



**Office of Temporary  
and Disability Assistance**

# **Request for Proposals**

## **Emergency Needs for the Homeless Program (ENHP)**

**RFP Release Date: April 5, 2023**

**RFP Due Date: 2:00pm - May 17, 2023**

**Designated Contact:**

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## **Emergency Needs for the Homeless Program (ENHP)**

### **Request for Proposals**

#### **Timeline of Key Events and Procurement Schedule**

<b>Event</b>	<b>Date</b>
Request for Proposals Release	April 5, 2023
Deadline to Submit Questions	April 19, 2023
Proposed Date of Answers (on or about)	April 26, 2023
Proposals Due	May 17, 2023
Award(s) Announced	June 30, 2023
Contract Start Date	September 1, 2023
Contract End Date	August 31, 2028

#### **Inquiries:**

Any questions about this RFP must be submitted in writing by 2:00pm on April 19, 2023 to the attention of Kathryn Andros at the New York State Office of Temporary and Disability Assistance, Bureau of Housing and Support Services, 40 North Pearl Street, Floor 10C, Albany, New York 12243 or e-mail to [servicesRFP.qanda@otda.ny.gov](mailto:servicesRFP.qanda@otda.ny.gov).

All questions must be typed. Along with your question(s), provide your name, organization, mailing address, and email. Questions must be submitted prior to the 2:00pm April 19, 2023 deadline.

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

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## Section One – Summary Information

### 1.1 Introduction

The New York State Office of Temporary and Disability Assistance (OTDA) is requesting proposals from nonprofit corporations to be considered for funding through the **Emergency Needs for the Homeless Program (ENHP)**. ENHP funding is used to enhance the quality and quantity of emergency services currently available to people who are homeless or at risk of becoming homeless.

State financial assistance will be made available, pursuant to the enacted State Fiscal Year (SFY) 2023-24 Aid to Localities Budget appropriating funding for this program, to organizations in social services districts with a population in excess of 5,000,000. Funds will be made available to support programs that meet the emergency needs of homeless individuals and families, and those at risk of becoming homeless. Successful applicants shall have demonstrated experience in providing services to meet the emergency needs of homeless individuals and families, and those at risk of becoming homeless. Such experience must include provision of all the following services: crisis intervention services, eviction prevention services, summer youth services and mobile emergency feeding services. The applicant should specify which services it will provide under this contract in response to the RFP.

It is anticipated that such funds will be utilized to augment existing programs that provide services to individuals and families experiencing homelessness, and those at risk of becoming homeless to assist such individuals toward stabilizing their lives and moving toward self-sufficiency.

Current ENHP grantees under contract **MUST** apply to this RFP for continued funding.

All applicants are encouraged to participate with the local Continuum of Care (CoC) and to serve notice of intent to apply to this RFP. Participation in the local Homeless Management Information System (HMIS) is also strongly encouraged and is an eligible program expense under ENHP.

Contracts awarded under ENHP may be supported by other funding sources, as identified in future budgets. OTDA will award available funds for ENHP projects on a competitive basis.

The goal and intent of this solicitation is to cover five (5) funding cycles of anticipated ENHP funding to be provided annually for one (1) year periods depending upon the availability of continued ENHP funding, satisfactory performance, and the discretion of the OTDA. Proposals should reflect projections, needs and budget(s) for a one-year period. If selected, the proposal and all parts of it submitted in response to this RFP may become part of a contract with OTDA, subject to approval by the New York State Attorney General (OAG) and the Office of the State Comptroller (OSC). At the time of contract development, awardees will be required to submit additional budget and program information for the final contract. Successful applicants will be required to submit all final contract documents, narratives and budgets electronically. OTDA reserves the right to negotiate any aspect of a proposal to ensure that the final agreement meets OTDA objectives.

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

OTDA will conduct a thorough review of each application submitted. Eligible applicants should answer all questions and submit all forms requested by this RFP. Failure to submit all forms and answer all questions will adversely affect the overall competitive score of an application. Applications cannot be submitted in Grants Gateway after the deadline.

All applications must meet the following requirements:

- Applications must be submitted by Eligible Applicants, as defined in Section 1.2; and
- Applicants must be prequalified in Grants Gateway as outlined in Section 1.3.

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

## **1.2 Eligible Applicants**

An eligible applicant is a tribal organization or nonprofit corporation eligible to do business in the State of New York. The legislation authorizing this program limits participation to nonprofit corporations and tribal organizations located in New York City. Applicants must have demonstrated experience providing the following services:

1. Crisis intervention;
2. Eviction prevention;
3. Mobile emergency feeding services; and
4. Summer Youth Services.

Applications which do not demonstrate the bidder's experience providing all four of these services will not be considered.

## **1.3 Prequalification Requirement**

All applicants are subject to the Prequalification Requirement in Grants Gateway.

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

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

## 1. Register for the Grants Gateway

On the Grants Management Website, download a copy of the Registration Form, [Register Your Organization | Grants Management \(ny.gov\)](#) signed, notarized forms should be sent electronically to [GrantsReform@its.ny.gov](mailto:GrantsReform@its.ny.gov). You will be provided with a Username and Password allowing you to access the Grants Gateway.

If you have previously registered and do not know your Username please email [GrantsReform@its.ny.gov](mailto:GrantsReform@its.ny.gov). If you do not know your password, please click the [Forgot Password](#) link from the main log-in page and follow the prompts.

## 2. Complete your Prequalification Application- Nonprofits only

Log in to the [Grants Gateway](#). **If this is your first time logging in**, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.

- Click the Organization(s) link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. If you do not have contracts with a State agency, select OTDA. This page should be completed in its entirety before you SAVE. A Document Vault link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the Required Forms and upload Required Documents. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be referred to Grants Gateway at [GrantsGateway@its.ny.gov](mailto:GrantsGateway@its.ny.gov).

## 3. Submit Your Prequalification Application

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

## 1.4 Program Description

The intent of ENHP is to improve the system of emergency service provision to at-risk and homeless individuals and families by ensuring services are targeted and enhanced by eligible applicants (see Section 1.2 Eligible Applicants and Section 1.3 Prequalification Requirement) so those assisted may secure an independent future. ENHP funds support the cost of providing services for emergent needs to promote stabilization. The services provided should assist individuals with achieving self-sufficiency and mental/physical health stability.

## **1.5 Eligible Target Populations**

The eligible populations to be served under the provisions of this RFP are vulnerable individuals and families in New York City who are homeless, or at risk of becoming homeless, and in need of emergency services.

## **1.6 Eligible Services and Costs**

Eligible services are those designed to assist individuals and families in need of emergency services. Services funded under ENHP may include, but are not limited to the following:

- Crisis intervention;
- Eviction prevention;
- Mobile emergency feeding services; and
- Summer youth services

All proposals must specify which services will be provided. Proposals that fail to specify services or specify services that constitute assistance may not be considered. (See Section 1.7, Ineligible Services and Costs.)

Eligible costs include but are not limited to the following:

- personnel service costs associated with the provision of homeless services;
- counseling and crisis intervention;
- preparation and serving of meals;
- HMIS;
- other like services related to ENHP activities as defined by the applicant;
- non-personnel costs associated with the provision of ENHP activities; and
- administrative expenses, inclusive of indirect costs, of up to 10% may be charged with an itemized listing of costs.

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

With the absence of a federally approved rate, and/or documentation establishing indirect costs, itemization is required. A maximum of 10% of the grant request may be allocated to administrative costs, provided that the cost of such activities are itemized and sufficiently documented. Allowable administrative costs may include payroll costs, audit fees, and/or portions of administrative staff salaries and/or fringe costs.

## **1.7 Ineligible Services and Costs**

ENHP funds may not be used to support:

- costs which constitute “assistance” under Federal TANF regulations. “Assistance” under Federal TANF regulations are those services and/or benefits that are intended to provide ongoing basic income support. Assistance includes cash payments, vouchers, and other forms of benefits designed to meet a household’s ongoing needs.
- costs used to replace other existing emergency service needs resources (e.g., existing staff, volunteers, local community agencies), or funding sources or services that can normally be obtained from community-based agencies or covered by fund raising. However, funds may be used for expanded services or continuing a program that has lost funding.

## **1.8 Maintenance of Effort**

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

## **1.9 Selection Process**

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

Applications will be judged on the following general criteria:

- the responsiveness of the proposal to the RFP (all information and documentation requested by this RFP is provided in a satisfactory manner);
- evidence of the applicant’s understanding of the needs of the target population and applicant’s ability to provide such services;
- the provision of services that are relevant to the needs of the populations being served and;
- Programmatic and fiscal feasibility related to:
  - the overall management and operation of the project, including the project operating budget and revenue streams;
  - the completeness of the “Program Specific Questions,” “Budget,” “Work Plan” and “Upload Submission” portions of the application;
  - the clarity of the measurable and quantifiable expected results and potential for their achievement;
  - evidence of need in the geographic area;
  - the overall cost reasonableness and effectiveness of the proposed project;
  - the applicant’s standing with NYS (such as compliance with the requirements of the OAG, Workers’ Compensation, other grants etc.);



- assurances that duplication of services will be avoided in the geographic area in which the ENHP program will operate;
- a commitment to make all ENHP related records available to OTDA or its designee(s) as required by this RFP and any resultant contract;
- the applicant's demonstrated coordination with the local social services district and the CoC or other relevant planning committee;
- the applicant's contractual performance history;
- cost effectiveness of the proposal in relation to the geographic area to be served;
- the urgency of need for ENHP funds; and
- the speed with which funds under this program can be expended once a contract has been executed between OTDA and the applicant. The commitment of the grantee to fully expend funds by the end of the contract term will be a critical factor in rating.

OTDA reserves the right to award funds by geographic community within New York City to reach underserved neighborhoods within each borough. The geographic distribution of funds will be considered only in the event that an underserved borough is identified by OTDA. An underserved region will be determined and substantiated by OTDA with reference to the CoC, New York State's Analysis of Impediments to Fair Housing Choice, relevant statistical evidence, and other anecdotal evidence, including the lack of support service monies in a geographical region. Community awards will be made on a competitive basis and awards will be strictly based on the overall competitive score of all contractors identified as being able to provide ENHP services in the identified underserved community.

OTDA will place an emphasis on funding projects that can immediately use the funds to increase the quality and availability of emergency services for homeless individuals and families and those at risk of becoming homeless. Proposals should demonstrate an understanding of the emergency services needs of this population. Accordingly, evidence should be provided as to how this proposal responds to the needs of people who are homeless and those at risk of becoming homeless, the experience of the applicant in providing services to this population and any innovative approaches proposed to intercede before a family or individual is faced with homelessness. In addition, applicants must demonstrate their financial viability.

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

- If there are other viable proposals, no one applicant will be awarded more than 55% of the total available funds. Historically ENHP has been funded at \$1,000,000 per year;
- Awards may be reduced during the application process or contract term if another source of funding becomes available, and is deemed appropriate, in which case OTDA may choose to dedicate those funds to other activities at its discretion;
- The lowest scored awarded proposal may not receive the entire requested amount if there are insufficient funds remaining;
- Awards may be proportionately reduced to ensure the availability of funds;
- The requested amount of funding may be reduced by ineligible expenses; and

- The requested amount of funding may be reduced based on past ENHP spending practices. In the event OTDA has determined via a competitive scoring process that an existing awardee with a history of unspent contract monies should be awarded new funds, OTDA reserves the right to calculate the initial award based on the contractual spending history and the reasonableness of the request. In such an instance, the new contract award amount would not exceed 125% of the contractor's average annual spending during the previous program cycle. Current contractors should thoroughly justify the need for the additional funds if requesting an amount in excess of past awards and expenditures.

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

The following table outlines the relative weight for each section of this application:

<b>Section of Application</b>	<b>Relative Weight</b>
Program Specific Questions	50%
Budget and Related Uploads	30%
Workplan	15%
Pre-Submission Uploads	5%

Regardless of score, OTDA reserves the right to award all, some or none of the available ENHP funding, based on other relevant information, such as the occurrence of ENHP funds supplanting existing funds; an agency's financial position; findings or issues raised by other Government funders; an agency's prequalification status in Grants Gateway; vendor responsibility determination; and the status of the vendor's NYS Office of the Attorney General Charities Registration filing.

### **1.10 Award Procedure**

Upon approval of funding by OTDA, an award notice and instructions about contract development will be sent to the successful applicant. OTDA reserves the right to negotiate any aspect of a proposal to ensure that the final agreement meets its objectives. The awardee will be required to develop a detailed implementation plan that sets forth the program goals and provides time frames for the performance of those goals. The selected contractor will develop a plan for a contract period of five (5) years (subject to approval by the New York State Attorney General and the Office of the State Comptroller) depending upon the availability of continued ENHP funding, the need for the services, satisfactory performance, and at the sole discretion of the OTDA. Successful applicants are encouraged to register with the OSC Vendor Responsibility System at <http://www.osc.state.ny.us/vendrep>. Entities not selected for funding also will be notified by mail of OTDA's decision.

Should additional funds become available, OTDA reserves the right to allocate additional funds to contractors that have attained their program goals and have expended 90% of their awarded funds by the end of an annual funding cycle, and/or to make additional awards based on the

remaining proposals submitted to OTDA as a result of this RFP, in lieu of releasing a new RFP if deemed in the best interest of the State. In the event additional funds become available, projects would be awarded funding in a manner consistent with the award methodology set forth in this Request for Proposals. OTDA also reserves the right to solicit and accept new proposals, as funding becomes available.

Furthermore, should a contractor not expend at least 75% of the annual award amount by the end of an annual funding cycle, or should a contractor not attain 75% of its program goals by the end of an annual funding cycle, OTDA reserves the right to adjust the award amount for future years.

### **1.11 Bid Protest Procedure**

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

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

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

**Deadline for Submission of Formal Protests for Errors or Omissions in the Procurement Process** – OTDA must receive formal protests concerning errors, omissions or prejudice, including patently obvious errors in this RFP specifications or documents, at least 10 calendar days before the Bid Submission Date.

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

**Review and Final Determination of Protests** - Protests will be resolved through written correspondence. However, the protester may request a meeting to discuss a formal protest or OTDA may initiate a meeting on its own accord, at which time the participants may present their

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

**Appeals** - Upon receipt of the OTDA's determination of a protest, a protester has 10 business days to file an appeal of the determination with OSC Bureau of Contracts. The appeal must be filed with the Bureau Director at [bidprotests@osc.ny.gov](mailto: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.

### **1.12 Reports and Record Keeping**

Reports that identify the total number of recipients served by ENHP, describing the success of ENHP activities, and the continuing need for services will be required on a quarterly basis. Minimally, these reports must describe the number and types of services provided, the number of individuals served, and a description of the success of the program.

Selected contractors must ensure that books, records, documents, and other evidence pertaining to costs and expenses of the contract are maintained in such detail as will reflect all costs of materials, equipment, supplies, services, building costs, and all other costs and expenses for which reimbursement is claimed or payment is made under the contract. All expenditures shall be reported on an accrual basis. A reporting format has been developed and will be distributed to awardees. Contractors may be required to report participant data in the local CoC's HMIS or a comparable database. Associated costs are considered eligible expenses.

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

Successful applicants will be required to maintain case files which indicate client eligibility and document services provided.

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

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

Projects will be monitored by OTDA on a regular basis throughout the term of the contract. Monitoring may include site visits 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, in order to assist the contractor in meeting the terms of the contract.

To the extent permitted by federal law and regulation, OTDA may, at its own discretion, make advance payments to the contractor of up to 25%, upon the submission of sufficient justification. Said advance may be eligible for payment only upon approval of this AGREEMENT by the Attorney General and by the Comptroller of the State of New York and upon the submission to OTDA by the contractor of a properly executed State of New York Claim for Payment form (AC3253-s) acceptable to OTDA and to the Comptroller of the State of New York. Any unexpended advance balance at the end of the contract period will be refunded by the contractor to OTDA. In the event either party terminates the contract prior to its expiration, the contractor agrees to refund to OTDA immediately any outstanding advance balance.

### **1.13 General Terms and Conditions**

The contract resulting from this RFP will start on or about September 1, 2023. 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 ENHP Program terms and conditions)
- Attachment A-2, (Federally Funded Terms)
- Attachment B-1 (Expenditure Based Budget)
- Attachment C (Workplan)
- Attachment D (Payment and Reporting Schedule)

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

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

**Contractor requirements and procedures for participation by New York State certified minority and women-owned business enterprises and equal employment opportunities for minority group members and women.**

### **New York State Law**

Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations, OTDA is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OTDA contracts.

### **Business Participation Opportunities for MWBEs**

For purposes of this solicitation, OTDA hereby establishes an overall 30% M/WBE participation goal, and specific participation goals for both New York State-certified Minority-owned Business Enterprises (“MBE”) and New York State-certified Women-owned Business Enterprises (“WBE”) will be assessed based on the nonprofit’s discretionary 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 7<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

### **Equal Employment Opportunity and Workforce Utilization Reporting Requirements**

By submission of a bid or proposal in response to this solicitation, the respondent agrees with all of the terms and conditions of [Appendix A – Standard Clauses for All New York State Contracts including Clause 12 - Equal Employment Opportunities for Minorities and Women OR Authority equivalent to Appendix A]. The respondent is required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning, or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the respondent, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability, or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

The respondent will be required to submit a Minority and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement, Form OTDA-4970, to OTDA with its bid or proposal.

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

Pursuant to Executive Order #162, contractors and subcontractors will also be required to report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the Workforce Utilization Report on a quarterly basis. Note – NFP grantees are exempt from Executive Order #162. Further, pursuant to Article 15 of the Executive Law (the Human Rights Law), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status, or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

**Please Note:** Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

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

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOB”), thereby further integrating such businesses into New York State’s economy. OTDA recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of OTDA contracts.

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

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

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

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

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

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

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

The WHO Eight Domains of Livability include:

1. Outdoor Spaces and Buildings
  - Providing safe, accessible places for the public to gather indoors and outdoors. Ensuring that parks, sidewalks, safe streets, outdoor seating, and accessible buildings can be used and enjoyed by people of all ages.
2. Transportation
  - Increasing the accessibility, availability and affordability of public transit options, as well as ensuring safe roadways.
3. Housing
  - Expanding affordable housing options for varying life stages, and enacting programs that help people remain in their homes longer to age in place.
4. Social Participation
  - Increasing access to affordable and community-based social activities can help address loneliness and isolation.
5. Respect and Social Inclusion
  - Increasing the availability of intergenerational activities and programs.
6. Civic Participation and Employment
  - Provide ways that all people, including older people, can, if they choose to, work for pay, volunteer their skills and be actively engaged in community life.
7. Communication and Information
  - Providing information through a variety of means and in a culturally competent manner, recognizing that not everyone has a 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.

## Section Two – Application Instructions

The entire NYS ENHP application should be submitted in Grants Gateway. Applications cannot be submitted in Grants Gateway after the deadline. Any application received after the deadline or outside of the Grants Gateway system will be reviewed solely at the discretion of OTDA.

Eligible entities are nonprofits subject to Prequalification Requirements. Read and follow all instructions while completing the screens in Grants Gateway. A printed version of the application appears in Section Four.

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

- Log into Grants Gateway as a Grantee, Grantee Contract Signatory or Grantee System Administrator.
- Click the Available Opportunities button.
- From the Search by Funding Agency drop-down menu, select Office of Temporary and Disability Assistance. Click the Search button.
- Locate Emergency Needs for the Homeless Program and click on the blue link.
- Click the Apply for Opportunity button.
- From the Forms Menu go to Pre-submission uploads to download all required documents. Complete the documents and upload them where requested throughout the application. All required documents are shown on pages 35-57 in these instructions.
- From the Forms Menu complete all program specific questions, budget screens, workplan, and pre-submission Uploads.
- Sections from the Forms Menu do not have to be completed in any particular order. Certain forms may be left blank if they do not apply to your application, such as budget items not requested. There will be a Global Warning error if you try to submit an application without completing required forms.
- You must save your work before moving onto a new screen.
- If you do not complete the application in one session, it will be in your Tasks box labeled Application in Process. Another way to find an application in process is to click the Applications tab at the top of the screen.
- Please note: though those logged in as Grantees may work on the application, only those logged in as a Grantee Contract Signatory or a Grantee System Administrator can submit the application to the state. When the application is ready for submission, click the Status Changes tab, then click the Apply Status button under Application Submitted.

### Other helpful information:

- Live Webinars on the Prequalification Process and on how to complete an application using the Grants Gateway are provided every Tuesday and Thursday. Please see the [Resources for Grant Applicants](#) page of the Grants Management website to sign up for a live webinar or for additional resources including instructional videos and step by step documents to help navigate the system.

- For any technical questions regarding the Grants Gateway, the Help Desk is available Monday – Friday, 8am – 5pm via phone (518.414.2784) or email at [GrantsGateway@its.ny.gov](mailto:GrantsGateway@its.ny.gov).

**The following bullet points correspond to the screens that must be completed for your ENHP Application in Grants Gateway. Each screen is listed as a link under the Forms Menu. Click a link, complete the screen as directed, save the screen, go back to the Forms Menu and click another link. Continue in this manner until you have completed all the links/screens.**

- **Project Site Address Screen** - Enter the agency administrative address.
- **Program Specific Questions Screen** - Follow instructions at the top of the screen. Answer all questions in this section. Note that while most narrative answer spaces allow unlimited text, OTDA expects answers to be concise. Upload forms when required. Upload optional forms when applicable. Forms for upload can be obtained in the *Pre-submission Uploads* section of the application. Make sure to save often.
- **Budget Section** - Complete the Budget section screens as directed below. Only use whole dollar amounts. There is no matching funds requirement. Administrative Expenses up to 10% of the requested funds may be allocated in the budget and must appear on the Other line.  
**Consult Section One, 1.6 Eligible Services and Costs. Use the following as a guideline for where expenses should appear in the budget.**
- **Personal Service - Salary Screen** - Include employees that will be paid in full or in part from contract funds. In the Role/Responsibility field, please briefly describe the title's role in relation to ENHP. Click Save. Click Add to open a new screen for listing additional positions. Each position must be listed on a separate screen.  
The Personal Services - Salary Narrative screen should only be used to describe exceptions in staffing patterns, unusual salary costs, justification of staff funded by more than one funding source or explanation of percent time allocated to ENHP. Click Save.
- **Fringe Benefit Screen** - Fringe benefits should be budgeted in line with your organization's Standard Fringe Benefit Policy and/or Negotiated Bargaining Agreements and should not exceed the current NYS rate. Provide a brief explanation of the percentage and composition of the fringe benefit structure in the Fringe Type/Description field. If fringe is not applicable, leave this section blank. For all employees listed in the Personnel Service Expense Detail, the following mandatory employer payroll taxes must be paid: Social Security (FICA), NYS Unemployment Insurance (SUI), NYS Disability Insurance and Workers' Compensation. Additional fringe benefits such as pension, health, life, and/or dental insurance may be provided. If ENHP funds are being requested to cover these expenses, the total fringe benefit and payroll taxes chargeable to this program cannot exceed OSC's rate, currently at 62.48%. No exceptions are granted to the maximum rate of 62.48%. You may allocate a lower percentage. You must explain all costs associated with this budget line in the Justification/Explanation section of this worksheet. Click Save.  
The Fringe Narrative screen should not be used since all explanations should appear on the Fringe screen.

- **Contractual Services Screen** - These are costs for services rendered to the project under a formal or written agreement such as direct provision of services by contractual arrangement. Each type of contractual cost must be listed on its own screen and the cost justified. Only the pro-rated portion of the entire expenditure that is related to the ENHP Program is allowed. This line includes institutions, individuals, or organizations external to the contractor which have entered into an agreement with the contractor to provide any services outlined in or associated with the contract and whose services are to be funded under the contract budget. This includes any other nonprofits performing work under the proposed ENHP contract. All such agreements are to be bona fide written contracts: NYS OTDA reserves the right to request these documents at any time in the future. Click Save.
- **Travel Screen** - This Category includes travel costs and expenses for participant and personnel expenses. These costs may be reimbursed up to the NYS rate (currently the maximum rate is \$0.625 per mile). Only travel costs for personnel listed under Personal Services Costs and Participant Travel Costs are acceptable. In the Justification field, explain which staff and/or participants will be traveling in relation to the project, the destination, the purpose, and the frequency of the travel. Out-of-state travel is discouraged, although a contractor may pursue such travel with justification and pre-approval from OTDA. Click Save.
- **Equipment Screen** - This category includes purchase, rental and leasing of equipment. Equipment is any non-consumable, tangible property having a useful life of more than one year. Substantial equipment purchases (costing more than \$5,000) should be avoided. Acquisition costs must be in accordance with NYS requirements and may be evaluated to determine if leasing is a practical and cost-effective alternative. If the only alternative is to purchase such equipment using contract funds, an applicant is required to obtain three competitive bids and must receive OTDA prior approval. All things being equal, the contractor must purchase equipment from the lowest bidder. Complete the Equipment form for requested equipment. Complete the Equipment Narrative form if there is any substantial equipment costing more than \$5,000 per item. The Equipment Narrative form includes fields for bids received and explanations for justification. Click Save.
- **Space/Property Rent Screen** - This category includes costs associated with renting building space necessary to complete ENHP program activities. In the Justification field, explain the location and building which is rented in relation to the project, including monthly rental cost. Click Save.  
Complete the Space/Property Rent Narrative form if there is any substantial information, or explanation required.
- **Space/Property Own Screen** - This category includes costs associated with owning building space necessary to complete ENHP program activities. In the Justification field, explain the location and building which is owned in relation to the project, including monthly cost. Click Save.  
Complete the Space/Property Own Narrative form if there is any substantial information, or explanation required.
- **Utilities Screen** - This category includes costs associated with services necessary to run the project, such as, but not limited to: water, electricity, and gas expenses. In the

Justification field, explain the type of utility and monthly cost. Click Save. Each utility should be listed on a separate screen. Click Add to open a new screen to list additional utilities.

The Utilities Narrative should only be used to explain extraordinary costs.

- **Operating Expenses Screen** - This category should include contract funded program items that do not fit in other categories, such as food, insurance, postage, copies and supplies. Describe expenses and anticipated costs fully in Justification field provided. Click Save. Each operating expense should be listed on a separate screen. Click Add to open a new screen to list additional operating expense.  
The Operating Expenses Narrative should only be used to explain extraordinary costs. Save.
- **Other Screen** - Request Administration up to 10% of the grant amount on this screen—Administrative expenses or indirect rates of up to 10% of the annual requested amount may be charged. Administrative costs should not be included in the Personal Services category. Examples of administrative costs may include payroll costs, audit fees, and/or portions of administrative staff salaries and/or fringe costs. Click Save.  
The Other Narrative screen can be utilized to provide details for any staff/position listed as administrative under Other. List the title, the annual salary, and the percentage of time spent on ENHP administrative activities; also include a brief description of those activities. Click Save.

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

- **Work Plan Overview Form** - This section will be used to create the Work Plan portion of the contract. Some of the information requested will be duplicative of information provided earlier in the application. You may copy/paste previous responses where appropriate when developing your Project Summary and/or Organizational Capacity narratives. Be sure to follow the guidance provided below.  
This section should be completed from an ANNUAL perspective. The Work Plan Period should state the annual award period. Therefore, the first annual work plan period should be September 1, 2023 – August 31, 2024.
  - The **Project Summary** section should provide a high-level overview of the project as instructed. This narrative should include:
    - Service Area,
    - Target Population and Annual number of individuals and households served,
    - Client Eligibility guidelines,
    - Services offered, hours of operation and location in which services will be provided,

- A detailed description of how the project will help promote well-being and prevent mental illness and substance use disorders in target population consistent with EO 190,
  - How the program operates and a description of grant funded activities, and
  - How the success of the program will be determined and evaluated.
- In the **Organizational Capacity** section, describe the staff needed for each category of programming for which you are applying, their responsibilities and qualifications. Describe staff development and training activities. Describe your organization's relevant experience in conducting all aspects of programming. Click Save.
- **Objectives and Tasks** This section will be used to set up quarterly reports and collect performance data. There are five pre-established Objectives-Tasks, they are listed below. Under the Forms menu click on Objectives-Tasks and the first objective with its description will appear along with an associated task. Click on view/add. For Performance Measure Name restate the Objective then enter the data requested in the box below; you may provide anticipated data where applicable. Click Save. Go back to Forms Menu → Objectives and Tasks →select the next Objective from the drop-down menu in upper right corner → Go; continue in this manner until all 5 objectives/tasks are completed. If you are not providing services in one of the allowable categories type N/A in the text box. Please describe the target population and anticipated numbers served for each applicable funding category.
  - Crisis Intervention Services
  - Eviction Prevention Services
  - Mobile Emergency Feeding Services
  - Summer Youth Services
  - Other Services

Please see Section 5.2.4 in the Grants Gateway User Manual for additional instructions regarding the work plan if needed:

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

Note that the total number of tasks and performance measures for the entire workplan is five each. There is one mandatory task for each defined objective. This means that only two additional tasks or a total of five performance measures may be entered. If greater than two additional tasks or five performance measures are entered, they will need to be deleted to successfully complete the Workplan Properties page.

### Section Three – Pre-Submission Upload Forms

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



forms 4976, 4970 and 4934. If the applicant is requesting ENHP funds for supplies, contractual relationships and equipment, forms 4937 and 4938 should also be completed and uploaded.

The following is a list of the forms; copies of the forms begin on the next page.

- **Agency Agreement:** Sign and date as indicated. Upload.
- **Agency Contact Information:** Fill in the Excel form provided. Upload.
- **Previous Expenditure Chart** (current ENHP grantees only): Fill in the Excel form provided. Upload.
- **Program Evaluation** (current ENHP grantees only): Fill in the form provided. Upload.
- **Executive Proposal Summary:** Fill in the form provided. Upload.
- **All MWBE documents:** Sign and date as indicated. Upload.
- **Acknowledgement of Post-Employment Provisions, Assurance of No Conflict, Sexual Harassment Prevention, EO 177 Certification and Non-Collusive Bidding:** Sign and date as indicated. Upload.

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

## Required Document – Agency Agreement

Sign and date as indicated. Upload.

### AGREEMENT

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

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

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

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

(Signature of official authorized to sign for applicant)

(Date)

(Typed Name and Title)

(Date)

**Required Document – Agency Contact Information**

Complete all sections as indicated. Upload.

**Emergency Needs for the Homeless Program  
Agency Contact Information**

**Agency Name:**

**Program Name:**

<b>Title/Responsibility</b>	<b>Name</b>	<b>Direct Phone Number</b>	<b>Email Address</b>
Executive Director			
Program Manager			
Claim for Payment			
Quarterly Program Report			
Other Contact Name & Title			

**Required Document – Previous Expenditure Chart**

**Complete Form. Upload.**

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

Please indicate the annual award amount(s) from September 2018 through August 2022 and amount expended during each year. If there is a balance shown in the “Unspent Funds” column, fill out the reason for remaining balances.

Emergency Needs for the Homeless Program				
Previous Expenditure Chart				
Contract #				
Contract Year	Annual Award Amount	Amount Expended	Unspent Funds	Reason for Remaining Balances
Year 1: 9/1/2018 - 8/31/2019	\$0.00	\$0.00	\$0.00	
Year 2: 9/1/2019 - 8/31/2020	\$0.00	\$0.00	\$0.00	
Year 3: 9/1/2020 - 8/31/2021	\$0.00	\$0.00	\$0.00	
Year 4: 9/1/2021 - 8/31/2022	\$0.00	\$0.00	\$0.00	
	\$0.00	\$0.00	\$0.00	
		#DIV/0!	#DIV/0!	

## Required Document – Program Evaluation

Completed form. Upload.

# Emergency Needs for the Homeless Program Evaluation

To be completed by those applicants in receipt of ENHP funds. If any ENHP funds have been received during the last four years, describe the use of such funds and the benefits realized by the individuals served by the funded projects.

**If no ENHP funds were received during the last four years, label the forms “Not Applicable” and upload.**

Provide the number of individuals and/or households served by ENHP funds during the past four years. The below information should be based on previously submitted ENHP quarterly reports.

<b>Year</b>	<b>Emergency Service(s) Provided</b> <small>(Crisis Intervention, Eviction Prevention, Emergency Feeding, Summer Youth)</small>	<b>Projected Number of Individuals to be Served</b>	<b>Actual Number of Individuals Served</b>	<b>Comment</b>
<b>2018-2019</b>				
<b>2019-2020</b>				
<b>2020-2021</b>				
<b>2021-2022</b>				

**Required Document – Executive Proposal Summary**

Completed form. Upload.

**Emergency Needs for the Homeless  
Executive Proposal Summary**

Applicant Name	
Borough	
Anticipated number of individuals to be served annually	
	<b>Amount Requested</b>
Crisis Intervention	\$
Eviction Prevention	\$
Mobile Emergency Feeding	\$
Summer Youth Services	\$
Other Services	\$
Program Total	\$

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

Office of Temporary and Disability Assistance  
40 North Pearl Street, Albany, NY 12243  
www.otda.ny.gov

OTDA – 4938 (Rev. 1/2016)

### M/WBE GOAL REQUIREMENTS

#### CERTIFICATION OF GOOD FAITH EFFORTS

**Contractors** (to include those who submit bids/proposals in an effort to be selected for contract award as well as those successful bidders/proposers with whom OTDA enters into State contracts) must document “good faith efforts” to provide meaningful participation by New York State Certified M/WBE subcontractors or suppliers/vendors in the performance of this contract.

The undersigned hereby acknowledges that he/she took or may need to take the following actions on behalf of the Contractor to demonstrate, and upon request by OTDA, to provide written verification to document the aforesaid good faith efforts:

- (a) The Contractor attended any pre-bid, pre-award, or other meetings scheduled by the contracting agency or the NYS Department of Economic Development or its designee to inform certified minority- or women-owned business enterprises of contracting and subcontracting opportunities available on the project, for purposes of complying with contract participation goal requirements;
- (b) The Contractor identified economically feasible units of the project that could be contracted or subcontracted to certified minority- and women-owned business enterprises in order to increase the likelihood of participation by such enterprises on the contract;
- (c) The Contractor undertook efforts to reasonably structure the contract scope of work for purposes of subcontracting with certified minority- and- women-owned business enterprises;
- (d) The Contractor advertised in a timely fashion and in appropriate general circulation, trade and minority- and women-oriented publications, if any, concerning the contracting or subcontracting opportunity;
- (e) The Contractor made written solicitations in a timely fashion to a reasonable number of certified minority- and women- owned business enterprises identified from current certified lists of such business enterprises provided or maintained by the NYS Empire State Development’s Division of Minority and Women Owned Business Development, or its designee, of the contracting or subcontracting opportunity. The directory of certified businesses can be viewed at: <http://esd.ny.gov/index.html>
- (f) The Contractor can document if any timely responses to any such advertisements and solicitations were provided by certified minority- and women-owned business enterprises;
- (g) The Contractor followed-up initial solicitations by contacting the enterprises to determine whether the enterprises were interested in such contracting or subcontracting opportunity;

- (h) The Contractor provided interested certified minority- and women-owned business enterprises in a timely fashion with adequate information about the plans, specifications or terms and conditions of the State contract and requirements for the contracting or subcontracting opportunity so as to prepare an informed response to a contractor solicitation;
- (i) The Contractor submitted a completed, acceptable utilization plan in accordance with applicable requirements to meet goals for participation of certified minority-and women-owned business enterprises established in the State contract;
- (j) The Contractor used the services of community organizations, contractor groups, state and federal business assistance offices and other organizations identified by the NYS Department of Economic Development or its designee that provide assistance in the recruitment and placement of minority and women business enterprises;
- (k) The Contractor negotiated in good faith with certified minority- and women-owned business enterprises submitting bids, proposals, or quotations and did not, without justifiable reason, reject as unsatisfactory any bids, proposals or quotations prepared by any certified minority- or women-owned business enterprise. "Good faith" negotiating means engaging in good faith discussions with certified minority- or women-owned business enterprises about the nature of the work, scheduling, requirements for special equipment, opportunities for dividing of work among the bidders, proposers, and various subcontractors and the bids of the minority or women businesses, including sharing with them any cost estimates from the request for proposal or invitation to bid documents, if available; and,
- (l) The Contractor undertook efforts to make payments for any work performed by certified minority- and women-owned business enterprises in a timely fashion so as to facilitate continued performance by certified minority- and women-owned business enterprises.

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Signature Date

---

Print Name

---

Title

---

Company

---

Contract Number

---

Program/Solicitation Name



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

Contractor: [REDACTED]

Contract No.: [REDACTED]

Address: [REDACTED]

Federal ID#: [REDACTED]

Dear Contractor:

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

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

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

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

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

[REDACTED] will sign a formal contract for the above work conditioned  
(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]

Title: [REDACTED]

Company Official's Signature

Date: [REDACTED]

Address: [REDACTED]

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

Company Official's Name: [REDACTED]

Title: [REDACTED]

Company Official's Signature

Date: [REDACTED]

Telephone Number: [REDACTED]

Fax Number: [REDACTED]

**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: [REDACTED]  
 Address: [REDACTED]  
 City, State, Zip Code: [REDACTED]  
 Telephone No.: [REDACTED]  
 Region/Location of Work: [REDACTED]

Federal Identification No.: [REDACTED]  
 Solicitation Name/Contract No.: [REDACTED]  
 M/WBE Certified: Y/N [REDACTED]  
 M/WBE Participation Goals: MBE [REDACTED]% WBE [REDACTED]%

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. [REDACTED]	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	[REDACTED]	[REDACTED]	[REDACTED]
B. [REDACTED]	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	[REDACTED]	[REDACTED]	[REDACTED]

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): [REDACTED]      TELEPHONE NO.: [REDACTED]      EMAIL ADDRESS: [REDACTED]  
 DATE: [REDACTED]      FOR M/WBE USE ONLY

NAME AND TITLE OF PREPARER (Print or Type): [REDACTED]      REVIEWED BY: [REDACTED]      DATE: [REDACTED]

UTILIZATION PLAN APPROVED:  YES  NO      Date: [REDACTED]  
 Contract No.: [REDACTED]  
 Contract Award Date: [REDACTED]  
 Estimated Date of Completion: [REDACTED]  
 Amount Obligated Under the Contract: [REDACTED]  
 Description of Work: [REDACTED]

NOTICE OF DEFICIENCY ISSUED:  YES  NO      Date: [REDACTED]  
 NOTICE OF ACCEPTANCE ISSUED:  YES  NO      Date: [REDACTED]

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.

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

**M/WBE AND EEO POLICY STATEMENT**

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

**M/WBE**

**EEO**

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

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

- (a) This organization will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on state contracts.
- (b) This organization shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex disability or marital status.
- (c) At the request of the contracting agency, this organization shall request each employment agency, labor union, or authorized representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.
- (d) The Contractor shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. The Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.
- (e) This organization will include the provisions of sections (a) through (d) of this agreement in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with the State contract

Agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_

By \_\_\_\_\_

Print: \_\_\_\_\_ Title: \_\_\_\_\_

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

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

**M/WBE Contract Goals**

\_\_\_\_\_ % Minority and Women’s Business Enterprise Participation

\_\_\_\_\_ % Minority Business Enterprise Participation

\_\_\_\_\_ % Women’s Business Enterprise Participation

\_\_\_\_\_  
(Authorized Representative)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**STAFFING PLAN**

Submit with Bid or Proposal – Instructions on page 2

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

**Officer's Name:** [REDACTED]

**Officer's Address:** [REDACTED]

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

**Subcontractor's name:** [REDACTED]

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

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

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

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

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

**Instructions for completing:**

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

**RACE/ETHNIC IDENTIFICATION**

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

- **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.

- **NATIVE INDIAN (NATIVE AMERICAN/ALASKAN NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

**OTHER CATEGORIES**

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

GENDER      Male      or      Female

**OFFEROR'S ACKNOWLEDGEMENT OF UNDERSTANDING OF POST-EMPLOYMENT PROVISIONS**

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

## Offeror Assurance of No Conflict of Interest or Detrimental Effect

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

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

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

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

OTDA 11/2016



## Sexual Harassment Prevention Certification

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

"By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law."

Contractor: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

## PROHIBITING CONTRACTS WITH ENTITIES THAT SUPPORT DISCRIMINATION

### EO 177 Certification

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

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

Generally, the Human Rights Law applies to:

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

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

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

Contractor: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

**Exhibit 1: Non-Collusive Bidding Certification-3**

Identifying Data

Potential Contractor: \_\_\_\_\_

Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City, Town, etc.

Telephone: \_\_\_\_\_ Title: \_\_\_\_\_

If applicable, Responsible Corporate Officer

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_

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

\_\_\_\_\_  
Legal name of person, firm or corporation

\_\_\_\_\_  
Legal name of person, firm or corporation

By \_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Address \_\_\_\_\_  
Street

\_\_\_\_\_  
Street

\_\_\_\_\_  
City State

\_\_\_\_\_  
City State

## Section Four – Grants Gateway Application Questions

A list of the Program Specific Questions (PSQ) starts below.

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

### Community to be Served/Homeless Delivery System Section

1. Please identify the service area (city, borough, etc.) you intend to serve and briefly describe the community.
2. Please describe your agency's experience with the following service areas: Crisis Intervention, Eviction Prevention, Mobile Emergency Feeding and Summer Youth Programming.
3. Provide the following information as it relates to the homeless service delivery system(s): who is the lead organization, and what is your organization's level of participation and role within the Continuum of Care (CoC)? For those agencies that are not active in the CoC planning process or are not CoC participants, please describe what efforts will be undertaken to engage in or to seek an active role.
4. Explain how the program funded under this RFP is, or will be, coordinated with the existing programs in the CoC or local planning process. How will duplication of effort be avoided with this project?
5. Applicants are encouraged to serve notice of intent to apply to this RFP to the local Continuum of Care (CoC). Did your organization notify the local CoC? Please upload proof of notification below.
6. Does your agency currently participate in the Homeless Management Information System (HMIS)? If not, discuss what steps your agency will take towards participating in HMIS.
7. Provide insight on the service area indicated in PSQ 1. According to your agency's experience, how accessible are emergency services for vulnerable/at-risk individuals and families? Provide general information about the community and include factors that may create and/or perpetuate homelessness or cause people to be at-risk of homelessness within the community served.

### Program Description

8. Provide a brief overview and history of your agency. Please include your agency's experience in serving at-risk and homeless families and individuals in need of emergency services.
9. Summarize the current crisis intervention, eviction prevention, emergency mobile feeding and summer youth services in the community. Identify any critical gaps in

services. If there are no critical gaps in services, identify the names of programs/agencies that provide these services.

10. How does your agency respond to the lack of services described in PSQ 9? Describe how this proposal plans to address these gaps within the community. What services will be provided to vulnerable individuals and families at risk of homelessness?
11. Define/describe the target population(s) you intend to serve: be sure to include all of the following demographic information: age, economic status, household size, what percentage are veterans, runaway and homeless youth, persons with mental illness, disabled, ex-offenders, persons with substance use disorder, persons living with HIV/AIDS, victims of domestic violence, other (describe).
12. Describe barriers the target population faces which precipitate a need for assistance.
13. Describe the typical living situation, or lack thereof, for the majority of proposed program participants when they are referred to your agency for services.
14. What are the support services needs of the target population(s) (i.e. mental health, substance use treatment, life skills, etc.)? How are these needs currently being met and what resources exist in the service area?
15. Explain how your agency completes outreach for the proposed program within this RFP. Explain how, when (hours of service) and where your agency will perform outreach.
16. Provide an overview of the proposed program(s) referenced within this RFP. Be sure to mention crisis intervention, eviction prevention, emergency mobile feeding and summer youth services that will be provided by your agency. Describe how eligibility is determined for each proposed program. If there are program requirements, please indicate them here.
17. Explain how your agency will ensure stable program participation for each emergency service need offered by your agency. Briefly describe the average length of engagement for program participants. Describe programming and discuss any support services available by your agency. How will these services assist participants in stabilizing their housing and increasing their ability to live independently?
18. What are the employment and/or educational needs of the population you intend to serve? What services are available to youth during summer months? Explain what resources currently exist and how your program plans to enhance and/or connect program participants to these resources.
19. Provide expected results, for each proposed service, in quantifiable and measurable terms. Be sure to include: the number of households expected to serve for each service provided and describe the expected outcome. Describe the potential for achievement of these results. How will your agency monitor the success of the programs described within this RFP?
20. Please provide a comprehensive list of supportive services that are available to program participants. Briefly describe each and include information about how the project will promote a healthy and safe environment, by promoting healthy women, infants and children, and/or promoting well-being by preventing mental health and substance use

disorders consistent with EO 190.

21. Describe your agency's procedures for handling emergencies. Describe procedures for handling terminations from the program. Discuss any follow-up services that may be offered.
22. Explain/discuss staffing for the project. Identify by title (do not include specific names) those within your organization who will perform the activities you've described. Provide a brief job description for each title, explain the staffing pattern and discuss any consultant roles. Include any special provisions (i.e. bilingual services) and availability during non-traditional hours.
23. Describe current case management practices for each proposed program referenced within this RFP. Specify the frequency of meetings with participants and strategies you have found to be successful. What is an average caseload for your case managers? Can program participants be connected with a SOAR case manager?
24. How does your program integrate trauma informed care into its policies, procedures and practices? How do you ensure that all staff are trained and providing trauma-responsive services that address tenants' needs resulting from various adverse childhood experiences (ACES), adult or life-long trauma, including those caused by poverty, racism, victimization, physical or emotional injury, illness, etc.?
25. Describe how your program addresses the needs of marginalized populations, including individuals of color; diverse cultural identities or ethnicities; people who identify as LGBTQ; persons who are gender non-conforming, etc. How does your program conduct outreach and provide welcoming, inclusive and culturally-sensitive services?
26. How does your program provide language access for individuals with limited English proficiency? Describe to what extent the following are available to tenants: translated materials, multilingual staff and/or interpretation and translation services.
27. Provide justification for the need for ENHP funds and discuss your agency's ability to full expend funds by the end of the contract term.
28. For current ENHP contractors, please fill out and upload the Previous Expenditures Chart in the Pre-Submission Upload section. If there were unspent funds in prior years and your agency is applying for the same amount (or an increased amount) of funding through this RFP, please indicate why there were unspent funds. If you are not a current ENHP contractor, please indicate not applicable.
29. In the past three years, has your agency been audited or reviewed by a government agency? If so, what was the result? Describe any negative findings and how they were resolved.