the WHO Eight Domains of Livability.

Section Two - APPLICATION INSTRUCTIONS

The entire Operational Support for AIDS Housing Application should be submitted in Grants Gateway. Applications submitted outside of the Grants Gateway system may not be reviewed.

Eligible entities are nonprofits subject to Prequalification Requirements, and local governments and tribal nations with available document vaults in Grants Gateway. Read and follow all instructions while completing the screens in Grants Gateway. A printed version of the application appears in Section Four.

Here are some general guidelines for navigating the Grants Gateway system:

- **Log into Grants Gateway as a Grantee, Grantee Contract Signatory or Grantee System Administrator.**
- **Click the *Available Opportunities* button.**
- **From the *Search by Funding Agency* drop-down menu, select *Office of Temporary and Disability Assistance*. Click the *Search* button.**
- **Locate *New York State Supportive Housing Program* and click on the blue link.**
- **Click the *Apply for Opportunity* button.**
- **From the *Forms Menu* go to Pre-submission uploads to download all required documents. Complete the documents and upload them where requested throughout the application. All required documents are shown on pages 35-57 in these instructions.**
- **From the *Forms Menu* complete all program specific questions, budget screens, workplan, and pre-submission Uploads.**

- Sections from the *Forms Menu* do not have to be completed in any particular order. Certain forms may be left blank if they do not apply to your application, such as budget items not requested. There will be a *Global Warning* error if you try to submit an application without completing required forms.
- You must **SAVE YOUR WORK** before moving onto a new screen.
- If you do not complete the application in one session, it will be in your *Tasks* box labeled *Application in Process*. Another way to find an application in process is to click the *Applications* tab at the top of the screen.
- **Please note:** though those logged in as Grantees may work on the application, only those logged in as a Grantee Contract Signatory or a Grantee System Administrator can submit the application to the state. When the application is ready for submission, click the *Status Changes* tab, then click the *Apply Status* button under *Application Submitted*.

Other helpful information:

- Live Webinars on the Prequalification Process and on how to complete an application using the Grants Gateway are provided every Tuesday and Thursday. Please see the [Resources for Grant Applicants](#) page of the Grants Management website to sign up for a live webinar or for additional resources including instructional videos and step by step documents to help navigate the system.
- For any technical questions regarding the Grants Gateway, the Help Desk is available Monday – Friday, 8am – 5pm via phone (518.414.2784) or email at GrantsGateway@its.ny.gov.

Screens to complete from the Forms Menu in Grants Gateway are as follows:

Project Site Address Screen - Enter the agency administrative address, including regional council and agency specific regional information. Save.

Program Specific Questions Screen - Follow instructions at the top of the screen. Answer all questions in this section. **Note that while most narrative answer spaces allow unlimited text, OTDA expects answers to be concise.** Upload forms when required. Upload optional forms when applicable. Forms for upload can be obtained in the *Pre-submission Uploads* section of the application. Make sure to save often.

Budget Screens - Complete one overall budget whether applying for one or more target populations. Complete budget screens for ANNUAL grant funds requested. Only use whole dollar amounts for funds requested. Administrative Expenses up to 10% of the requested funds may be allocated in the budget and must appear on the Other line. Remember to save your work before moving to the next section of the Budget Screen.

Consult Section One, 1.6 Eligible Services and Costs. Use the following as a guideline for where expenses should appear in the budget.

Personal Service Screen – Include employees that will be paid in full or in part from contract funds. Each title must be listed on a separate screen. In the Role/Responsibility field, please describe the title's role in relation to OSAH. The *Personal Services - Salary Narrative* screen should only be used to describe exceptions in staffing patterns.

Fringe Benefit Screen — Fringe benefits should be budgeted in line with your organization's Standard Fringe Benefit Policy and/or Negotiated Bargaining Agreements and should not exceed the current NYS rate. Provide a brief explanation of the percentage and composition of the fringe benefit structure in the *Fringe Type/Description* field. If fringe is not applicable, leave this section blank. For all employees listed in the *Personnel Service Expense Detail*, the following mandatory employer payroll taxes must be paid: Social Security (FICA), NYS Unemployment Insurance (SUI), NYS Disability Insurance and Workers' Compensation.

Additional fringe benefits such as pension, health, life, and/or dental insurance may be provided. If OSAH funds are being requested to cover these expenses, the total fringe benefit and payroll taxes chargeable to this program cannot exceed OSC's rate, currently at 62.70%. No exceptions are granted to the maximum rate. You may allocate a lower percentage. You must explain all costs associated with this budget line in the *Justification/Explanation* section of this worksheet. The *Fringe Narrative* screen should not be used since all explanations should appear on the *Fringe* screen.

Contractual Services Screen – These are costs for services rendered to the project under a formal or written agreement such as direct provision of services by contractual arrangement. Each type of contractual cost must be listed on its own screen and the cost justified. Only the pro-rated portion of the entire expenditure that is related to the OSAH Program is allowed. This line includes institutions, individuals, or organizations external to the contractor which have entered into an agreement with the contractor to provide any services outlined in or associated with the contract and whose services are to be funded under the contract budget. This includes any other nonprofits performing work under the proposed OSAH contract. All such agreements are to be bona fide written contracts: NYS OTDA reserves the right to request these documents at any time in the future.

Travel Screen – These costs may be reimbursed up to the NYS rate (currently the maximum rate is \$0.64 per mile). Only travel costs for personnel listed under *Personal Services Costs* and *Participant Travel Costs* are acceptable. In the *Justification* field, explain which staff and/or participants will be traveling in relation to the project, the destination, the purpose, and the frequency of the travel. Out-of-state travel is discouraged, although a contractor may pursue such travel with justification and pre-approval from OTDA.

Equipment Screen – This category includes purchase, rental and leasing of equipment. Equipment is any non-consumable, tangible property having a useful life of more than one year. Substantial equipment purchases (costing more than \$5,000) should be avoided. Acquisition costs must be in accordance with NYS requirements and may be evaluated to determine if leasing is a practical and cost-effective alternative. If the only alternative is to purchase such equipment using contract funds, an applicant is required to obtain three competitive bids and **must**

receive OTDA prior approval. All things being equal, the contractor must purchase equipment from the lowest bidder. Complete the *Equipment* form for requested equipment. Complete the *Equipment Narrative* form if there is any substantial equipment costing more than \$5,000 per item. The *Equipment Narrative* form includes fields for bids received and explanations for justification.

Operating Expenses Screen – Items necessary to operate the program such as utilities/rent for program/office space, food, insurance, postage, copies, or supplies. Describe expenses fully in field provided. The *Operating Expenses Narrative* should only be used to explain extraordinary costs.

Other Screen – Request Administration up to 10% of the grant amount on this screen– Administrative expenses of up to 10% of the annual requested amount may be charged. The administrative cost **may not** include any portion of costs that are assignable to other federal, state or funding agencies. Please note that administrative charges are controlled by and subject to the attending Rules and Regulations referenced this section of the RFP.

Work Plan Overview Form -This section should be completed from a Contract year perspective. Therefore, the first annual work plan period should be September 1, 2023 – August 31,2024.

Provide a Project Summary. In this summary state each target population for which you are applying (single adults, young adults and/or families) and describe aspects of the programming including general goals and outcomes of the program. Provide a detailed description of the target population(s) you intend to serve identifying that. Provide a detailed description of how the project will help promote well-being and prevent mental illness and substance use disorders in the target population consistent with EO 190. Provide a detailed description of how the project will help increase access to social activities that can help address loneliness and isolation consistent with EO 190.

Provide any relevant demographics of the population such as age, gender, income, frequency of homelessness, or risk factors (i.e.: mental illness, substance use disorder, domestic violence, educational background, physical health). Estimate number of individuals/families to be served on an annual basis. Describe service delivery method, hours of operation and where services will be provided.

Provide information regarding organizational capacity Describe the staff needed for each category of programming for which you are applying, their responsibilities and qualifications. Describe staff development and training activities. Describe your organization's relevant experience in conducting all aspects of programming.

Objectives and Tasks- This section will be used to set up quarterly reports and collect performance data. The pre-established objectives and tasks for this RFP are Target Population, Occupancy Rate and Anticipated Outcomes of the Project.

From the *Forms Menu*, click on the *Work Plan Properties* link. Upon initially opening, all objective sets will be expanded. You can work on each set either in the order listed or collapse the full grid to see the overview of the entire work plan and

expand each section as you complete it. Full objective sets, which include an objective, a task and a performance measure are all listed on one page.

Follow the progression of objective, task and performance measure(s) for each listed objective set. Please see Section 5.2.4 in the Grants Gateway User Manual or additional instructions regarding the work plan if needed:

<https://grantsmanagement.ny.gov/system/files/documents/2020/05/vendor-user-manual-3.2-5.7.20.pdf>

Note that the total number of tasks and performance measures for the entire workplan is five each. There is one mandatory task for each defined objective. Only two additional tasks or a total of five performance measures may be entered.

Target Population - Enter the target population(s) for the OSAH project. The population(s) listed must correspond to one or more of the eligible populations indicated in Section 1.5 of the RFP. Performance measure is Grantee defined.

Occupancy Rate - Provide the overall occupancy rate anticipated for the project. Performance measure is Grantee defined.

Anticipated Outcomes of the Project - Describe anticipated benefits for the recipients of services provided by the OSAH project. Applicants should respond to one defined performance measure: to “describe how your agency will measure housing stability.” Applicants should also identify and describe two additional performance measures and how they will be measured.

Pre-Submission Uploads Screen - This section contains forms for completion with recommended formats. You may download applicable forms by clicking on the appropriate link. Once a form is opened, click *Enable Editing* at the top of the document to be able to enter data. Rename and save the completed form to your computer. Upload your completed form in the *Pre-Submission Upload* section and/or where indicated throughout the application. If required information is not available or cannot be produced, an explanation should be uploaded. All applicants should complete MWBE forms 4976, 4970 and 4934. If the applicant is requesting OSAH funds for supplies, contractual relationships and equipment, forms 4937 and 4938 should also be completed and uploaded.

LIST OF PRE-SUBMISSION UPLOADS:

- Local Social Services District Certification of Approval. Sample template is provided. Upload the support letter once it is received. Continuum of Care (CoC)/ Letter of support: Notify your local Continuum of Care or local planning entity of your intent to apply and request a letter of support. Sample template is provided. Upload the support letter once it is received. Agency Agreement: Sign and date as indicated.
- Site Locations: Use the Excel form provided. List each site for which you are requesting funds on a separate line, provide the additional information as applicable.
- OSAH Budget to Actual Report: Use the Excel form provided.
- Agency Contact Information Form.

- Previous Expenditure Chart (current OSAH grantees only).
- EEO Policy and MWBE Documents: Complete all sections as indicated.
- Acknowledgement of Post-Employment Provisions, Assurance of No Conflict, Sexual Harassment Prevention, EO 177, Certification, and Non-Collusive Bidding.
- Linkage Agreements if applicable.
- Audited Financial Statements.
- Grantee Quick Start Guide: Use this document to aid you in completing your application in Grants Gateway.

If the applicant would like to include any additional uploads, they may be uploaded in the Grantee Document Folder. OTDA will not use any items included in the Grantee Document Folder for the review of the application.

Section Three - PRE-SUBMISSION UPLOAD FORMS

The following pages show the various documents listed in the Pre-Submission Upload section of the application.

REQUIRED DOCUMENT - COC LETTER OF SUPPORT

Instructions for applicant: Request a completed letter following the format below from your CoC chairperson. If you are proposing to serve multiple CoCs, request a letter from each CoC. Include the completed letter(s) in the Program Specific Question section of Grants Gateway, Question 10 AND in the "Pre-Submission Uploads" section.

Instructions for CoC Chairperson: Copy the text below onto your CoC letterhead. Fill in the blanks. Consider the five statements and answer yes or no from your perspective. Sign the letter. Return to applicant. This letter must be included with the NYSSHP application.

CoC LETTER TEMPLATE

CoC Letterhead

Today's Date

I, _____ (name) _____, as _____ (title) _____ of the
_____ (CoC name or identifier) _____ verify that:

1. The proposed OSAH project _____ (project) _____ fills a gap, or a gap will exist if this project is not operational. The project is viewed as a valuable addition to the community.
_____ Yes _____ No

2. _____ (agency) _____ participates in CoC activities including Coordinated Entry.
_____ Yes _____ No

3. _____ (agency) _____ is a regular user of our HMIS system or is using a comparable system that contributes to our data. If agency is not using the HMIS or comparable system, it has taken steps to begin using or has made a formal promise to use the system. _____ Yes _____ No

4. _____ (agency) _____ is aware of the CoC's performance goals, is agreeable to evaluating their own performance and is supporting the CoC's goals. _____ Yes _____ No

5. Our CoC as a whole is willing to participate in the New York State Homeless Assistance Datawarehouse Environment (NYSHADE) by signing an MOU with OTDA and submitting data on a regular basis. _____ Yes _____ No

You may add comments in this space.

Sincerely,

sign

Name, Title, Date

REQUIRED DOCUMENT - LOCAL SOCIAL SERVICES DISTRICT CERTIFICATION OF APPROVAL

Instructions for applicant: Request a completed letter following the format below from your DSS. If you are proposing to serve multiple Counties, request a letter from each. Include the completed letter(s) in the Pre-submission Uploads section.

Instructions for DSS: Copy the text below onto your letterhead. Fill in the blanks. Sign the letter. Return to applicant. This letter should be included with the OSAH application.

I, _____, serving as _____ of
(Name) (Title)

_____,
(County DSS or similar body)

have reviewed the application submitted by _____
(Agency)

for funds under the Operational Support for AIDS Housing and approve of the project as required under state regulations governing this program.

(Signature) (Date)

REQUIRED DOCUMENT - Sign and date as indicated. Upload.

AGREEMENT

It is understood and agreed to by the applicant that (1) This RFP does not commit the New York State Office of Temporary and Disability Assistance (OTDA) to award any contracts, pay the costs incurred in the preparation of response to this RFP, or to procure or contract services. (2) OTDA reserves the right to amend, modify or withdraw this RFP and to reject any proposals submitted, and may exercise such right at any time and without notice and without liability to any offeror or other parties for their expenses incurred in the preparation of a proposal or otherwise. Proposals will be prepared at the sole cost and expense of the offeror. (3) OTDA reserves the right to accept or reject any or all proposals that do not completely conform to the instructions given in the RFP, including time frames for submission thereof. (4) Submission of a proposal will be deemed to be the consent of the applicant to any inquiry made by OTDA of third parties with regard to the applicant's experience or other matters deemed by OTDA relevant to the proposal. (5) Funds awarded for this project will be used only for the conduct of the project as approved. (6) The contract may be terminated in whole, or in part, by OTDA. Such termination shall not affect obligations incurred under the contract prior to the effective date of such termination. (7) When funds are advanced any unexpended balance or funds unaccounted for at the end of the approved period must be returned. (8) Any significant revision of the approved project proposal must be requested in writing by the contractor prior to enactment of the change. (9) Progress reports must be submitted as required by OTDA. The final program and financial reports must be submitted within a specified time period after the project terminates. Necessary records and accounts including financial and property controls will be maintained and made available to OTDA for audit purposes. (10) All reports of investigations, studies, and publications made as a result of this proposal must acknowledge the support provided by OTDA. (11) All personal information concerning individuals served or studies conducted under the project are confidential and such information may not be disclosed to unauthorized persons, corporations, or agencies. (12) OTDA reserves a royalty free non-exclusive license to use and to authorize others to use all copyrighted material resulting from this project. (13) Successful applicants will be subject to the State's prompt contracting law. (14) Selected contractors agree to be bound by the Affirmative Action/Equal Opportunities anti-discrimination provisions as more fully set forth in Section XV, General Terms and Conditions of this RFP.

OTDA reserves the right, if funds become available, to make additional awards based on the remaining proposals submitted to this RFP, in lieu of releasing a new RFP, if deemed to be in the best interest of the State. The same evaluation criteria shall apply as used in the original selection process.

OTDA anticipates making an award to administer projects for a five (5) year contract cycle to be funded annually for one (1) year periods with a possibility of renewal beyond five years. For those applicants selected as a result of this Request for Proposals (RFP), subsequent year's funding may be at a decreased level.

The applicant certifies that to the best of his/her knowledge and belief the information in this application is true and correct, and that he/she will comply with the above agreement if the contract is received.

(Signature of official authorized to sign for applicant)

(Typed Name and Title)

(Date)

REQUIRED DOCUMENT- Site Locations: List each site for which you are requesting funds. Upload to your application in the EXCEL format provided. The following is a representation of the information requested in the EXCEL document.

Site Name:

Address:

City:

County:

Region:

Population(s) to be Served:

of Units or Beds:

Developed or Rehabbed with HHAP funds:

Identify other NYS capital funds, if any:

Federal Congressional District(s):

State Assembly District(s):

State Senate District(s)

REQUIRED DOCUMENT- OSAH Budget to Actual Report: Please complete the form provided and upload to the Pre-Submission Upload Section. The following is a representation of the information requested.

HOMELESS HOUSING AND ASSISTANCE CORPORATION BUDGET TO ACTUAL REPORT

Sponsor Name:
Project ID:
HHAC Contract #:
Year:
Site Address(es):

		EXPENSES	Projected	Actual	Difference	Comments
Operating Budget		Real Estate Tax			\$0	
		Water & Sewer Tax			\$0	
		Fire/Liability/Other Insurance			\$0	
		Fuel			\$0	
		Utilities			\$0	
		Exterminating			\$0	
		Carting			\$0	
		Repairs and Maintenance			\$0	
		Legal and Accounting			\$0	
		Miscellaneous			\$0	
		Replacement Reserve			\$0	
		Operating Reserve			\$0	
		Management Fee			\$0	
		Maintenance Payroll			\$0	
		Vacancy/ Uncollectible Expense			\$0	
	Other:			\$0		
Program Budget and Debt		Support Services Payroll			\$0	
		Laundry			\$0	
		Food			\$0	
		Program Admin Costs			\$0	
		Other Program Costs			\$0	
		Debt Service			\$0	
		TOTAL EXPENSES	\$0	\$0	\$0	
		REVENUES	Projected	Actual	Difference	
Rents		Total HHAP Unit Rents			\$0	
		Total Non-HHAP Unit Rents			\$0	
		Commercial Rent			\$0	
		Program Income (Specify)			\$0	
Other Income		Program Income (Specify)			\$0	
		Other Income (Specify)			\$0	
		TOTAL REVENUES	\$0	\$0	\$0	
		NET INCOME OR (LOSS)	\$0	\$0	\$0	

REQUIRED DOCUMENT - AGENCY CONTACT LIST

Complete all sections as indicated. Upload.

Agency Name:

Program Name:

	Name	Direct Phone #	Email Address
Executive Director			
Program Manager			
Claim for Payment			
Quarterly Program Report			
Other Contact Name & Title			

REQUIRED DOCUMENT - PREVIOUS EXPENDITURE CHART

To be completed by current OSAH contractors only. Complete EXCEL chart as indicated and upload to the Pre-Submission Uploads Section.

Please indicate the annual award amount(s) from 2018 through 2023 and amount expended during each year. If there is a balance shown in the “Unspent Funds” column, fill out the reason for remaining balances.

Contract #

Contract Year	Annual Award Amount	Amount expended	Unspent Funds	Reason for remaining balances
Year 1-2018	\$0.00	\$0.00	\$0.00	
Year 2-2019	\$0.00	\$0.00	\$0.00	
Year 3-2020	\$0.00	\$0.00	\$0.00	
Year 4-2021	\$0.00	\$0.00	\$0.00	
Year 5-2022	\$0.00	\$0.00	\$0.00	
	\$0.00	\$0.00	\$0.00	

REQUIRED MWBE DOCUMENTS – 4976, 4938, 4937, 4970, 4934 Upload in Pre-submission Uploads Section

OTDA–4976 (Rev. 1/2016)

M/WBE GOAL REQUIREMENTS

CERTIFICATION OF GOOD FAITH EFFORTS

Contractors (to include those who submit bids/proposals in an effort to be selected for contract award as well as those successful bidders/proposers with whom OTDA enters into State contracts) must document “good faith efforts” to provide meaningful participation by New York State Certified M/WBE subcontractors or suppliers/vendors in the performance of this contract. The undersigned hereby acknowledges that he/she took or may need to take the following actions on behalf of the Contractor to demonstrate, and upon request by OTDA, to provide written verification to document the aforesaid good faith efforts:

(a) The Contractor attended any pre-bid, pre-award, or other meetings scheduled by the contracting agency or the NYS Department of Economic Development or its designee to inform certified minority- or women-owned business enterprises of contracting and subcontracting opportunities available on the project, for purposes of complying with contract participation goal requirements.

(b) The Contractor identified economically feasible units of the project that could be contracted or subcontracted to certified minority- and women-owned business enterprises in order to increase the likelihood of participation by such enterprises on the contract.

(c) The Contractor undertook efforts to reasonably structure the contract scope of work for purposes of subcontracting with certified minority- and- women-owned business enterprises.

(d) The Contractor advertised in a timely fashion and in appropriate general circulation, trade and minority- and women-oriented publications, if any, concerning the contracting or subcontracting opportunity.

(e) The Contractor made written solicitations in a timely fashion to a reasonable number of certified minority- and women- owned business enterprises identified from current certified lists of such business enterprises provided or maintained by the NYS Empire State Development’s Division of Minority and Women Owned Business Development, or its designee, of the contracting or subcontracting opportunity. The directory of certified businesses can be viewed at: <http://esd.ny.gov/index.html>

(f) The Contractor can document if any timely responses to any such advertisements and solicitations were provided by certified minority- and women-owned business enterprises.

(g) The Contractor followed-up initial solicitations by contacting the enterprises to determine whether the enterprises were interested in such contracting or subcontracting opportunity.

(h) The Contractor provided interested certified minority- and women-owned business enterprises in a timely fashion with adequate information about the plans, specifications or terms and conditions of the State contract and requirements for the contracting or subcontracting opportunity so as to prepare an informed response to a contractor solicitation.

(i) The Contractor submitted a completed, acceptable utilization plan in accordance with applicable requirements to meet goals for participation of certified minority- and women-owned business enterprises established in the State contract.

(j) The Contractor used the services of community organizations, contractor groups, state and federal business assistance offices and other organizations identified by the NYS Department of Economic Development or its designee that provide assistance in the recruitment and placement of minority and women business enterprises.

(k) The Contractor negotiated in good faith with certified minority- and women-owned business enterprises submitting bids, proposals, or quotations and did not, without justifiable reason, reject as unsatisfactory any bids, proposals or quotations prepared by any certified minority- or women-owned business enterprise. "Good faith" negotiating means engaging in good faith discussions with certified minority- or women-owned business enterprises about the nature of the work, scheduling, requirements for special equipment, opportunities for dividing of work among the bidders, proposers, and various subcontractors and the bids of the minority or women businesses, including sharing with them any cost estimates from the request for proposal or invitation to bid documents, if available; and,

(l) The Contractor undertook efforts to make payments for any work performed by certified minority- and women-owned business enterprises in a timely fashion so as to facilitate continued performance by certified minority- and women-owned business enterprises.

Signature/Date

Print Name

Title

Company

Contract Number

Program/Solicitation Name

**M/WBE SUBCONTRACTORS AND SUPPLIERS
 LETTER OF INTENT TO PARTICIPATE**

Contractor: [REDACTED]

Contract No.: [REDACTED]

Address: [REDACTED]

Federal ID#: [REDACTED]

Dear Contractor:

I, [REDACTED] intend to perform work for [REDACTED]
 (Name of Subcontractor/Supplier) (Name of Prime Contractor)

My Minority/Women Business Enterprise (M/WBE) status as a MBE () and/or WBE () is certified as of [REDACTED]
 (Certification date)

[REDACTED] is prepared to do the following:
 (Name of Subcontractor/Supplier)

(Describe work to be performed on the above project)	Unit Price	Total Amount
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

You have projected [REDACTED] for such work to start.
 (Commencement Date)

[REDACTED] will sign a formal contract for the above work conditioned [REDACTED]
 (Name of Subcontractor/Supplier)
 upon the approval of your executed contract with the contractor.

Please choose one of the following options:

MBE: Subcontractor [REDACTED] Supplier [REDACTED]
WBE: Subcontractor [REDACTED] Supplier [REDACTED]

Company Official's Name: [REDACTED]
 Company Official's Signature [REDACTED]
 Address: [REDACTED]

Title: [REDACTED]
 Date: [REDACTED]

*****This section is to be completed by the prime contractor*****

Company Official's Name: [REDACTED]
 Company Official's Signature [REDACTED]
 Telephone Number: [REDACTED]

Title: [REDACTED]
 Date: [REDACTED]
 Fax Number: [REDACTED]

A. <input type="checkbox"/>	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	<input type="checkbox"/>	<input type="checkbox"/>	contract. <input type="checkbox"/>
B. <input type="checkbox"/>	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER FORM - OTDA - 4969.

PREPARED BY (Signature):

DATE:

NAME AND TITLE OF PREPARER (Print or Type):

TELEPHONE NO.:

EMAIL ADDRESS:

FOR MWBE USE ONLY

REVIEWED BY:

DATE:

UTILIZATION PLAN APPROVED: YES NO Date:

Contract No.:

Contract Award Date:

Estimated Date of Completion:

Amount Obligated Under the Contract:

Description of Work:

NOTICE OF DEFICIENCY ISSUED: YES NO

Date:

NOTICE OF ACCEPTANCE ISSUED: YES NO

Date:

SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE MWBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.

**MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES-
EQUAL EMPLOYMENT OPPORTUNITY
POLICY STATEMENT**

M/WBE AND EEO POLICY STATEMENT

I, _____, the (awardee/contractor) _____ agree to adopt the following policies with respect to the project being developed or services rendered at _____

M/WBE

EEO

This organization will and will cause its contractors and subcontractors to take good faith actions to achieve the M/WBE contract participations goals set by the State for that area in which the State-funded project is located, by taking the following steps:

- (1) Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified MBEs or WBEs, including solicitations to M/WBE contractor associations.
- (2) Request a list of State-certified M/WBEs from AGENCY and solicit bids from them directly.
- (3) Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective M/WBEs.
- (4) Where feasible, divide the work into smaller portions to enhanced participations by M/WBEs and encourage the formation of joint venture and other partnerships among M/WBE contractors to enhance their participation.
- (5) Document and maintain records of bid solicitation, including those to M/WBEs and the results thereof. The Contractor will also maintain records of actions that its subcontractors have taken toward meeting M/WBE contract participation goals.
- (6) Ensure that progress payments to M/WBEs are made on a timely basis so that undue financial hardship is avoided, and that, if legally permissible, bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation.

(a) This organization will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on state contracts.

(b) This organization shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex disability or marital status.

(c) At the request of the contracting agency, this organization shall request each employment agency, labor union, or authorized representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

(d) The Contractor shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. The Contractor and subcontractors shall 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.

(e) This organization will include the provisions of sections (a) through (d) of this agreement in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with the State contract

Agreed to this _____ day of _____, 2_____

By _____

Print: _____ Title: _____

_____ is designated as the Minority Business Enterprise Liaison
(Name of Designated Liaison)

responsible for administering the Minority and Women-Owned Business Enterprises- Equal Employment Opportunity (M/WBE-EEO) program.

M/WBE Contract Goals

_____ % Minority and Women's Business Enterprise Participation

_____ % Minority Business Enterprise Participation

_____ % Women's Business Enterprise Participation

(Authorized Representative)

Title: _____

Date: _____

STAFFING PLAN

Submit with Bid or Proposal – Instructions on page 2

Solicitation No.: [Redacted] **Reporting Entity:** [Redacted]

Offeror's Name: [Redacted] **Report includes Contractor's/Subcontractor's:**
 Workforce to be utilized on this contract
 Offeror
 Subcontractor

Offeror's Address: [Redacted] **Subcontractor's name:** [Redacted]

Enter the total number of employees for each classification in each of the EEO-Job Categories identified

EEO-Job Category	Workforce by Gender		Workforce by Race/Ethnic Identification							Disabled (M) (F)	Veteran (M) (F)		
	Total Work force	Total Male (M)	Total Female (F)	White (M) (F)	Black (M) (F)	Hispanic (M) (F)	Asian (M) (F)	Native American (M) (F)					
									Totals				
Officials/Administrators	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Professionals	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Technicians	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Sales Workers	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Office/Clerical	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Craft Workers	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Laborers	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Service Workers	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Temporary /Apprentices	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
Totals	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

PREPARED BY (Signature): [Redacted] **TELEPHONE NO.:** [Redacted] **EMAIL ADDRESS:** [Redacted] **DATE:** [Redacted]

NAME AND TITLE OF PREPARER (Print or Type): [Redacted] **Submit completed with bid or proposal**

General instructions: All Offerors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (M/WBE 101) and submit it as part of the bid or proposal package. Where the work force to be utilized in the performance of the State contract can be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form only for the anticipated work force to be utilized on the State contract. Where the work force to be utilized in the performance of the State contract cannot be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form for the contractor's and/or subcontractor's total work force.

Instructions for completing:

1. Enter the Solicitation number that this report applies to along with the name and address of the Offeror.
2. Check the box acknowledging work force to be utilized on the contract.
3. Check off the appropriate box to indicate if the Offeror completing the report is the contractor or a subcontractor.
4. Enter the total work force by EEO job category.
5. Break down the anticipated total work force by gender and enter under the heading 'Work force by Gender'.
6. Break down the anticipated total work force by race/ethnic identification and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the O/M/WBE Permissible contact(s) for the solicitation if you have any questions.
7. Enter information on disabled or veterans included in the anticipated work force under the appropriate headings.
8. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

RACE/ETHNIC IDENTIFICATION

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this form, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

- **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East
- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.
- **NATIVE INDIAN (NATIVE AMERICAN/ALASKAN NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

OTHER CATEGORIES

- **DISABLED INDIVIDUAL** any person who:
 - has a physical or mental impairment that substantially limits one or more major life activity(ies)
 - has a record of such an impairment; or
 - is regarded as having such an impairment.
- **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.

GENDER Male or Female

REQUIRED DOCUMENT- upload in Pre-submission upload section

OFFEROR'S ACKNOWLEDGEMENT OF UNDERSTANDING OF POST-EMPLOYMENT PROVISIONS

OFFEROR'S ACKNOWLEDGEMENT OF UNDERSTANDING OF POST-EMPLOYMENT PROVISIONS	
<p>By submission of this proposal, the Offeror and each person signing on behalf of the Offeror acknowledges that he/she has the authority to sign on behalf of the Offeror, has read and understands the provisions applicable to post-employment restrictions affecting former State officers and employees, and agrees to abide by the Provisions of the Public Officer's Law should the Offeror and OTDA enter into the proposed Agreement.</p>	
OFFEROR'S DISCLOSURE OF ANY EXISTING AND/OR CONTEMPLATED CONFLICT OF INTEREST	
<p>Have you any existing or contemplated relationship with any other person or entity, including relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Respondent or former officers and employees of the Agencies and their Affiliates, in connection with your rendering services enumerated in this solicitation.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If your answer to the above is "Yes", please attach a written explanation, include a statement with your Proposal describing how your Staffing Firm would eliminate or prevent the Conflict of Interest. Indicate what procedures will be followed to detect, notify OTDA of, and resolve any such conflicts.</p> <p>By my signature on this form, I certify that all information disclosed to the State is complete, true, and accurate with regard to Conflicts of Interest.</p>	
OFFEROR'S DISCLOSURE OF ANY INVESTIGATION OR DISCIPLINARY ACTION BY THE NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY OR ITS PREDECESSOR STATE ENTITIES (COLLECTIVELY, "COMMISSION")	
<p>Have you or any of your members, shareholders of 5% or more, parents, affiliates, or subsidiaries, have been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission").</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If your answer to the above is "Yes", please attach a written explanation; include a statement with your Proposal providing a brief description indicating how any matter before the Commission was resolved, or whether it remains unresolved.</p> <p>By my signature on this form, I certify that all information disclosed to the State is complete, true, and accurate with regard to investigations or disciplinary actions by the Commission.</p>	
OFFERORS DISCLOSURE OF FORMER STATE EMPLOYEES	
<p>Do you employ and/or use any subcontractors who are former employees of the State that will be assigned to perform services under an Agreement, resulting from this solicitation.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If your answer to the above is "Yes", please attach a written statement identifying any/all employees and/or subcontractors who are former employees of the State that will be assigned to perform services under an Agreement, resulting from this solicitation, include the State Agencies Name(s) in which they have worked, and the dates of their employment.</p> <p>By my signature on this form, I certify that all information disclosed to the State is complete, true, and accurate with regard to Former State Employees.</p>	
THE SIGNATURE BELOW INDICATES CERTIFICATION/ACKNOWLEDGEMENT/UNDERSTANDING OF EACH OF THE ABOVE	
<p>_____ Signature Date</p> <p>_____ Printed or Typed Name</p> <p>_____ Title Procurement Name</p>	

Offeror Assurance of No Conflict of Interest or Detrimental Effect

The Offeror proposing to provide services pursuant to this solicitation, as Contractor, Joint venture contractor, subcontractor, or consultant, attests that its performance of the services outlined in this solicitation does not and will not create a conflict of interest with nor, position the Offeror to breach any other Agreement currently in force with the State of New York.

Furthermore, the attests that it will not act in any manner that is detrimental to any State project on which the Offeror is rendering services; Specifically the Offeror attests that:

1. The fulfillment of obligations by the Offeror, as proposed in the response, does not Violate, any existing Contracts or Agreements between the Offeror and the State;
2. The fulfillment of obligations by the Offeror, as proposed in the response, does not and will not create any conflict of interest, or perception thereof, with any current role or responsibility that the Offeror has with regard to any existing Contracts or Agreements between the Offeror and the State;
3. The fulfillment of obligations by the Offeror, as proposed in the response, does not and will not compromise the Offeror's ability to carry out its obligations under any existing Agreements between the Offeror and the State;
4. The fulfillment of any other contractual obligations that the Offeror has with the State will not affect or influence its ability to perform under any Agreement with OTDA resulting from this RFP;
5. During the negotiation and execution of any Agreement resulting from this RFP, the Offeror will not knowingly take any action or make any decision which creates a Potential, for conflict of interest or might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;
6. In fulfilling obligations under each of its State contracts, including any Agreement which results from this RFP, the Offeror will act in accordance with the terms of each of its State contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to the State as a whole including, but not limited to any action or decision to divert resources from one State project to another;
7. No former officer or employee of the State who is now employed by the Offeror, nor any former officer or employee of the Offeror who is now employed by the State, has played a role with regard to the administration of this procurement in a manner that may violate section 73(8)(a) of the State Ethics Law; and
8. The Offeror has not and shall not offer to any employee, member or director of OTDA any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

Offeror's responding to this RFP should note that OTDA recognizes that conflicts may occur in the future because an Offeror may have existing or new relationships. OTDA will review the nature of any such new relationship and reserves the right to terminate the Agreement for cause if, in its judgment, a real or potential conflict of interest cannot be cured.

Dated: _____

Signature

Name: _____

Title: _____

NOTE: This form must be signed by an authorized executive or legal representative (person that is authorized to bind the Offeror contractually).

OTDA 11/2016

Sexual Harassment Prevention Certification

State Finance Law §139-I requires bidders on state procurements to certify that they have a written policy addressing sexual harassment prevention in the workplace and provide annual sexual harassment training (that meets the Department of Labor's model policy and training standards) to all its employees.

"By 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 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."

Contractor: _____

Printed Name: _____

Title: _____

Signature: _____

Date: _____

Bids that do not contain the certification will not be considered for award; provided however, that if the bidder cannot make the certification, the bidder may provide a signed statement with their bid detailing the reasons why the certification cannot be made.

PROHIBITING CONTRACTS WITH ENTITIES THAT SUPPORT DISCRIMINATION

EO 177 Certification

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not 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 status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Contractor: _____

By: _____

Name: _____

Title: _____

Date: _____

**NON-COLLUSIVE BIDDING CERTIFICATION REQUIRED BY
SECTION 139-D OF THE STATE FINANCE LAW**

SECTION 139-D. Statement of Non-Collusion in bids to the State:

BY SUBMISSION OF THIS BID, BIDDER AND EACH PERSON SIGNING ON BEHALF OF BIDDER CERTIFIES, AND IN THE CASE OF JOINT BID, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATION, UNDER PENALTY OF PERJURY, THAT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF:

[1] The prices of this bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor,

[2] Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor, and

[3] No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A BID SHALL NOT BE CONSIDERED FOR AWARD NOR SHALL ANY AWARD BE MADE WHERE [1], [2], AND [3] ABOVE HAVE NOT BEEN COMPLIED WITH; PROVIDED HOWEVER, THAT IF IN ANY CASE THE; BIDDER(S) CANNOT MAKE THE FOREGOING CERTIFICATION. THE BIDDER SHALL SO STATE AND SHALL FURNISH BELOW A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE REASONS THEREFORE;

[AFFIX ADDENDUM TO THIS PAGE IF SPACE IS REQUIRED FOR STATEMENT.]

Subscribed to under penalty of perjury under the laws of the State of New York, this ____ day of _____, 200__ as the act and deed of said corporation or partnership.

Exhibit 1: Non-Collusive Bidding Certification-3

Identifying Data

Potential Contractor: _____

Address: _____
Street

City, Town, etc.

Telephone: _____ Title: _____

If applicable, Responsible Corporate Officer

Name: _____ Title: _____

Signature: _____

Joint or combined bids by companies or firms must be certified on behalf of each participant.

Legal name of person, firm or corporation

Legal name of person, firm or corporation

By _____
Name

Name

Title

Title

Address _____
Street

Street

City State

City State

Section Four - GRANTS GATEWAY APPLICATION QUESTIONS

A list of the Program Specific Questions starts below.

The Print Application button on the *Forms Menu* screen may be used to view the answers to questions as the application is being developed. Remember to SAVE OFTEN! The application may also be printed at any time during the process for your reference. Do not send a printed copy to OTDA. Applications submitted outside of the Grants Gateway system may not be reviewed.

Provide a thorough response to each question including the services to be provided per target population.

Homeless Services Delivery Section

1. Please provide the HHAP contract number for this project.
2. Identify the service area (county, city, borough etc.) you intend to serve.
3. Provide the name(s) and identifier(s) of the Continuum(s) of Care (CoC(s)) where services will be provided.
4. Provide the following information as it relates to the homeless service delivery system(s): who is the lead organization, what is the role of the local social services district in the planning process and what is your organization's role within the CoC? For those agencies that are not active in the CoC planning process or are not CoC participants, please describe what efforts will be undertaken to engage in or to seek an active role.
5. Explain how the proposed program funded under this RFP will be coordinated with the existing programs in the CoC or local planning process. How will duplication of effort be avoided with this project?
6. Will referrals for the program described in this RFP be part of the CoC's Coordinated Entry process? If no, please explain why not and if there is a plan to eventually integrate your program with Coordinated Entry. If not currently participating in Coordinated Entry, what is your primary referral source?
7. Does the CoC(s) referenced in PSQ 3 endorse this OSAH project? If yes, upload the CoC letter(s) of support. Use the template found in the Pre-submission Upload section of Grants Gateway. If no, or if you do not have the letter(s), upload an explanation.
8. Does the local Department(s) of Social Services from counties listed in PSQ 2 support this OSAH project? If yes, upload the certification(s) of approval. Use the template found in the Pre-submission Upload section of Grants Gateway. If no, or if you do not have the certification(s), upload an explanation.
9. Is there a local Empire State Poverty Reduction Initiative, or other poverty reduction initiative, in your community? If yes, how is the proposed program integrated with that initiative? If no, please enter "NA"

Program Description

10. Provide a brief overview and history of the agency. Please include the agency's experience in serving the target population(s).
11. Describe the community where services will be provided. Besides general information about the community, include factors that may create and/or perpetuate homelessness or cause people to be at-risk of homelessness.
12. How does this proposal respond to the factors described in question 11? Describe any critical gaps in services and/or the need for supportive housing units for people living with HIV/AIDS within the service area. How does the proposed program address these gaps?
13. Describe and provide number of the supportive housing units, other than the proposed OSAH project, within the service area dedicated to providing housing and services to people living with HIV/AIDS.
14. Please provide the communities most recent Point in Time (PIT) count. How does the program address the need shown through the PIT count?
15. Please provide the statistical data on the number of active HIV/AIDS cases among people who are homeless or at risk of being homeless in the community to be served.
16. Define/describe the proposed program's target population(s). Demographic information may include some or all of the following: gender, age, economic status, family size and makeup, what percentage are veterans, runaway and homeless youth, persons with mental illness, disabled, ex-offenders, persons with substance use disorder, victims of domestic violence, other (describe).
17. Describe the typical living situations or lack thereof for the majority of proposed program participants prior to entering your program.
18. Describe the anticipated sources of income for the target population(s). What portion of clients will receive income from Public Assistance, Social Security, SSI, SSDI, Employment and or other sources (identify other sources)?
19. What are the support services needs of the target population(s) (i.e., mental health, substance use treatment, life skills, etc.)? How are these needs currently being met and what resources exist in the service area?
20. Please describe the medical needs of the residents in the proposed program and how they are currently, being met. How does the proposed program address these needs?
21. Describe the gaps in service, within the proposed program, that the requested OSAH funds will address.
22. Discuss the impact to the service area and target population if this project is not funded.
23. Please state and explain the anticipated recidivism rate (% of clients who return to homelessness).
24. What is the amount of funding being requested? Please refer to the budget and verify this amount.

25. Provide an overview of the proposed program detailing how the agency will perform outreach, primary source of referrals, how eligibility is determined, how intake is structured and any program requirements for participants.
26. Please provide a comprehensive list of onsite services to be provided. Briefly describe each and include information about how the project will promote a healthy and safe environment, by promoting healthy women, infants, and children, and/or promoting well-being by preventing mental health and substance use disorders consistent with EO 190.
27. What services will be provided by referral? Please upload copies of any linkage agreements with those organizations. Agreements should include a synopsis of the services to be provided and discuss how your organization will verify the provision of these services. If services are provided through subcontract, provide a description of the subcontractor's experience providing the support service(s) to the target population. Upload copies of any draft contracts that would be executed with the subcontractor(s).
28. Describe current case management practices such as frequency of meetings with participants and strategies you have found to be successful. What is an average caseload for case managers? Will tenants be connected with a SOAR case manager? Is a client-centered service plan established for all residents? How often is it revisited and/or updated?
30. How does your program integrate trauma informed care into its policies, procedures, and practices? How do you ensure that all staff are trained and providing trauma-responsive services that address tenants' needs resulting from various adverse childhood experiences (ACES), adult or life-long trauma, including those caused by poverty, racism, victimization, physical or emotional injury, illness, etc.?
31. Describe how your agency incorporates persons with lived experience in the decision-making process. Describe how the program addresses the needs of marginalized populations, including individuals of color; diverse cultural identities or ethnicities; people who identify as LGBTQ; persons who are gender non-conforming, etc. How does your program conduct outreach and provide welcoming, inclusive, and culturally sensitive services?
32. How does the proposed program provide language access for individuals with limited English proficiency? Describe to what extent the following are available to tenants: translated materials, multilingual staff and/or interpretation and translation services.
33. Please describe your agency's policies and procedures regarding wellness checks for residents. How frequently are they conducted and by who?
34. Identify appropriate safety and security measures for the target population as well as building security.
35. Explain/discuss staffing for the project. Identify by title (do not include specific names) those within your organization who will perform the activities you've described. Provide a brief job description for each title, explain the staffing pattern, and discuss any consultant roles. Include any special provisions (i.e., bilingual services) and the availability during non-traditional hours.
36. Please discuss the following: does the proposed program have a waiting list; what is the average occupancy rate; average length of stay for residents; average number of referrals received on a quarterly basis; average time for turnover of apartments (how long it takes for a vacated apartment to be reused)?

37. Discuss the measurable and quantifiable anticipated outcomes that the proposed program will provide to participants and how it will benefit them.
38. Explain the eviction policy and procedures for handling evictions. How many evictions did the program have in the last year? Please provide details. Discuss procedures for handling other types of client incidents or behavioral issues.
39. Please provide the number and type (permanent/ transitional; family/single/SRO) of units that will be supported.
40. Provide a brief narrative describing the building/property and addressing the following points: type of units; transitional or permanent; support service space; common areas; other non-residential space, etc. (Include blueprints or pictures if desired; maximum of 5 pages).
41. Describe the facility's management and operating plan (MOP), any current problems or with management and operation of the project and how the agency is addressing these problems.
42. Identify any proposed OSAH-funded costs related to the operation of the physical plant and how these would enhance the project viability and resident well-being.

Priorities

43. What percentage (%) of the project's total annual costs are dependent on OSAH funds (meaning there are no other sources of funding that will support those costs)? Please relate answers to the 'Budget to Actual Report' uploaded in the Pre-Submission uploads section of the RFP.
44. Does your agency provide employment and/or educational services? Are they provided on-site or by referral? What are the employment and/or educational needs of the residents in your program? What resources currently exist to assist them with the employment needs? How does your program enhance these resources or connect residents to these resources?
45. Discuss/explain the ability to operate the program for the full contract term. If all units/staff will not be available on the contract start date, discuss when the program will be fully operational. Be sure to verify how many units will be operational for 100% of the contract term. For those that will become operational after the start date of the contract, please include the # of units and projected date of operation.
46. For current OSAH contractors, please fill out and upload the Previous Expenditures Chart located in the Pre-Submission Upload section. If there were unspent funds in prior years and your agency is applying for the same amount (or an increased amount) of funding through this RFP, please indicate how you will ensure funds are not left unspent in future contract years. For applicants that are not current contractors, please indicate N/A in the text box.
47. In the past three years, has your agency been audited or reviewed by OTDA or another government agency? Describe any negative findings and/or corrective actions that needed to be taken. Were those findings resolved (please explain)?