



**Office of Temporary
and Disability Assistance**

Release Date:

April 9, 2024

Request for Proposals

Supplemental Nutrition Assistance Program
Nutrition Education and Obesity Prevention
SNAP-Ed III Technical Assistance

Submission Deadline:

May 10, 2024

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Part A: RFP General Information

I. Timelines and Proposal Submission

Questions Concerning this RFP

Organizations may submit questions via electronic mail to the email address provided below. All questions must be sent via email. No mailed or telephone inquiries will be accepted. Please include your name and the name of your organization in your email. Questions must be submitted prior to the 5:00 p.m. deadline on April 17, 2024. Answers to all questions received by this date will be posted on the Office of Temporary and Disability Assistance (OTDA) website at: [Procurement/Bid Opportunities | OTDA \(ny.gov\)](https://www.otda.ny.gov/Procurement/Bid%20Opportunities) no later than April 24, 2024. Prospective bidders may obtain a hardcopy of the questions and answers upon request.

New York State Office of Temporary and Disability Assistance
Bureau of Food and Nutrition Policy
Attn: Joyel Richardson
Email: Joyel.Richardson@otda.ny.gov

Proposal Submission and Due Date

All proposals must be submitted via the New York Statewide Financial System at: [The Statewide Financial System of New York \(ny.gov\)](https://www.otda.ny.gov/Statewide%20Financial%20System) and be received no later than 3:00 p.m., May 10, 2024. **Once the deadline has passed, the Statewide Financial System will no longer accept applications.** OTDA will conduct a thorough review of each application submitted. Eligible applicants should complete and submit answers to all questions, and submit all required forms outlined in this RFP. Failure to submit all required forms and answer all required questions may adversely affect the proposal's competitive score or make the proposal ineligible. OTDA is not responsible for any third-party error in the submission of proposals.

In the event it becomes necessary to revise any part of the RFP during the application submission period, an addendum will be posted on the OTDA website and the NYS Contract Reporter. It is the applicant's responsibility to periodically review the OTDA website and the NYS Contract Reporter to learn of revisions or addendums to this RFP. No other notification will be given.

Prequalification Requirement in the Statewide Financial System

Pursuant to New York State Division of Budget Bulletin H-1032, dated January 9, 2024, New York State has instituted a key reform initiative to the grant contract process which require not-for-profits to be Prequalified for proposals to be evaluated and any resulting contracts executed.

Proposals received from eligible not-for-profit applicants who have not been Prequalified by the proposal due date of 3:00 PM EST on May 10, 2024, will not be able to submit their bid response through SFS.

Please do not delay in beginning and completing the prequalification process. The State reserves 5-10 business days to review submitted prequalification applications. Prequalification applications submitted to the State for review less than 5 days prior to the RFP due date and time may not be considered. Applicants should not assume their prequalification information

will be reviewed if they do not adhere to this timeframe.

Vendor Registration, Prequalification and Training Resources for Applicants

Note: For any application that does not contain all the required documentation and responses that were to be uploaded, please be advised that the application will be reviewed and scored as submitted. Points will be deducted for any incomplete responses, missing and/or inappropriately submitted documentation. It is the responsibility of the applicant to ensure, prior to submission that the application is appropriate and complete.

Each proposal submission through SFS is required to contain:

- Operating Budget
- Budget Narrative

All applicants must be registered with the New York Statewide Financial System (SFS) and all Not-for-Profit agencies must be prequalified prior to proposal submission.

Not-for-profit organizations must Register as a vendor in the Statewide Financial System and successfully Prequalify to be considered for an award.

This grant opportunity is being conducted as an SFS bid event. Not-for-profit vendors that are not prequalified can initiate and complete bid responses. However, not-for-profit vendors that are not prequalified will NOT be allowed to submit their bid response for consideration.

Detailed information on [Registration](#) and [Prequalification](#) is available on the Grants Management website. An overview is provided below.

Register as an SFS Vendor

To register an organization, send a complete [Grants Management Registration form for SFS Vendors](#) and accompanying documentation where required by email to: grantsreform@its.ny.gov. You will be provided with a Username and Password allowing you to access SFS.

Note: New York State Grants Management reserves 5-10 business days from the receipt of complete materials to process a registration request. Due to the length of time this process could take to complete, it is advised new registrants send in their registration as soon as possible. Failure to register early enough may prevent potential applicants from being able to complete an application on time.

If you have previously registered and do not know your Username, please contact the SFS Help Desk at (855) 233-8363 or at Helpdesk@sfs.ny.gov. If you do not know your Password, please click the [SFS Vendor Forgot Password](#) link from the main log in page and follow the prompts.

Prequalifying in SFS

- Log into the SFS Vendor Portal.
- Click on the Grants Management tile.
- Click on the Prequalification Application tile. The Prequalification Welcome Page is displayed. Review the instructions and basic information provided onscreen.
Note: If either of the above referenced tiles are not viewable, you may be experiencing a user role issue. Contact your organization's Delegated Administrator and request the Prequalification Processor role.

- Select the Initiate a Prequalification Application radio button and click the Next button to begin the process. Starting with Organization Information, move through the steps listed on the left side of the screen to upload Required Documents, provide Contacts and Submit your Prequalification Application.

Note: If the initiate Prequalification Application radio button is not available, your organization may have already started a prequalification application and could even be prequalified. Click on the Version History link to review your organization's prequalification status. If you are not currently prequalified, or your prequalification expires prior to the due date of this RFP, you will need to choose to *collaborate* on or *update* your application.

- System generated email notifications will be sent to the contact(s) listed in the Contacts section when the prequalification application is Submitted, Approved, or returned by the State for more information. If additional information is requested, be certain to respond timely and resubmit your application accordingly.

Note: New York State reserves 5-10 business days from the receipt of complete Prequalification applications to conduct its review. If supplementary information or updates are required, review times will be longer. Due to the length of time this process could take to complete, it is advised that not-for-profits prequalify as soon as possible. Failure to successfully complete the prequalification process early enough may result in a grant application being disqualified.

Specific questions about SFS should be sent to the SFS helpdesk at helpdesk@sfs.ny.gov.

On Demand Grantee Training Materials

A recorded session with information about the transition to SFS is available for Grantees on the Grants Management website – <https://grantsmanagement.ny.gov/> and in SFS Coach.

The following training material focused on grants management functionality is currently available in SFS Coach:

- An [SFS Vendor Portal Access Reference Guide.pdf \(ny.gov\)](#) to help Grantees understand which Grants Management roles they need in the SFS Vendor Portal based on the work they are currently involved in.
- A [Grantee / Vendor User Manual \(ny.gov\)](#) which provides screenshots and step-by-step guidance on how to complete grants management related tasks in SFS.
- On-demand recorded training videos focused on each aspect of the Grants Management business process.

Agencies can view vendor training material in SFS Coach by selecting **SFS Training for Vendors** from the topic drop-down list.

RFP Timetable

- RFP Release Date – April 9, 2024
- Deadline Date for Questions – April 17, 2024, by 5:00 pm
- Responses to Questions Posted – April 24, 2024
- Proposal Due Date – May 10, 2024, by 3:00 pm
- Date of Notification of Award – July 15, 2024
- Contract Start Date – October 1, 2024
- Contract End Date – September 30, 2029

Agency Rights

OTDA reserves the right to:

- Amend the specifications of this RFP, prior to application opening.

- Negotiate with applicants the requirements of this RFP regarding the scope of work to serve the best interests of the State.
- Seek clarifications and revisions of applications.
- Use applicant information obtained through site visits, reporting, and management reviews; voucher submissions; State investigation of an applicant's qualifications, experience, ability, or financial standing; and any material submitted by the applicant in response to the agency's request for clarifying information, in the course of evaluation and/or selection under this RFP.
- Conduct contract negotiations with the next responsible applicant should negotiations be unsuccessful after a reasonable amount of time, unless otherwise agreed to by the parties.
- Award grants based on geographic location(s) or regional considerations to serve the best interests of the State, including awarding contracts to responsible entities that score fewer points than others, to maximize statewide coverage of geographic areas with high incidences of food insecurity and obesity-related chronic disease; and,
- Make as many or as few awards, or refrain from making any awards under this RFP and/or determine that a new solicitation is necessary.

II. Summary of the RFP

Program Authority

The NYS Supplemental Nutrition Assistance Program Nutrition Education and Obesity Prevention Technical Assistance Program (SNAP-Ed III TA) is funded by the United States Department of Agriculture (USDA) and administered jointly by the Federal Food and Nutrition Services (FNS) and OTDA. The program is authorized by Section 241 of the Healthy, Hunger-Free Kids Act of 2010 (HHFKA) and the SNAP: Nutrition Education and Obesity Prevention Grant Program Final Rule (the Final Rule). The Final Rule adopts the amended interim rule published April 5, 2013, to implement the SNAP-Ed provisions of the HHFKA. The rule also implements a provision of the Agricultural Act of 2014 to authorize promotion of physical activity in addition to promotion of healthy food choices. The SNAP-Ed program utilizes a variety of obesity prevention strategies, including policy, system, and environmental approaches (PSE), to facilitate voluntary adoption of healthy nutrition and physical activity behaviors conducive to the positive health and well-being of individuals eligible for SNAP and other means-tested Federal assistance programs. The program is operated in accordance with USDA SNAP-Ed Plan Guidance and SNAP-Ed Guiding Principles.

Program Goals and Objectives

Food insecurity is an indicator for poor nutrition and poor health. Research indicates that food insecure populations are less likely to eat a healthy diet composed of vegetables and fruit and more likely to choose unhealthy foods and beverages compared to food secure populations. The SNAP-Ed program is designed to assist and encourage SNAP recipients and persons eligible for SNAP (hereinafter referred to as the SNAP population) to choose healthy diets and active lifestyles through the provision of behaviorally focused nutrition education and obesity prevention activities.

The program has ten objectives, five of which are nutrition related and five related to food insecurity and hunger.

The five nutrition-related objectives designed to improve health among the SNAP population include:

1. Increase the consumption of nutrient dense fruits and vegetables, whole grains, lean meats, and low-fat dairy products.

2. Decrease the consumption of sugar-sweetened beverages and low-nutrient, high-energy dense foods containing large amounts of added sugars, salt, and saturated fat.
3. Increase physical activity and reduce sedentary behaviors.
4. Expand access to SNAP-Ed programming.
5. Improve knowledge skills and abilities of SNAP-Ed workforce.

The five objectives related to food insecurity and hunger that are designed to improve health among the SNAP population include:

1. Improve food resource management skills.
2. Improve food preparation skills.
3. Increase access to affordable and nutritious food.
4. Increase SNAP-Ed activities in areas of need.
5. Improve the SNAP-Ed workforce.

The overarching goal of all SNAP-Ed activities is to promote health and prevent and/or postpone the onset of diet-related chronic disease among the SNAP population by providing nutrition education and obesity prevention services. The NYS SNAP-Ed program uses the USDA Thrifty Food Plan as a guide to assist the SNAP population to meet recommended fruit and vegetable recommendations in the U.S. Dietary Guidelines.

Note: USDA issues SNAP-Ed Plan Guidance annually. Should goals and objectives of SNAP-Ed change, selected provider agencies will be expected to make program adjustments to ensure alignment with federal guidance.

Purpose of the RFP

The New York State Office of Temporary and Disability Assistance is committed to improve the likelihood that the SNAP population will make healthy choices within a limited budget and choose physically active lifestyles. This RFP seeks to leverage the technical assistance services of one not-for-profit provider to support the NYS Supplemental Nutrition Assistance Program Nutrition Education and Obesity Prevention Direct Services Program (SNAP-Ed III DS). Specifically, technical assistance related to SNAP-Ed reporting requirements, social marketing, and training for selected SNAP-Ed III DS providers.

IMPORTANT NOTE: Applicant organizations may choose to bid on one or both SNAP-Ed III components; however, a separate and complete application must be submitted for each. ***Do not combine the applications into one or reference one bid from the other.***

Available Funds/Award Amounts

Approximately \$1,500,000 in annual Federal funding will be made available to one organization to support Technical Assistance.

SNAP-Ed funds are available each federal fiscal year and are intended to support that annual period of performance. A period of performance is defined as the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. (2 CFR 200.77). Contracts under this RFP will have five periods of performance. The periods of performance for this RFP are as follows:

- 10/1/24-9/30/25
- 10/1/25-9/30/26
- 10/1/26-9/30/27
- 10/1/27-9/30/28

- 10/1/28-9/30/29

Award amounts for the initial and any subsequent periods of performance are annual amounts and contingent on the continued availability of Federal funding and USDA approval. During the contract term, an award balance at the end of a period of performance cannot be carried over to a subsequent period of performance, however, provider agencies will have up to two years to claim expenditures for an annual period of performance before the funds expire. Annual awards beyond the initial 12-month period of performance are contingent upon satisfactory contractor performance and the continued availability of Federal SNAP-Ed funding. Catalog of Federal Domestic Assistance (CFDA) title and number: 10.561, Supplemental Nutrition Assistance Program (SNAP). Should SNAP-Ed funding decrease, OTDA reserves the right to decrease annual award amounts for provider agencies based on performance, need, and availability of funding.

Example: SNAP-Ed III Provider A is awarded \$1,000,000 to support their planned budget for the first period of performance, 10/1/24-9/30/25. Provider A has submitted vouchers for expenditures during the first period of performance totaling \$800,000. They have \$200,000 remaining, but do not submit their final voucher for the first period of performance until 8/11/26. 8/11/26 falls within the second period of performance, but since the expenditures on the final voucher occurred in the first period of performance, the \$200,000 balance of funds can still be used to cover those expenses. Provider agencies cannot carry the balance forward into a subsequent period of performance to support expenditures. The expectation is that budgets will be based on annual expenses and that selected providers will incur expenses up to the total award amount in the period of performance it was issued.

Should additional funds be made available to support this RFP, OTDA reserves the right to make awards in excess of the amount listed above. In the event the amount requested by the selected organization exceeds the amount available, OTDA will reduce the award amount to stay within the overall funding limit.

Contract Period (Multi-Year)

This RFP governs contracts for five periods of performance over a five-year cycle starting October 1, 2024, and ending September 30, 2029. Each annual period of performance will begin on October 1 and end on September 30. Costs must be obligated in the fiscal year for which the funds are made available but may be claimed within the two-year grant period. For example, Provider A executes a sub-contract with provider B to provide training during FFY25 but does not receive an invoice until FFY26. Provider A may seek reimbursement from OTDA in the second year since the costs were incurred in the first year. At the discretion of OTDA, this multi-year cycle may be shortened if it is determined that significant modifications to the program structure are necessary. A rate increase request may be considered at the start of each period of performance based on availability of federal funds, contractor performance, activity expansion, and/or State needs assessment. Any increase must have the approval of USDA, as well as the New York State Office of State Comptroller (OSC) and Division of Budget. OTDA desires to engage the services of an organization that is successful in providing technical assistance to SNAP-Ed III DS providers as outlined in this RFP and may terminate contracts or initiate contract modifications to reduce award amounts of those projects that are not making progress in fulfilling the performance of this initiative.

Eligible Applicants

Organizations eligible to apply for funding under this initiative are limited to non-profit organizations with experience delivering health and human service programs. For-profit entities are excluded from applying for funding under this initiative. Preferred applicants will be

organizations who can demonstrate experience: successfully implementing nutrition education and obesity prevention programming technical assistance as outlined in this RFP; and providing direct leadership, management, and oversight for activities as outlined in this RFP.

Nonprofit applicants must be registered and in good standing with the Charities Bureau of the Attorney General's Office, and have a Vendor Responsibility Profile available and current on OSC's VendRep System at: <http://www.osc.state.ny.us/vendrep/index.htm>. All nonprofits are subject to the Prequalification Requirement in the Statewide Financial System.

Part B: TECHNICAL ASSISTANCE SERVICES GUIDELINES AND REQUIREMENTS

I. Background

OTDA requests proposals from non-profit agencies or educational institutions to provide statewide technical assistance related to training, reporting, research and design, and program evaluation for its SNAP-Ed III DS program. **One** organization will be selected for a technical assistance award.

II. Required Technical Assistance Activities

The following is a list of the primary technical assistance activities to be delivered during the contract term. However, changes in Federal SNAP-Ed guidance to state administrating agencies or changes in State priorities may require a shift in Technical Assistance Services. In some instances, a technical assistance provider may be asked to complete a task not identified below.

PEARS Reporting System: Provide coordination and management of a USDA approved statewide program evaluation and reporting system (PEARS) to collect monthly, quarterly, and annual data from contractors on SNAP-Ed funded activities in accordance with Federal USDA National Program Educational and Administrative Report System (N-PEARS) requirements. Management will include, but not be limited to: 1) maintaining a software license for PEARS; 2) facilitating payment to vendor; 3) arranging for system training and access for OTDA and its contractors; 4) facilitating and providing additional system technical assistance; 5) regularly monitoring data entry for accuracy and facilitating timely corrections; and, 6) providing technical assistance to contractors related to required annual report submissions using system data output.

N-PEARS Annual Plan and Reporting System: The Food and Nutrition Service launched the National Program Evaluation and Reporting System (N-PEARS) on May 22, 2023. N-PEARS is a result of a broad strategic initiative to improve SNAP-Ed data collection and reporting. N-PEARS represents updates to SNAP-Ed State plan and data collection requirements that support FNS's vision of high-quality, accessible national program data and allows for an improved understanding of program effectiveness and accountability. N-PEARS provides all State and implementing agencies with a single, streamlined, web-based tool for submitting annual SNAP-Ed State plans and consolidated annual reports. The selected technical assistance provider will facilitate training and assist implementing agencies with annual planning submissions as needed.

Professional Development Training: Arrange and deliver one (1) annual statewide civil rights training for SNAP-Ed program staff. Arrange for other professional development relating to nutrition education facilitation skills, food safety and food demonstration skills, PSE and/or other topics at the direction of OTDA. Serves on the annual statewide training conference committee and assists committee with securing workshop presenters. Facilitate NYS

representation and participate in Association of SNAP Nutrition Education Administrators (ASNNA). Facilitates payment of cost reasonable expenses, including fees, materials, travel, and accommodation related to association activities and conference presenters.

Social Marketing: Applicant agencies may set aside up to fifteen percent (15%) of their annual budget for select social marketing campaigns. Under the direction of OTDA, the administrative agency will be responsible for developing annual SNAP-Ed social marketing campaigns. The administrative agency will be responsible for all elements of campaign development and implementation, including: 1) formative research; 2) documenting design and development using the SNAP-Ed Framework; 3) development of scope of work; 4) oversight and payment and 5) campaign reporting and evaluation.

Note: The technical assistance provider may subcontract out work for elements that it cannot deliver on its own. The agency is responsible for obtaining OTDA approval of scope of work including campaign theme, message and materials prior to implementation and placement. In addition, the provider must submit required quarterly and annual reporting to OTDA and submit process and program evaluation of each campaign for peer review on behalf of NYS OTDA. All materials developed with SNAP-Ed funds are the property of USDA and OTDA.

A Social Marketing Campaign is defined as a coordinated set of communications delivered to one or more SNAP-Ed market segments to a particular population across a large geographic area. It is typically branded, communicates a common call to action, is delivered in multiple complementary settings and channels, and focuses on one or more priority behavior changes.

Social marketing emphasizes:

- Targeting an identified segment of the SNAP-Ed-eligible audience.
- Identifying and addressing needs of the target audience and potential barriers to behavior change.
- Interacting with the target audience to test the message, materials, approach, and delivery channel to ensure they are understood and likely to lead to behavior change.
- Adjusting messages and delivery channels through continuous feedback using evaluation data and target audience engagement.

Successful SNAP-Ed social marketing programs should be comprehensive in scope using multiple communication channels to reach target audiences with sufficient frequency and reach.

The advertising and public relations aspects of social marketing programs can reach SNAP-Ed-eligible audiences through a variety of delivery channels such as the following:

- Mass media (e.g., television, radio, newspapers, billboards, other outdoor advertising).
- Social media (e.g., social networks, blogs, user-generated content).
- Earned media (e.g., public service announcements, letters to the editor, opinion editorials, press conferences).
- Peer-to-peer popular opinion leaders (e.g., youth or parent ambassadors, local champions, celebrity spokespersons, faith leaders).
- Promotional media (e.g., point-of-purchase prompts, videos, websites, newsletters, posters, kiosks, brochures, educational incentive items).

Allowable Social Marketing

Allowable social marketing includes:

- Electronic, outdoor, indoor, transit, and print announcements of nutrition education and obesity prevention-related activities for the SNAP-Ed target audience.

- Social and multimedia initiatives that are part of comprehensive interventions.
- Appropriate social marketing programs in which messages are delivered in areas, venues, or using communication channels where at least 50 percent of the audience is eligible for SNAP-Ed.
- Social media, websites, and other digital content designed for, tailored to, and predominantly promoted to the SNAP-Ed target audience.
- Television and radio announcements/advertisements that do not include a brief message about SNAP, its benefits, and how to apply.

Unallowable Social Marketing

Unallowable social marketing includes:

- Social marketing that targets the general population. In some instances, prorated costs based on the number of the SNAP-Ed target audience that will be reached with the campaign may be allowed. FNS may consider alternate methods with justification.
- Publication or dissemination of nutrition education and obesity prevention messages that are inconsistent with the current DGA and MyPlate.
- Television and radio announcements/advertisements that contain messages about SNAP, its benefits, and how to apply.

Please visit the social marketing page on SNAP-Ed Connection <https://snaped.fns.usda.gov/snap-ed-works/social-marketing> for additional information and examples of SNAP-Ed social marketing.

Agency Experience and Administration Requirements

The technical assistance agency must have staff with the knowledge and ability to perform the services described. Preference will be given to applicants with past relevant experience working with OTDA to complete the tasks identified above. The technical assistance provider will be expected to work under the direction of OTDA. OTDA expects that assistance will be ongoing throughout the year and, at times, the services provided will run concurrently. It is important that the technical assistance provider be able to communicate timely with OTDA and be able to meet performance deadlines.

Technical Assistance Services Cost Guidelines

The applicant agency will be responsible for submitting an application and budget that identifies associated costs related to administering each of the above Technical Assistance Services, including staff and qualifications.

The selected technical assistance provider is expected to engage in regular meetings with OTDA and may include in-person meetings in Albany. Therefore, travel costs related to meetings with OTDA are allowable costs related to administering this RFP component. The administering agency is allowed administrative costs of no more than 15% of the total proposed costs. The following chart outlines the suggested breakout for the Technical Assistance Services budget:

Expenses Category	Total Budget
Program Evaluation and Reporting System	15%
Professional Development Training	7%
Conference Planning	2%
Social Marketing	60%
Travel	1%
Administrative Costs	15%

Part C: CONTRACT INFORMATION

Claims for Payment

The contractor will be required to submit a quarterly report and quarterly invoice. The quarterly report will contain a program narrative, dates of service and itemized list of administrative support services conducted, and expenses incurred consistent with the approved schedule of deliverables. Payment for subcontractors must include invoice documentation that lists the subcontractor's name and/or business, payment amount(s), and nature of services provided separately on the invoice. Payment for all claims will be made upon 100% satisfactory completion and approval by OTDA and the Office of the State Comptroller (OSC). Claims for Payment with incomplete information or inadequate documentation will be returned to the contractor.

Record Retention

All records pertaining to awards made 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 the submission of the final expenditure report. In the event any claim, audit, litigation, or State/Federal investigation is started before the expiration of the aforementioned record retention period, the records must be retained by both direct service and technical assistance contractors until all claims or findings regarding the records are resolved. OTDA shall have access to any records relevant to the project, including books, documents, photographs, and correspondence necessary to make audit, examinations, transcripts, and excerpts. If OTDA determines that such records possess long-term historic value, they must be transferred to OTDA.

Program Monitoring

Direct Service contractors will be monitored by OTDA on a regular basis throughout the term of the contract. Monitoring may include observational site visits, management reviews, as well as regular telephone contact. The goal of monitoring is to ensure that the terms of the Contract are being met. In addition, monitoring enables OTDA to provide technical assistance, where necessary, to assist the contractor in meeting the terms of the contract. It is the responsibility of the contractor to monitor all subcontractors. The selected contractor will receive prior notification of a site visit and/ or management review. Following a site visit or management review, the contractor will receive a letter summarizing observance of operations and/or service delivery including any requests for program modification and corrective action. In addition, FNS monitors OTDA operations and use of SNAP-Ed funding. Should FNS be conducting a review that includes an analysis of the technical assistance contractor the

contractor will be expected to engage in the review as needed. This may include but is not limited to, completion of questionnaires, participation in interviews, documentation requests and a site visit. The selected contractor will be notified in advance of an FNS review.

PART D: APPLICATION PROPOSAL FORMAT AND CRITERIA TECHNICAL ASSISTANCE SERVICES

I. Proposal Format – Technical Assistance Services

Proposals will consist of three parts – a technical section, a budget section, and a work plan. To ensure that all proposals are evaluated on the same basis, all components of the sections must be included. OTDA will establish a Review Committee, to evaluate the technical and budget sections of the proposals. Applicants should not assume that the reviewers are familiar with the SNAP-Ed program, the applicant agency, or the programs they operate.

Applicants should review the RFP for the description of the Technical Assistance Services being sought and follow the proposal preparation guidelines. Several additional steps may take place to further evaluate proposals following the review of applications. These steps may include a telephone interview with the designated contact person at the agency, a request for additional written information or documentation, and/or communication with references.

II. Evaluation Process

Proposals will be scored accordingly: Technical Section (60 Points); Budget Section (30 Points); and Work Plan (10 points). The evaluation process will abide by the following rules:

- A.** Applicant organizations must meet the prequalification requirements set forth in this RFP; and,
- B.** Proposals that fail to meet the requirements of the RFP may be disqualified after completing a full review.

III. Technical Section (60 points)

The following are criteria for each technical assistance component. For each component below, the applicant should describe: 1) the proposed delivery of service; 2) relevant experience demonstrating an understanding of the service; and 3) plans to coordinate and regularly report to OTDA on service delivery.

Agency Experience (20 points) – Proposal demonstrates the agency’s experience and capacity to deliver the technical support services outlined in this RFP. The applicant should provide an organizational chart with the names and titles of individuals to be assigned to the project including all subcontractors. A description of the agency’s unique expertise and relevant prior experience, including how the team was assembled and how the work will be completed. A description of agency capacity should include fiscal and management resources, as well as the ability to meet performance goals and deadlines. Resumes of the team may be uploaded.

PEARS and N-PEARS Reporting System (10 points) – Proposal demonstrates the agency’s experience and capacity to achieve the following services in a timely and professional manner: 1) maintaining annual software license for PEARS; 2) facilitating payment to vendor; 3) arranging for system training and access for OTDA and its contractors; 4) facilitating and providing additional system technical assistance to OTDA and its contractors; 5) regularly

monitoring data entry for accuracy and facilitate timely corrections: and 6) providing technical assistance to contractors related to required annual report submissions using system data output. 7) providing technical assistance to OTDA and its contractors with N-PEARS system, annual plan, and annual report.

Professional Development Training (10 Points) – Proposal demonstrates the agency's experience and capacity to develop and deliver professional development to SNAP-Ed contractors, including but not limited to one (1) annual statewide civil rights training for nutritionists and one (1) communication and facilitation skills training for nutritionists.

Training Conference Planning (10 points) – Proposal demonstrates the agency's experience and capacity to actively coordinate and plan Annual SNAP-Ed Conference in partnership with OTDA including but not limited to, securing workshop presenters. Agency demonstrates the fiscal capacity to facilitate timely payment of cost reasonable speaking fees, materials, travel, and accommodation related to conference presenters.

Social Marketing (10 Points) – Agency has the experience and capacity to arrange for the development and placement of annual NYS SNAP-Ed Social Marketing campaigns. The administrative agency demonstrates capacity to be responsible for key elements of the campaign development and implementation, including: 1) formative research, 2) documenting design and development, 3) development of scope of work, 4) oversight and payment of deliverables, and 5) campaign reporting and evaluation. If the administrative agency is subcontracting out work for components of this activity that it cannot deliver on its own, the agency demonstrates experience working successfully with subcontractors for this purpose.

IV. Budget Section (30 points)

The expenditure-based budget will be examined to determine the extent to which expense projections are reasonable, necessary, and allowable for delivery of Technical Assistance Services. All costs must be consistent with the scope of services described in this RFP.

- Reasonable costs are those that provide a program benefit generally commensurate with the amount incurred, are in proportion with other program costs for the function and have a high priority relative to other demands.
- Necessary costs are those that are needed to carry out essential functions as defined by the contract, cannot be avoided without adverse impact on program operations, and do not duplicate existing efforts.

Applicants must abide by NYS and Federal Cost Principles. The following are examples of **unallowable administrative costs**:

- Advertising and Public Relations
- Capital expenditures for improvement or acquisition of facilities. Includes costs associated with maintenance to extend the life of property or expansion expenditures. Interest costs incurred by provider agencies, including late fees.
- Payments to third parties and other losses not covered by insurance (indemnification). Bad debts, uncollected accounts, or claims.
- Fines Violations or penalties for failure to comply with Federal, State, or local laws.
- Costs of organized fundraising.
- Donations and lobbying.
- Costs of attendance at conferences or meetings of professional organizations.
- Professional licensure.
- Costs for preparation of continuation agreements and other proposal costs.
- Alumni activities commencement and convocations.
- Scholarships, student aid student activity costs.

- Entertainment and meeting refreshments.
- Indirect costs are not allowable as part of this program. To be eligible to charge indirect costs to SNAP-Ed funding, OTDA must act as a pass-through agency.
- OTDA solicits bids directly through an RFP process and is not a pass-through for purposes of charging indirect costs to a direct contractor.

Detailed justifications must be provided for all requested items, and proposed costs must be properly explained. Administrative costs are limited to no more than 15% of the total proposed costs, and all administrative costs must be identified and itemized in the “Other” category section. Allowable budget expenses include:

Salaries – The annual salaries and corresponding full-time equivalent (FTE) values of staff necessary for the delivery of technical assistance. Include the title and duties of each staff person and corresponding FTE.

Fringe Benefits – Briefly explain the calculation of fringe benefits associated with the staff salaries. Benefits should be budgeted in line with an organization’s standard fringe benefit policy and/or negotiated bargaining agreement and should not exceed the current NYS rate published by the OSC in the Guide to Financial Operations. Include any social security, workers’ compensation, unemployment insurance, disability insurance and other insurance programs the applicant organization provides. Contractors will be subject to rate limits that are in effect throughout the term of the contract. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.

Contractual Services – Includes costs for services rendered to the contract under a *formal or written agreement*, such as direct provision of services by contractual arrangement. Each type of contractual cost must be listed individually, and the cost justified. This line includes 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. All such agreements are to be a bona fide written contract and a copy of each must be included. If details are not known, include a brief narrative of each contractual service to be provided, indicating the organization/individual selected, anticipated outcomes and projected budget. All subcontractors receiving \$100,000 or more will be required to be current with the Attorney General’s Office Charities Bureau and have a current Vendor Responsibility Questionnaire on the OSC VendRep system. All subcontracts are subject to review and approval by New York State.

Travel and Training – Includes reasonable travel costs associated with cost to conducting technical assistance. **All costs and claims submitted must comply with NYS Office State Comptroller guidelines, including policies for meal reimbursement for day and overnight travel.** All travel costs related to technical assistance must be cost reasonable and necessary. Personal mileage is reimbursed at the current NYS mileage rate (.67 per mile effective 1/1/24). Fleet vehicles will be reimbursed at the fleet current rate. All mileage reimbursement requires the submission of documentation listing departing origin, destination location, distance traveled, and purpose of travel. Consultant or subcontractor travel expenses should be included in contractual services budget. No out-of-state travel costs are allowed unless specifically requested and pre-approved by OTDA.

Operating Expenses – Cost reasonable and necessary operating expenses required for delivery of technical assistance including operating supplies, copy and printing.

V. Work Plan (10 points)

The work plan in SFS consists of objectives, tasks, and performance measures. Objectives and tasks are standard and preset for applicants. Review each objective and task provided

and enter the estimated performance measure for the first 12-month period of the program cycle. Additionally, applicants are required to submit the Project Description form. This form can be found in the Events Comments and Attachments section of the RFP. The Work Plan and Project Description will be evaluated based on its completeness administrative support service components to achieve each of the required contract deliverables. Indicators of success should address the time frame for implementing each service and the ability to meet performance deadlines.

VI. Method of Selection

The method of selection will be based on a point system. Awards will be based on the highest total points earned and in accordance with the guidelines set forth in this RFP. To best maximize funding, OTDA reserves the right to modify the scope of Technical Assistance Services and/or renegotiate aspects of the proposed budget, including administrative costs. Additionally, OTDA reserves the right to:

- Seek clarifications and revisions of applications.
- Fund, partially fund, or not fund an application based on availability of funds and/or other relevant information, including an agency's financial position, administrative capacity, and/or past performance; and award all, some, or none of the funds available for Technical Assistance.

PART E: Terms and Conditions Governing This RFP

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 afforded 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 the Bureau Director at bidprotests@osc.ny.gov or New York State Office of the State Comptroller, 110 State Street, 11th Floor, Albany, NY 12236.

The protester's 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.

General Terms and Conditions

The contract resulting from this RFP will start on or about October 1, 2024. It is anticipated that the successful applicant will receive a contract for up to five (5) years.

OTDA reserves the right to consider proposals in response to this RFP, but not funded at this time, for any additional funding that may become available in the future. Updated information will be requested as deemed necessary by OTDA. OTDA also reserves the right to solicit and accept new proposals, as funding becomes available.

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 may be incorporated into any contracts resulting from this RFP:

- The Master Contract
- Attachment A-1, (OTDA and SNAP-Ed III TA 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)

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 payments are 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 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 as evidence of compliance with the foregoing:

- A.** An MWBE Utilization Plan with their bid or proposal. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to 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 3 of the New York State Veterans' Services 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 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 smartphone 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.

State Agency Rights

OTDA reserves the right to:

1. Place a monetary cap on the funding amount made in each contract award, and/or make awards for less than the amount requested or greater than the amount requested.
2. Change any of the scheduled dates stated in the RFP.
3. Disqualify by reducing the overall score by 35 points for applications that do not meet the requirements stated in the RFP.
4. Request all bidders who submitted proposals to present supplemental information clarifying their proposal either in writing or by formal presentation.
5. Make funding decisions that maximize compliance with and address the goals identified in this RFP.
6. Fund only one portion, or selected activities, of a selected bidder's proposal; and/or adopt all or part of the selected bidder's proposal based on State requirements.
7. Eliminate any RFP requirements unmet by all bidders, upon notice to all parties that submitted proposals.
8. Waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the bidder involved.
9. Correct arithmetic errors in any proposal, or make typographical corrections to proposal, with concurrence of the bidder.
10. Award contracts to more than one bidder.
11. Fund any or all proposals received in response to this RFP. OTDA can reject any proposals submitted and reserves the right to withdraw or postpone this RFP, without notice, and without liability, to any bidder, or other party, for expenses incurred in the preparation of any proposals submitted in response to this RFP and may exercise these rights at any time.
12. Use the proposal submitted in response to this RFP as part of an approved contract. At the time of contract development, awardees may be requested to provide additional budget and program information for the final contract.

13. Make additional awards based on the remaining proposals submitted in response to this RFP and/or to provide additional funding to awardees if additional funds become available.
14. Make inquiries of third parties, including but not limited to bidders' references, with regard to the applicants' experience, or other matters deemed relevant to the proposal by OTDA. By submitting a proposal in response to this RFP the applicant gives its consent to any inquiry made by OTDA.
15. Negotiate with the selected bidder(s) prior to contract award.
16. Require contractors to participate in a formal evaluation of the program to be developed by OTDA. Contractors may be required to collect data for these purposes. The evaluation design will maintain confidentiality of participants and recognize practical constraints of collecting this kind of information.

Part F: Sample Upload Documents

Following are explanations and samples of the forms applicants are required to upload as part of the SNAP-Ed application. Download all forms on the Statewide Financial System. Upload all forms in the places designated throughout the application. If you are unable to produce required information, you must upload an explanation in its place.

- **M/WBE Goal Requirements Certification of Good Faith Efforts:** This form must be signed, certifying agreement to 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.
- **Staffing Plan:** The staffing plan should be completed based on the composition of staff working on the project. Enter the numbers or count in the corresponding boxes and add up the totals in each column. This form is for diversity research purposes only and has no bearing on M/WBE participation requirements or overall participation goals.
- **M/WBE-EEO Policy Statement:** This is an acknowledgement that New York State is an Equal Employment Opportunity employer, and by extension it expects all vendors, contractors, and subcontractors that hold contracts with New York State to ensure the same standard of equal opportunity in SNAP-Ed employment practices. Applicants must sign and return the M/WBE – EEO Policy Statement with SNAP-Ed proposals.
- **M/WBE Utilization Plan:** This form must be submitted with any bid, proposal, or proposed negotiated contract, or within a reasonable time thereafter, but prior to contract award. The Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority-Owned Business Enterprise (MBE) and Women-Owned Business Enterprise (WBE) under the contract. A dually certified firm cannot be counted toward both the MBE and WBE participation goals.
- **M/WBE Subcontractor and Suppliers Letter of Intent to Participate:** This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. The form serves as an agreement with the vendors that will provide supplies and/or services under the approved contract. Letters of Intent must be submitted for each MBE and WBE indicated on the M/WBE Utilization Plan.
- **Subcontractor and Supplier Identification Form:** This form for OTDA For-Profit and Nonprofit procurements (IFB/RFP/Contract Reporter \$50,000 or more) was created for applicants to complete as part of the bid solicitation. The form requires applicants for each new procurement (IFB/RFP/Contract Reporter Purchases \$50k or more) to list all

subcontractors and the requested information for each that is in place to provide the goods and services required by that contract. This form was created to provide OTDA with a list of all subcontractors and key information, including dollar value of the subcontracts over the contract term, to assist OTDA in assessing the discretionary portion of each contract and overall compliance with NYS/OTDA M/WBE requirements.

- **SNAP-Ed Technical Assistance Project Description:** This form is required for all Technical Assistance applicants. This form summarizes important details of the application and the activities for which funding is being requested.
- **Federal and State Nutrition Funding Attestation Form:** Attestation form signed by agency signatory stating that there will be no duplication of services or supplanting of Federal or State nutrition program funding. Certifies that all SNAP-Ed funding will be kept separate and will only be used for SNAP-Ed programming. Submitted by applicants who are in receipt of any State or Federal nutrition program funding only.
- **Offeror's Acknowledgement of Understanding of Post-Employment:** Attestation form that acknowledges provisions of NYS Public Officer's Law.
- **Offeror's Assurance of No Conflict of Interest or Detrimental Effect:** Attestation form acknowledging specific provisions of State Public Officer's Law.
- **Non-Collusive Bidding Certification:** Attestation of conformance with State Finance Law related to non-collusive bidding.
- **EO 177 Certification:** Certifies conformance with Executive Order 177 and non-discrimination practices.
- **Sexual Harassment Prevention Certification:** Attestation of conformance with State Finance Law regarding policies for sexual harassment prevention in the workplace and provision of annual sexual harassment training to all its employees.

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;

STAFFING PLAN
 Submit with Bid or Proposal – Instructions on page 2

Solicitation No.:	Reporting Entity:	Report includes Contractor's/Subcontractor's: <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Total work force
Offeror's Name:		<input type="checkbox"/> Offeror
Offeror's Address:		<input type="checkbox"/> Subcontractor Subcontractor's name _____

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

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

PREPARED BY (Signature):	TELEPHONE NO.:	DATE:
	EMAIL ADDRESS:	
NAME AND TITLE OF PREPARER (Print or Type):		Submit completed with bid or proposal MWBE 101 (Rev 03/11)

General instructions: All Offerors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (MWBE 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 off the appropriate box to indicate if the Offeror completing the report is the contractor or a subcontractor.
3. Check off the appropriate box to indicate work force to be utilized on the contract or the Offerors' total work force.
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 OMWBE 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, Female, or X

**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 _____

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. 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.
- (a) 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.
 - (b) 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.
 - (c) 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.

- (d) 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: _____

M/WBE UTILIZATION PLAN

INSTRUCTIONS: This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Note – A dually certified firm cannot be counted toward both the MBE and WBE participation goals. Attach additional sheets if necessary.

Offeror's Name: _____
 Address: _____
 City, State, Zip Code: _____
 Telephone No.: _____
 Region/Location of Work: _____

Federal Identification No.: _____
 Solicitation Name/Contract No.: _____
 MWBE Certified: Y/N _____
 MWBE Participation Goals: MBE _____% WBE _____%

1. Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/Supplies/Services and intended performance dates of each component of the contract.
A. _____	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	_____	_____	_____
B. _____	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	_____	_____	_____

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): _____ SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE 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.	TELEPHONE NO.: _____ EMAIL ADDRESS: _____ <hr/> FOR M/WBE USE ONLY REVIEWED BY: _____ DATE: _____ <hr/> UTILIZATION PLAN APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ Contract No.: _____ Contract Award Date: _____ Estimated Date of Completion: _____ Amount Obligated Under the Contract: _____ Description of Work: _____ <hr/> NOTICE OF DEFICIENCY ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ <hr/> NOTICE OF ACCEPTANCE ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____
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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
(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]

SUBCONTRACTOR AND SUPPLIER IDENTIFICATION FORM

INSTRUCTIONS: This form must be submitted with any bid, proposal, or proposed negotiated contract. This identification form must contain a detailed description of the supplies and/or services to be provided by each subcontractor or supplier under the contract. Offerors must indicate by checking the box(es) below which business designation(s) each listed Subcontractor/Supplier meets. Attach additional sheets if necessary.

Offeror's Name: _____
Address: _____
City, State, Zip Code: _____
Region/Location of Work: _____

Federal Identification Number: _____
Telephone Number: _____
Email: _____

Will New York State businesses be used in the performance of this contract? YES NO

1. Subcontractor/Supplier Business Name, Address, Email Address, Telephone No.	2. Service/Product Provided	3. Federal ID No.	4. Business Designation Check all that apply	5. Dollar Value of Subcontract/Supplier's Services over the term of the contract.
A.			<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> NYS Business** <input type="checkbox"/> NYS Small Business**	
B.			<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> NYS Business** <input type="checkbox"/> NYS Small Business**	
C.			<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> NYS Business** <input type="checkbox"/> NYS Small Business**	
D.			<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> NYS Business** <input type="checkbox"/> NYS Small Business**	
E.			<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> NYS Business** <input type="checkbox"/> NYS Small Business**	

Please Identify **ALL** subcontracting and supplier purchasing opportunities.
 NOTE: Any Subcontractor or Supplier purchases in excess of \$100,000 must comply with NYS Vendor Responsibility Requirements.

*New York State businesses have a substantial presence in State contracts and strongly contribute to the economy of the state and the nation. It recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and reputable New York State businesses in purchasing commodities that are of equal quality and functionality and in delivering services and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public Procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The Potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

NAME AND TITLE OF PREPARER (Print or Type): _____
Signature: _____
Authorized Signature
Date: _____
Telephone Number: _____
EMAIL Address: _____

SNAP-Ed III Project Description

Applicant Name:

Background: A high-level overview of the project including planned services and activities, project location(s), target population(s) and overall goals (S.M.A.R.T. format) and relevant experience of the provider organization to support the project.

N-PEARS and PEARS Reporting Experience: Identify strategies and experience with providing technical assistance on the N-PEARS and PEARS systems. Should applicants have limited or no experience with these systems, please identify relevant experience that would ensure the applicant can meet this need.

Planned Professional Development Training: Identify planned professional development training and relevant experience for conference planning and program representation.

Planned Social Marketing: Identify planned social marketing.

List of Subcontractors/Partners:

Project Outcomes: Identify the specific outcomes associated with this project.

Federal and State Nutrition Funding Attestation Form

If funded, I, INSERT NAME AGENCY REPRESENTATIVE of INSERT AGENCY NAME, certify that I will ensure compliance with program requirements, as outlined in this RFP, or subsequent additional regulations issued by Office of Temporary and Disability Assistance under the SNAP-Ed II or by the United States Department of Agriculture's Food and Nutrition Service (FNS) under the Supplemental Nutrition Assistance Program and the Supplemental Nutrition Assistance Nutrition Education and Obesity Prevention Program. Outlined below is a list of relevant grants, awards, or other nutrition funding sources currently administered by our organization. By signing this form,

I certify that funding under the SNAP-Ed II program may only be used for the purposes of this RFP and may not be used to supplant funds or duplicate nutrition programming funded supported with these other funds;

I certify, as a condition of funding, that all funds awarded with this RFP will be kept separate and used only to support allowable activities and costs as outlined in this RFP; and,

I certify that the funds designated for this SNAP-Ed proposal will not be used for a match for any other program.

SIGNATURE OF AGENCY REPRESENTATIVE

DATE

Funding Amount (\$)	Name of Funding Source	Funding Period	√ check if SNAP-Ed

Contractor’s Certification/Acknowledgements/Understanding

Contractor’s Acknowledgement of Understanding of Post-Employment Provisions

The Authorized Signatory of the Contractor acknowledges that he/she has the authority to sign on behalf of the Contractor, 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 during the term of the Agreement.

Contractor’s Disclosure of Any Existing and/or Contemplated Conflict of Interest

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, of affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Contractor or former officers and employees of the Agencies and their Affiliates, in connection with your rendering services enumerated in this Agreement?

Yes ___ No ___

If your answer to the above is “Yes”, please attach a written explanation, include a statement with your Agreement documents 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.

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.

Contractor’s Disclosure of Former State Employees

Do you employ and/or use any subcontractors who are former employees of OTDA that will be assigned to perform services under this Agreement?

Yes ___ No ___

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 OTDA that will be assigned to perform services under this Agreement, include a description of their work duties, and the dates of their employment.

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.

Contractor’s Disclosure of Any Investigation or Disciplinary Action by the New York State Commission on Public Integrity or its Predecessor State Entities (Collectively, “Commission”)

Have you or any of your members, shareholders of 5% or more, parents, affiliates, or subsidiaries, been the subject of any investigation or disciplinary action by the New York.

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State Commission on Public Integrity or its predecessor State entities (collectively, “Commission”)?

Yes ___ No ___

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.

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.

Contractor’s Agreement to Notify OTDA of Potential Future Conflicts

By signature below, the Authorized Signatory of the Contractor, certifies that he/she will notify OTDA of any/all new potential conflicts of interest and any/all new contractor staff that are prior OTDA employees during the term of the contract, prior to hiring of said individual, and will complete and submit an updated version of this form to OTDA at the time of becoming aware of any such new potential conflicts of interest, and of any/all new contractor or subcontractor staff that are prior OTDA employees.

The Signature Below Indicates Certification/Acknowledgement/Understanding of Each of the Above

Authorized Signatory Date

Printed or Typed Name

Title Contract Number

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.
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 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.

Offerors 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

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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. Signature:

_____ Date:

_____ Name:

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

**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

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: _____

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.