

RESPONSE TO HUMAN TRAFFICKING PROGRAM (RHTP) PROPOSAL BIDDERS' CONFERENCES - QUESTIONS AND ANSWERS

NOVEMBER 14, 2011 AND NOVEMBER 15, 2011

SERVICE STRATEGY COMPONENTS

- 1. Q.** Can applicants provide only one of the payment points, but subcontract the rest?

1. A. Yes.
- 2. Q.** If the applicant is not able to provide all of the service delivery requirements, does the applicant need to identify partnerships specific to this application or can pre-existing linkages and referrals be sufficient?

2. A. As described on page 27 under Program Description: *“if applicable, include a list of proposed subcontractors, including agency name, contact person, address, phone number and specific payment points that you propose each subcontractor to provide.”* No MOU’s are required from applicants at this time.
- 3. Q.** Can the grantee propose to only provide parts of direct services and not others, like providing the assessment phase, but not the interim or transition phase?

3. A. Yes. However, please refer to the definition of the Comprehensive Services listed on pages six through eight of the RFP.
- 4. Q.** Is it possible to apply for only the community education portion? If so, how do applicants meet the requirements so that their “total dollars allocated to this payment point may not exceed 5% of the total award amount” if they are only asking for the award money to go towards community education?

4. A. No. the intent of this contract is provision of direct services.
- 5. Q.** Can applicants opt out of the Community Education and Task Force portions of the RFP?

5. A. Yes.
- 6. Q.** How do you define the area for a task force?

6. A. OTDA/BRIA expects applicants to make the determination of the catchment area for the taskforce, as long as it is within a region that is eligible for such funds. See p. 5.

- 7. Q.** How can applicants find out if their area has the federally funded Bureau of Justice Assistance (BJA) Task Force?
- 7. A.** There are four counties in NYS that currently have the working BJA Task Forces. Those are New York City (the five boroughs) , Erie, Nassau and Suffolk Counties. Consequently, these areas are not eligible for this component of the NYS contract. See p. five.
- 8. Q.** Who should be on our taskforce?
- 8. A.** In making that determination, eligible applicants are encouraged to use the *Anti-Human Trafficking Task Force Strategy and Operations e-guide* produced by the Department of Justice (www.ovcttac.gov/TaskForceGuide) referenced on page five of the RFP.
- 9. Q.** Are applicants able to apply for Task Force development components if they are facilitating Task Force development OUTSIDE of the BJA Funded Task-Force area, if the applicant is located inside a BJA Funded Task Force area? Would applicants be able to sub-contract that component to another agency in the non-funded area?
- 9. A.** Yes.

PROGRAM NARRATIVE

- 10. Q.** Is there any way to find out how much trafficking is going on in our region?
- 10. A.** Applicants can use secondary sources, such as media accounts, articles, interviews with experts, and other materials such as academic or non-profit provider reports. Providers can estimate how many of their past or current clients may also have presented with trafficking. Please find statistical reports of the confirmed victims and certified victims in NYS at the end of this document.
- 11. Q.** How are applicants to know whether to propose to serve 10 or 100 clients, since most applicants have no control over referrals?
- 11. A.** OTDA/BRIA is asking applicants to estimate potential numbers based on their expertise and experience.
- 12. Q.** Can and/or should applicants submit letters of support from partner agencies along with our application?
- 12. A.** Letters of support from *partner agencies* are not required but applicants can submit them in the application. No points will be added for the letters however.

- 13. Q.** On page 27 of the RFP, under Program Description it is stated that *“if proposing Task Force activities, please indicate which local and state law enforcement entities you will engage and include a Letter(s) of Intent from these agencies, indicating support for your proposal and willingness to participate in a task force” (underlining added)*. However, the four weeks given for the submission may not be enough time to obtain these letters due to law enforcement’s hierarchy and protocol.
- 13. A.** OTDA/BRIA does recognize that the time frame is tight. If letters of intent from law enforcement are returned to the applicants by the submission date, state in the proposal that the letters were requested, but not received in time for submission of the proposal. OTDA/BRIA is also looking to the description of such relationships in the proposal.
- 14. Q.** Are Payment Point summaries included in the eight page narrative limit?
- 14. A.** No.
- 15. Q.** Is the Application for Services a requirement?
- 15. A.** Yes, it is a BRIA Information Network (BIN) application, used for reporting and vouchering. The BIN system will enable contractors to record their activities and bill accordingly. Awardees will receive BIN system training.
- 16. Q.** Do applicants need to submit all community education descriptions for all three years?
- 16. A.** A work plan for the three contract term is required.

CLIENT ELIGIBILITY

- 17. Q.** Is the person that is in process of obtaining a T-Visa eligible for this grant?
- 17. A.** Yes, as long as this person is confirmed by NYS as victim of trafficking and does not fall into any of the categories listed on page eight of the RFP.
- 18. Q.** Will existing confirmed clients be covered under this contract?
- 18. A.** No, only the victims confirmed on or after January 1, 2012 will be covered under this contract.
- 19. Q.** Who assists in getting the clients?
- 19. A.** As stated in the Background on page four of the RFP, human trafficking requires a multi-disciplinary approach. The community education and taskforce components have been offered to enable providers to reach potential trafficking victims. All victims must undergo the State confirmation process which also involves law enforcement and the State. The confirmation process begins with a referral from a law enforcement agency or district attorney’s office to the

Division of Criminal Justice Services (DCJS) and OTDA. The law enforcement agent need only believe the person “reasonably appears” to be a victim of human trafficking. DCJS, in consultation with OTDA and the referring agency, determines whether the individual meets the criteria, after which BRIA makes a determination about which contracted agency is best suited to serve each client.

20. Q. Are provider agencies able to work with clients from outside of their designated region?

20. A. Yes.

21. Q. Can victims who have been assisted with ORR or other federal funding previously but did not/had not received continued presence or federal certification still be confirmed by OTDA/BRIA?

21. A. Yes, but they must meet all criteria for NYS Confirmation.

22. Q. On page 13, last bullet point – under the current BRIA/OTDA Trafficking program, services are able to be provided upon the date of referral and this RFP says that services can be provided as of the date of confirmation. Obviously, those three to four days between referral and confirmation are quite expensive and are often a time of crisis when OTDA funding is necessary. Please advise.

23. A. Under this RFP, only confirmed clients may receive services. It is likely that the contractor will provide the required services of the Completion of Assessment Phase payment point soon after confirmation is received and voucher for payment.

24.Q. Is the agency expected to work only 12 weeks with clients?

24. A. No. The phases are designed to ensure that all services are provided to the victim as quickly as possible. The agency should work with the client as long as is necessary to achieve the client’s goals as indicated in their Application for Services/case management plan.

25. Q. Can you please clarify how it would work if one agency works with a state confirmed victim for twelve weeks, but then another agency works with that same victim after that twelve week period. Would the second contracted agency be able to bill for services provided to that victim even if another contracted service provider already provided twelve weeks of services?

25. A. No. No two agencies can claim the same payment point for the same client. In the event of such occurrence, the first agency to provide the service would be paid.

26. Q. Can service agencies provide cash assistance directly to clients? If so, is this permissible during all phases of service delivery?

26. A. Yes, under “Other Identifiable Service Needs” as described on page eight of the RFP.

PROGRAM IMPLEMENTATION

- 27. Q.** On page 28, the fourth bullet asks applicants to describe how management will supervise cash flow. What does that mean?
- 27. A.** OTDA/BRIA is attempting to discern an applicant's fiscal responsibility. Applicants must ensure that a viable program can continue if referrals are slow in yielding confirmed clients.
- 28. Q.** On page 28, in the Key Personnel Profile section, applicants are asked to list the amount of time the organization's key personnel will spend on this project. Does the amount of time spent on the project have to correspond with how much of their salary is budgeted to this contract?
- 28. A.** No.
- 29. Q.** Does OTDA want applicants to list all possible staff that might work with a human trafficking victim?
- 30. A.** Yes.

FUNDING AND BUDGET

- 31. Q.** Can applicants propose different award amounts for each year of the grant, since the anticipated victim reporting and confirmation might change due to community education component?
- 31. A.** No.
- 32. Q.** How was the determination made for two-thirds of the available funding for downstate and only one-third of the available funds for all of the upstate counties?
- 33. A.** OTDA/BRIA looked at the historical data of the past four years and made a determination based on those numbers.
- 34. Q.** Is there a maximum funding applicant can request under this RFP?
- 34. A.** An applicant can request up to the maximum amount allocated for that region, which is 33.3% of the total \$397,000.
- 35. Q.** How specific do applicants have to be about how they come to their proposed rate?
- 35. A.** OTDA/BRIA does not require that information for this RFP.
- 36. Q.** Do applicants have to report how they allocate the moneys to staff and fringe?

- 36. A.** No, this is a performance based contract and contractors are not reimbursed for line-item expense.
- 37. Q.** While funding is performance based, does OTDA/BRIA have a minimum or maximum number of vendors in mind to contract within New York City?
- 37. A.** No.
- 38. Q.** If an agency is referred more clients than projected in its budget, would it be able to draw down additional funds? If not, how will these victims be assisted?
- 38. A.** Initial contract awards are the result of this competitive procurement. During the contract term, however, subsequent budget periods will be based on available funding, continuing need, satisfactory contractor performance as evidenced by voucher claims and program monitoring. See page nine of the RFP.
- 39. Q.** Are there instances where human trafficking victims would be allowed to be served by NYS OTDA/BRIA funding and federal funding (either directly or pass through to the state or city level) such as from Office of Refugee Resettlement (ORR) simultaneously?
- 39. A.** OTDA/BRIA expects that all other funding options will be used before using State dollars through this project (page one of the RFP).

AGENCY INFORMATION

- 40. Q.** Do applicants have to include a copy of their Vendor Responsibility Questionnaire as part of their application packet?
- 40. A.** No.
- 41. Q.** What is the purpose of the Attachment Q?
- 41. A.** The purpose of Attachment Q is to comply with the Governor's Office of Fiscal Accountability, which mandated that all entities under the Executive branch utilize cost efficient measures whenever possible. One such cost efficient measure was to require the use of paperless procedures and electronic communications, which is the mandate of Attachment Q.
Attachment Q does NOT require a signature. Please be advised that the "Applicant" line at the bottom of the Attachment Q in the Trafficking RFP is a formatting error and should be at the top of the subsequent page, page 54, the Application Check List.
- 42. Q.** When it comes to M/WBE and EEO percentages, are those based on the awarded amount or amount spent? What if applicants do not spend the entire amount of the award?

- 42. A.** If awarded, your program's operating budget based on the three-year award will be submitted to OTDA/BRIA. The operating budget will be used to appropriately determine what percentage of the award will be allocated towards M/WBE contract participation goals. The executed contract will contain Appendix Z which indicates the M/WBE participation requirements. Then, the M/WBE Contractor Quarterly Compliance Reports will be submitted each quarter.
- 43. Q.** Do all applicants need to fulfill M/WBE requirements as this may not apply to all agencies?
- 43. A.** All applicants must submit the required M/WBE documents. All applicants should refer to page 20 of the RFP for guidance of the M/WBE and EEO requirements.
- 44. Q.** If we intend to work with certified MWBEs as subcontractors but have not identified the individual vendors yet, how should we complete the M/WBE Subcontractors and/or Suppliers Letter of Intent to Participate? Would this form need to be completed by the vendor itself? If so, should we submit this form and state "TBD" under the name of the M/WBE, or do we not submit at all?
- 44. A.** The M/WBE Subcontractors and/or Suppliers Letter of Intent to Participate is to be completed by the vendor. If, at the time of submission of the application in response to this RFP, certified M/WBEs have not yet been identified, submission of the form is still required. State "TBD" on the form and submit.

Number of Federally Certified Trafficking Victims in NYS

(2008-2011)

	2008*	2009	2010	2011
NYC	3	10	17	25
Long Island	1	13	20	3
Buffalo	2	3	1	
Albany		1	1	1
Rochester				1
Tompkins Co.				1
TOTAL	6	27	39	31

*ORR initiated a policy to send the state refugee coordinator certification letters in the summer of 2008 and does not represent a full calendar year.

RHTP Statistics (11/07-11/11)

(as of 11/18/2011)

Overview

Referrals: 175

Confirmed cases: 168

Pending cases: 1

Denials: 6

Reason for denial: 2 – not enough information
4 – denied b/c (1) outside of NYS (2) pre-law acts of trafficking or (3) determined to be smuggling not trafficking

Demographics (confirmed only)

Labor trafficking: 52

Sex trafficking: 116

Male: 28 Female: 140

Foreign-born: 132 USC/other qualified: 36

Adult: 148 Minor: 20 (1) 5 foreign-born accompanied
(2) 15 USC - 7 out of state or incarcerated

Region (confirmed only)

Long Island: 31 (4 not confirmed)

NYC/Metro: 77

Lower Hudson: 18 (1 not confirmed)

Capital: 3

Central/Mohawk: 1

Western: 37 (1 not confirmed)

Primary Referral Source (confirmed only)

State: 94 Federal: 74

