



Office of Temporary and Disability Assistance

Release Date:

April 29, 2019

Request for Proposals

Supplemental Nutrition Assistance Program
Nutrition Education and Obesity Prevention
SNAP-Ed II

Submission Deadline:

May 24, 2019, 3:00 p.m.

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Part A: RFP General Information

I. Timelines and Proposal Submission

A. Questions Concerning this RFP

Organizations may submit questions via electronic mail, fax, or by mail to the address provided below. All questions must be typed. No handwritten or telephone inquiries will be accepted. Along with your question(s), please provide your name, organization, mailing address and fax number. Questions must be submitted prior to the 5:00 p.m. deadline on May 6, 2019. Answers to all questions received by this date will be posted on the Grants Gateway website at: <http://grantsgateway.ny.gov>, and on the OTDA website at: www.otda.ny.gov no later than May 15, 2019. Prospective bidders may obtain a hardcopy of the questions and answers upon request.

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Bureau of Food and Nutrition Policy
Attn: Lisa Irving
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B. Notice of Intent to Bid

Organizations intending to submit a proposal in response to this Request for Proposal (RFP) are asked to submit the "Notice of Intent to Bid" form by May 6, 2019, in order to help New York State (NYS) Office of Temporary and Disability Assistance (OTDA) prepare for the number of proposals to be received. This form, completion and forwarding instructions are included in Attachment 1. This form is recommended, but not required.

C. Proposal Submission and Due Date

All proposals must be submitted via the NYS Grants Gateway System at: <https://grantsgateway.ny.gov>, and be received no later than 3:00 p.m., May 24, 2019. **Once the deadline has passed, Grants Gateway will no longer accept applications.** OTDA will conduct a thorough review of each application submitted. Eligible applicants should complete and submit answers to all questions, and submit all required forms outlined in this RFP. Failure to submit all required forms and answer all required questions may adversely affect the proposal's competitive score, or make the proposal ineligible. OTDA is not responsible for any third-party error in the submission of proposals.

All applications must meet the following requirements:

1. All nonprofit applicants must be prequalified in the Grants Gateway, as explained in Part A, Section I. D.
2. Applications for one or both RFP components must be submitted as separate applications as outlined in Part A, Section II. C.
3. Applications must be submitted by eligible applicants, as defined in Part A, Section II. F.

D. Prequalification Requirement in the Grants Gateway



Pursuant to the New York State Division of Budget (DOB) Bulletin H-1032, revised July 16, 2014, New York State has instituted key reform initiatives to the grant contract process which require nonprofits to register in the 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](#).

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. The Vendor User Manual on the Grants Management website details the requirements, and an online tutorial is available to walk users through the process. **Please note, waiting until the last several days to complete your application online is risky, as you may have technical questions. Beginning the process of applying as soon as possible will produce the best results.**

1. Register for the Grants Gateway

- On the Grants Management website, download a copy of the Registration Form for Administrator. A signed, notarized original form must be sent to the DOB at the address provided in the instructions. 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: grantsgateway@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

- Log into 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 .
- 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. Applicants with no history of grants should select OTDA. This page should be completed in its entirety before you click . 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 RFP.
- Specific questions about the prequalification process should be referred to your agency representative, or to the Grants Management Team at: grantsgateway@its.ny.gov.

3. Submit Your Prequalification Application

- After completing your Prequalification Application, click the *Submit Document Vault* link located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted, the status of the Document Vault will change to “In Review”.
- If your prequalification reviewer has any questions or request changes, you will receive an email notification from the Grants Gateway.
- 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.

E. RFP Timetable

- RFP Release Date – April 29, 2019
- Notice of Intent to Bid – May 6, 2019
- Deadline Date for Questions – May 6, 2019
- Responses to Questions Posted – May 15, 2019
- Proposal Due Date – May 24, 2019
- Date of Notification of Award – July 15, 2019
- Contract Start Date – October 1, 2019
- Contract End Date – September 30, 2024

F. Agency Rights

OTDA reserves the right to:

- Amend the specifications of this RFP, prior to application opening;
- Negotiate with applicants the requirements of this RFP regarding the scope of work to serve the best interests of the State;
- Seek clarifications and revisions of applications;
- Use applicant information obtained through site visits, reporting, and management reviews; voucher submissions; State investigation of an applicant’s qualifications, experience, ability, or financial standing; and any material submitted by the applicant in response to the agency’s request for clarifying information, in the course of evaluation and/or selection under this RFP;
- Conduct contract negotiations with the next responsible applicant should negotiations be unsuccessful after a reasonable amount of time, unless otherwise agreed to by the parties;
- Award grants based on geographic location(s) or regional considerations to serve the best interests of the State, including awarding contracts to responsible entities that score fewer points than others, to maximize statewide coverage of geographic areas with high incidences of food insecurity and obesity-related chronic disease;
- Consider bids with reasonable and justified administrative costs exceeding 15% of total proposed costs; and,
- Make as many or as few awards, or refrain from making any awards under this RFP,

and/or determine that a new solicitation is necessary.

II. Summary of the RFP

A. Program Authority

The NYS Supplemental Nutrition Assistance Program Nutrition Education and Obesity Prevention Program (hereinafter SNAP-Ed), is funded by the United States Department of Agriculture (USDA) and administered jointly by the Federal Food and Nutrition Services (FNS) and OTDA. The program is authorized by Section 241 of the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296) which amended section 28 of the Food and Nutrition Act of 2008 to establish a SNAP-Ed program. The SNAP-Ed program funds community-based nutrition education and obesity prevention activities targeted to SNAP recipients and SNAP eligible populations at-risk of food insecurity. The SNAP-Ed program utilizes a variety of obesity prevention strategies, including policy, system, and environmental approaches (PSE), to facilitate voluntary adoption of healthy nutrition and physical activity behaviors conducive to the positive health and well-being of individuals eligible for SNAP and other means-tested Federal assistance programs. The program is operated in accordance with USDA SNAP-Ed Plan Guidance and SNAP-Ed Guiding Principles.

B. Program Goals

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

The program has four primary nutrition-related objectives designed to improve health among the SNAP population:

1. Increase the consumption of nutrient dense fruits and vegetables, whole grains, lean meats and low-fat dairy products
2. Decrease the consumption of sugar-sweetened beverages
3. Reduce the consumption of low-nutrient, high-energy dense foods containing large amounts of added sugars, salt and saturated fat
4. Increase physical activity and reduce sedentary behaviors

The program has three primary objectives related to food insecurity and hunger that are designed to improve health among the SNAP population:

1. Improve food resource management skills
2. Improve food preparation skills
3. Increase access to affordable and nutritious food

The overarching goal of all SNAP-Ed activities is to promote health and prevent and/or postpone the onset of diet-related chronic disease among the SNAP population by

providing nutrition education and obesity prevention services. The NYS SNAP-Ed program uses the USDA Thrifty Food Plan as a guide to assist the SNAP population to meet recommended fruit and vegetable recommendations in the U.S. Dietary Guidelines.

C. Purpose of the RFP

The purpose of this RFP is two-fold.

1. **Direct Services** – OTDA seeks to secure the services of eligible organizations that can assist OTDA in addressing the goals of its SNAP-Ed program through the provision of Direct Services. Provision of Direct Services addresses the nutrition needs of food insecure populations at risk of obesity-related chronic disease by providing specific behaviorally-focused nutrition education and obesity prevention activities. OTDA will award **multiple** contracts for Direct Services as part of this RFP.
2. **Technical Assistance** – OTDA seeks proposals for **one** entity to provide Technical Assistance to OTDA, including reporting, social marketing, and training for contractors.

IMPORTANT NOTE: Applicant organizations may choose to bid on one or both components of this RFP; however, a separate and complete application must be submitted for each component above. ***Do not combine the applications into one or reference one bid from the other. Combined applications will not be reviewed.***

D. Available Funds/Award Amounts

Direct Services – Approximately \$12 million in annual Federal funding is being made available to multiple organizations across the State to support the delivery of Direct Services for a 12-month period beginning October 1, 2019. It is expected that the maximum award amount for Direct Service providers will be \$800,000.

Technical Assistance – Approximately \$1 million in annual Federal funding will be made available to one organization to support Technical Assistance.

It is anticipated that contracts will be renewed annually during a five-year contract term from October 1- 2019 – September 30, 2024. Funds for annual program periods beyond the initial 12-month period are contingent upon satisfactory contractor performance and the continued availability of Federal SNAP-Ed funding. Catalog of Federal Domestic Assistance (CFDA) title and number: 10.561, Supplemental Nutrition Assistance Program (SNAP).

Awards for Direct Services will be made based upon the: 1) need for SNAP-Ed in relationship to county poverty, SNAP, and obesity rates as well as availability of other local nutrition programming; 2) the overall quality of proposals submitted; and, 3) total funds requested. Awards made in regions outside of New York City will be limited to no more than one per county. Priority points will be given to applicants proposing to use a regional-based approach to serve participants in more than one county. OTDA expects to make between ten (10) and twenty (20) awards statewide.

OTDA reserves the right to award contracts to responsible entities that score fewer points than others to satisfy the goal of assuring statewide coverage in geographic areas with

high incidences of poverty, food insecurity, and obesity-related chronic disease and lower availability of nutrition and obesity prevention programming. Given this stipulation, a proposal with a lower score may be selected over a higher scoring proposal when the lower scoring proposal serves a geographic region with greater need.

Should additional funds be made available to support this RFP, OTDA reserves the right to make awards in excess of the amount listed above. In the event the amount requested by selected organizations exceeds the amount available, OTDA will reduce the award amounts to stay within the overall funding limit. Necessary award reductions may be achieved by a proportionate decrease across all selected proposals, or by reducing the requested award amount(s) of lower scoring proposals.

E. Contract Period (Multi-Year)

This RFP governs contracts for a five-year cycle starting October 1, 2019, and ending September 30, 2024. At the discretion of OTDA, this multi-year cycle may be shortened if it is determined that modifications to the program structure are necessary. Award amounts for the initial and any subsequent periods are annual amounts and contingent on the continued availability of Federal funding and USDA approval. During the contract term, an award balance at the end of a contract period will cease to be available in a subsequent contract period. A rate increase request may be considered at each contract renewal date based on the availability of Federal funds, contractor performance, activity expansion, and/or State needs assessment. Any increase must have the approval of USDA, as well as the NYS Office of State Comptroller (OSC) and Division of Budget. OTDA desires to engage the services of organizations that are successful in helping the SNAP population make healthy purchases and positive changes related to nutrition and physical activity as outlined in this RFP, and may terminate contractors or initiate contract modifications to reduce award amounts of those projects that are not making progress in fulfilling the performance of this initiative.

F. Eligible Applicants

Organizations eligible to apply for funding under this initiative are limited to non-profit organizations with experience delivering health and human service programs. For-profit entities are excluded from applying for funding under this initiative. Preferred applicants will be organizations who can demonstrate past experience: 1) successfully implementing nutrition education and obesity prevention programming as outlined in this RFP; and, 2) providing direct leadership, management, and oversight for activities as outlined in this RFP.

Applicants are encouraged to consider collaborating with other experienced providers to establish a consortium of services that will best meet the direct service component of this RFP. As agency capacity and experience implementing comprehensive nutrition education and obesity prevention services is critical to successfully achieving the goals of this RFP, OTDA encourages applicant organizations who lack agency management capacity or experience, to collaborate with stronger and more experienced organizations who can demonstrate a history of successful management, fiscal responsibility, and implementation of SNAP-Ed programming. Applicants proposing a consortium-based approach must designate one of the applicant entities as the lead for the consortium, and must include in the application a description of the roles and responsibilities of the lead

applicant and each co-applicant. Formal contracts between the lead applicant and its members must be developed to outline individual responsibilities and payment terms. The consortium members must indicate unanimous understanding and commitment to program goals for the life of the contract.

Nonprofit applicants must be registered and in good standing with the Charities Bureau of the Attorney General's Office, and have a Vendor Responsibility Profile available and current on OSC's VendRep System at: <http://www.osc.state.ny.us/vendrep/index.htm>. If an applicant is unable to use the online system, a hardcopy of the Vendor Responsibility Questionnaire (Attachment 12) must be submitted to OTDA upon receiving a contract as a result of this RFP. All nonprofits are subject to the Prequalification Requirement in the Grants Gateway, as explained in Section I.D.

G. Ineligible Applicants

Organizations currently in receipt of funding for the Just Say Yes to Fruit and Vegetables (JSY), Eat Well Play Hard in Child Care Settings (EWPHCCS) program, Creating Healthy Schools and Communities (CHSC), or Senior Health Improvement and Nutrition Education (SHINE) may not apply for this RFP for the purpose of supporting or augmenting activities funded under these programs.

Organizations who are in receipt of funding for any of the above programs and who apply for this RFP, for the sole purpose of supporting distinctly different activities allowable under this RFP, will be required to submit a Funding Attestation Form outlining the source and level of funding as well as provide additional budget and staffing information specific to those programs upon request (Attachment 14).

Part B: Direct Services

I. Background

A. Direct Service Components

OTDA is seeking applications from qualified organizations with experience serving food-insecure populations at risk of obesity-related chronic disease to deliver the following direct services:

- 1) conduct nutrition education and obesity prevention program activities (hereinafter referred to as **program activity**) for eligible adults and youth residing in NYS; and,
- 2) conduct policy, system and environmental activities (hereinafter referred to as **PSE activity**) at locations where program activities are being implemented and in low-income communities in NYS.

II. Direct Service Requirements

A. Documentation of Need

Applicants are required to submit a needs assessment that documents the need for SNAP-Ed Direct Services in the local 'area to be served'. The needs assessment must be valid and data-driven. The needs assessment must describe:

- 1) population-based food insecurity, health, and diet-related/nutrition characteristics of the local SNAP population, including poverty rate, SNAP redemption, food insecurity, nutrition related chronic disease and obesity;
- 2) nutrition, physical activity, and obesity prevention needs of the local SNAP population, including barriers to accessing healthy foods and engaging in physical activity;
- 3) the SNAP population to be served, including high-need populations, as defined in Section C-D;
- 4) nutrition education and obesity prevention services already taking place in the area to be served; and,
- 5) how proposed program and PSE activities will meet an 'unmet need' for the SNAP population and area to be served.

Applicants that do not submit a needs assessment will not be reviewed. Applicants presenting NYS-level data only will not receive full points for this section.

B. Participant Eligibility and Qualifying Locations

1) Eligibility

Individuals eligible to participate in and benefit from SNAP-Ed program and PSE activities must be in receipt of or eligible to receive SNAP (hereinafter referred to

‘SNAP population’). Activities may target adults ages 18 and older and/or youth in grades 1 and above. The SNAP population is defined as:

- a SNAP recipient,
- an individual eligible for SNAP and or other means-tested programs such as Temporary Assistance for Needy Families (TANF); Supplemental Needs Allowance; Medical Assistance (Medicaid); the Women, Infants, and Children (WIC); free and/or reduced-price school meals, or
- a member of a household with gross family income that does not exceed the current annual and monthly standard of 185% of the Federal poverty rate.

Persons ineligible for the program include: incarcerated persons, residents of nursing homes, patients of chemical dependence and treatment facilities, and boarders.

2) Qualifying Locations

Certain agencies are known to serve a SNAP population and these agencies should be targeted for direct nutrition education activities described in Section III. A. These agencies include Social Service Districts (districts), SNAP/TANF Job Readiness Training Program sites, Federally funded community-based health centers, public health offices, low-income community centers, public housing and OTDA-funded supportive housing for families (<https://otda.ny.gov/programs/housing/>), low-income schools where at least 50% of children receive free and reduced priced meals, and summer meal sites.

Other priority locations located in census tracts where at least 50% of persons have gross incomes that are equal to or less than 185% of the poverty threshold may be identified for activities, including grocery stores that redeem an average monthly SNAP benefits of \$50,000 or as well as Farmers Markets with high SNAP benefit redemption. Applicants must provide a listing of the qualifying locations that will be targeted during the year.

Certain NYS and Federally funded nutrition programs conduct activities similar to SNAP-Ed. These programs include, but are not limited to, Women, Infant, Children (WIC), Head Start, Child and Adult Care Food Program, Just Say Yes to Fruits and Vegetables, Eat Well Play Hard in Child Care Settings, Senior Farmer’s Market Nutrition, Healthy Schools and Communities, Family Nutrition Education, 4-H, and Congregate Nutrition. Site locations receiving nutrition programming as part of one of these programs would be ineligible for SNAP-Ed unless an OTDA approved Memorandum of Agreement (MOA) is in place with the administering agency that specifies a specific arrangement for SNAP-Ed and that attests to no duplication of service and/or supplanting of funds related to the proposed SNAP-Ed activity.

C. Targeting Services to Eligible SNAP Populations

The primary target population is SNAP recipients and their families. A secondary target population is low-income individuals at or below 185% of poverty. OTDA requires that SNAP-Ed activities be delivered in a way that maximizes the numbers of SNAP recipients reached.

Applicant agencies must describe the method they will use to target services to SNAP recipients and SNAP population. Methods should include: 1) referrals from districts, 2) direct marketing to SNAP recipients, and 3) referral of groups from qualifying locations and partner agencies serving a SNAP population.

Applicants are required to identify the number of SNAP population to be reached broken out by age, SNAP eligibility, type of service and site location.

D. Targeting Services to High Need Populations

Many low-income individuals and families in NYS face social and economic barriers to nutrition and health and live in communities that are disproportionality affected by poverty. As a result, poverty, child poverty, food insecurity, and obesity-related chronic disease in some areas of the State can exceed national and state averages. Applicants must demonstrate a specific plan to target services to high need populations in all of the counties to be served. This plan should outline how the applicant agency will coordinate with other service agencies to coordinate delivery of activities to high need populations.

NYS Indian Tribal organizations participating in the Federal Food Distribution Program on Indian Reservations (FDPIR) are considered a high need population. Organizations with experience working with NYS tribal organizations are encouraged to apply. Applicants proposing to conduct services on Indian reservations must demonstrate that they have coordinated with local operators of the FDPIR regarding the need for services as part of the application needs assessment. A letter of support from an FDPIR operator qualifies as documentation of coordination.

E. Coordination with Districts

Districts administer programs on behalf of low-income individuals and families, including SNAP, TANF, Medicaid, SSI, Home Energy Assistance Program, Refugee Services, Child Support, Child Welfare, Domestic Violence, Foster Care, Summer Youth Employment, and Shelter Services. Applicants are required to work with districts to targeting services to the SNAP population. Visit: <https://otda.ny.gov/workingfamilies/dss.asp> for a listing of district offices.

A letter of support from each district in the counties to be served is required. This letter should outline how the applicant agency will coordinate with the districts to ensure the maximum number of SNAP recipients are reached. Successful partnerships with districts include lessons focusing on Eating Healthy on Budget with SNAP; arranging digital and web-based nutrition classes for SNAP recipients; coordinated outreach and referral for group classes and community obesity prevention events; and provision of SNAP-Ed social marketing materials for district offices. Applications that do not submit the required letters of support will not be reviewed.

Selected contractors agree to provide informational materials to SNAP-eligible populations regarding how to access the Supplemental Nutrition Assistance Program benefits available to low-income households in NYS and agree to display and/or distribute materials developed by OTDA related to: www.myBenefits.ny.gov to program participants. OTDA will provide directions to each selected contractor regarding the informational materials necessary to accomplish this goal.

III. Program Activity Description and Requirements

Program activities targeting adults and youth fall under three (3) primary categories:

- Direct Education
- Indirect Education
- Program Outreach and Reinforcement

For the purpose of this RFP, the following definitions apply:

Direct education – A nutrition education class delivered to a SNAP population using an evidence based curricula approved for use in NYS. The participant is actively engaged with a nutritionist and/or teacher in a learning process during direct education.

Indirect education – The distribution, display, and communication of information and resources as part of an intervention, may include mass communications, public events (such as tables at health fairs), material distribution and direct mailings, and social marketing.

Nutritionist – A person with education (Associates Degree or above) in nutrition, dietetics, community and behavioral health, health education, public health, or nursing. Includes persons certified as RD, RDN, CCN, CNS, and RN as well as other individuals with college level coursework in nutrition and/or health education with training and experience to communicate nutrition and obesity prevention topics.

SNAP-Ed Evaluation Framework – a set of 51 indicators used to measure the success of SNAP-Ed program implementation. Framework indicators are accessible at: <https://snaped.fns.usda.gov/program-administration/snap-ed-evaluation-framework>.

Applicants for Direct Services are required to upload a mandatory SNAP-Ed Project Description (Appendix 13) which summarizes important details of the application and the activities for which funding is being requested. Applicants who fail to submit the SNAP-Ed Project Description will not be reviewed. The table includes the following key application elements:

Applicant Name
Description SNAP-Ed Program Goals (S.M.A.R.T Format)
NYS Prevention Agenda Goal Alignment
List of Program Activities with SNAP-Ed Framework Indicators
List of PSE Activities with SNAP-Ed Framework Indicators
List Subcontractors
List of Partners
Target Population, Delivery Sites, and Reach
Curriculums
List of Other Indirect Education and/or Social Marketing

Applicants will be required to provide more detail on Program and PSE activity components, delivery methods, goals and reach in the application proposal narrative and the application

work plan. Maximum points will be awarded to applicants based on the comprehensiveness and detail of activities proposed. Applicants may choose from the following list of allowable activities.

A. Direct Education

Food insecurity is an indicator for poor nutrition and poor health. Research indicates that food insecure populations are less likely to eat a healthy diet composed of vegetables and fruit and more likely to choose unhealthy foods and beverages compared to food secure populations. The SNAP-Ed program is designed to assist and encourage the SNAP population to choose healthy diets and active lifestyles through the provision of behaviorally-focused nutrition education and obesity prevention activities. All activities must be delivered in a way that achieves the program goals set forth in Part A, Section II.B. Contractors will be expected to use the USDA Thrifty Food Plan as a guide for communicating to SNAP population how a household can purchase a wide variety of fruits and vegetables on a limited budget to meet the U.S. Dietary Guidelines for Americans.

- 1) Nutrition Class Series (Adults)** – Behaviorally-focused group nutrition education class of at least 20 minutes delivered as a series of at least 2-4 classes. Class is led by a nutritionist using approved intervention curricula (Appendix 20). A nutrition assistant may assist with delivery of class as needed. The goal is to improve knowledge and skills related to: nutrition and obesity prevention; food resource management; shopping on budget and preparation of low-cost, nutrient-dense recipes; making healthy choices when dining out; and benefits of physical activity. A behaviorally-focused food demonstration to improve skills related to preparing low-cost, healthy food is allowed. The food demonstration is a “how to” presentation that involves instruction about ingredient selection, recipe preparation, nutrition, and health benefits of the recipe. Sample tastings are allowed for food demonstrations and maximum sample size is four ounces. Participant involvement for food demonstration preferred. All classes delivered at priority site locations. Accompanying SNAP-Ed information and resource table is encouraged. **Minimum: 10 series a year.**
- 2) Nutrition Class (Adults)** – Behaviorally-focused group nutrition education class of at least 20 minutes delivered as a single session. Class is led by a nutritionist using approved intervention curricula. A nutrition assistant may assist with delivery of class as needed. A food demonstration is allowed for lessons that cover topics related to planning and preparing low-cost, healthy food. A food demonstration must be a “how to” presentation that involves instruction about ingredient selection, recipe preparation, nutrition, and health benefit of the recipe. Participant involvement in food preparation preferred. Sample tastings are allowed for food demonstrations and maximum sample size is four ounces. All classes delivered at priority site locations. Accompanying SNAP-Ed information and resource table is encouraged.
- 3) Guided Store Tours (Adults)** – Group store tour using Cooking Matters at the Store for Adults to teach food shopping skills related to comparing unit prices, reading food labels, and selecting healthy, low-cost produce, meat and dairy. The intervention consists of a store tour led by trained staff. Applicant agency is responsible for all training related to guided store tours. Preferred activity for all new SNAP participants to provide important skills related to buying healthy food on a budget and maximizing SNAP benefits. SNAP incentive checks and Cooking Matters store cards are

allowable, but cannot be paid for with SNAP-Ed funding.

- 4) **Retail and Farmer's Market Food Demonstrations (Adults)** – Food demonstrations to promote healthy and economical food planning, purchasing, preparation, and consumption. Led by trained staff, the food demonstration must be a “how to” presentation that involves instruction about ingredient selection, recipe preparation, nutrition, and health benefit of the recipe. Sample tastings are allowed and maximum size for sample is four ounces. Farmers' Market food demonstrations must be: 1) held at markets with high SNAP benefit redemption; 2) coordinated with the NYS Farmers Market Federation and market manager; and, 3) utilize low-cost, seasonal fresh produce. Awarded agencies implementing Farmers Market Food Demonstrations may request Fresh Connect SNAP incentive checks from OTDA. OTDA has a limited supply for the purpose of this activity. Distribution preference for Fresh Connect checks will be given to agencies without access to locally or privately funded SNAP incentive checks. Please note: SNAP-Ed funding cannot be used to fund SNAP incentive checks.
- 5) **Classroom-Based or After-School classes (Grades 1 and above)** (Single or Series) – Classes are led by a certified teacher and/or nutritionist using approved curriculum, including physical activity demonstration. A nutrition assistant may assist with class delivery as needed. Class topics include, but are not limited to, nutrition and obesity prevention, USDA myPlate and portion sizes, how to read food labels, and common sources of added sugars. Applicants must utilize approved curricula for youth (Appendix 21). All classes delivered in elementary school grades must offer one direct education class targeted to parent and/or caregiver. The following locations are priority sites for youth classes: schools where at least 50% of children receive free and reduced priced meals as determined by the New York State Department of Education; low-income community youth centers, after-school, and summer programs; USDA summer meal sites; and supported housing for families and youth aging out of foster care.

B. Indirect Education

- 1) **Nutrition Events** – Events are designed to raise awareness of the importance of health and nutrition in preventing obesity. Events are engaging, provide educational displays, and demonstrate nutrition and wellness behaviors. Coordinated events may include: 1) hosting event located in low-income community and/or at priority site location, or 2) participating in a partner agency or community event. Agency is responsible for determining appropriate staff resources for event activities. Events strategies include: 1) coordinated event promotion; 2) informational table displays and/or school assembly; 3) engaging nutrition education or obesity activity; 4) materials distribution and social marketing; and, 5) (optional) food demonstrations. During March, applicants are expected to coordinate events with community partners around a campaign theme that support NYS SNAP-Ed goals. The Academy of Nutrition and Dietetics, USDA Team Nutrition, and National Institute for Health are recommended sources of information for organizing coordinated events. The following USDA approved campaign theme topics may be used: Rethink Your Drink; Fun, Food and Fitness; We Can: *Go, Slow, Whoa!* Pick a Better Snack; Eat Together, Eat Better; and Harvest of the Month. Contractors agree to participate in partner agency events arranged by OTDA.

- 2) **Social Media and Digital Nutrition Applications/Tools** – Websites, learning videos, pod casts, and other applications that are designed to increase knowledge and change behavior by making nutrition education and obesity prevention more accessible for hard to reach eligible populations. Preferred topics focus on shopping on budget, healthy meal planning on a limited budget, and other USDA MyPlate topics. Coordination with districts and other partner agency serving SNAP population required to determine targeting and distribution for videos and applications. Applicants will be required to track and monitor distribution of videos and other nutrition applications as well as document participant use, understanding, and intent to change behavior using survey methods.
- 3) **Distribution of Nutrition Education and Obesity Prevention Print Materials** – Provision of USDA SNAP-Ed print materials developed for SNAP population, including SNAP MyPlate Tip sheets. The goal of material distribution is to raise awareness of the importance of health and nutrition in preventing obesity related chronic disease. Materials must be made available to all districts in the region to be served. Agencies should coordinate with districts to determine the education materials to be provided, the appropriate quantity to be distributed, and the timing of distribution, including method of any direct mail to SNAP recipients.

C. Allowable Program Outreach and Educational Reinforcement

- 1) **Agency Program Presentations** – A presentation to recruit new partner agency or provide annual overview to existing partner(s) on a direct education activity. Focuses on an: a) synopsis of agency and intervention; b) purpose and goals of intervention; c) intervention strategy, partnership, and referrals; d) roles and responsibilities; e) demonstration of activity; f) training and technical assistance; and, g) intervention monitoring. Conducted annually by qualified staff.
- 2) **Distribution of Nutrition Reinforcements** – Distribution of nutrition education reinforcement items are optional. If used, reinforcement items are for educational reinforcement only. Items must have a direct relationship to program activity objectives, cost \$5.00 or less, and be necessary. All quantities purchased must correlate with participant reach, directly support class lesson, be given only to participants, communicate a nutrition message, and display the USDA funding statement as size permits. One per participant. Bundling of items, advertising of items, and using items as reward or incentive is prohibited. The following is a list of allowable nutrition reinforcement items.

Meal Planning	Shopping list, small calculator, reusable market bag
Meal Preparation	Vegetable scrubber/peeler, small colander, measuring spoons/cups, slotted spoon, spatula, whisk, apple corer, cutting mat
Healthy Beverage	Citrus strainer, diffuser, water bottle
General	Jar opener, refrigerator magnet, USDA approved nutrition magazine/calendar, stickers (youth), wrist bands (youth)
Physical Activity	Stretch band, pedometer, jump rope

- 3) **Program Outreach, Calendars Events, and Client Newsletters** – Print materials designed to raise awareness of program activities, time and location of activities, and organization contact information. All materials are designed for SNAP population and partner agency distribution. Materials for SNAP population distribution should comply with standards for SNAP-Ed core messaging, limited literacy and language barriers. Materials may be distributed using the following methods: flyers, brochures, posters; direct mail; social media and other electronic; local and community newspapers; and partner agency newsletters, flyers, and brochures designed for program participants. Articles for agency publications, annual reports for executive staff or boards of directors, or general newsletters is not program outreach.

IV. PSE Description and Requirements

Communities settings play a large role in promoting or inhibiting healthy behaviors. PSE initiatives are a set of comprehensive activities that support sustained behavior change. PSE initiatives promote and institute policies and activities that address barriers that make healthy food and physical activity choices harder for SNAP population to put into action.

A. PSE Program Strategies

Applicants are required to implement at least one (1) PSE strategy in each county/ region to be served. Applicants will be scored on the comprehensives and detail proposed strategy and the number of priority site locations where the PSE will be implemented. The applicant agency will be required to monitor and track key initiative objectives using the SNAP-Ed and RE-AIM frameworks (<http://www.re-aim.org/>). The applicant agency is responsible for ensuring that staff working on PSE services have the training and experience to deliver and report on components related to each key objective. Applicants may choose from the following list of PSE initiatives.

- 1) **SNAP Healthy Retail** – This PSE initiative provides technical assistance to SNAP authorized retailers to focusing on the strategic placement, pricing, promotion and marketing of healthy foods. The goal is to increase access to and purchase of healthy foods among SNAP recipients. Key objectives are: a) retail recruitment; b) retail assessment and feedback; c) retail training on nutrition and behavioral economics; d) inventory and display improvements; e) social marketing; and, f) monitoring and sustainability. SNAP-Ed retail social marketing must support USDA core messaging and may include signage, shelf talkers, and window decals. Small equipment for the purposes of fruit and vegetable placement may be provided, including minor shelving and/or small display baskets. Large equipment and infrastructure is prohibited. Public/private partnerships are encouraged for initiative success. In NYC, applicants must demonstrate coordination with the NYC Office of Food Policy's Shop Healthy program to prevent duplication of services. Initiatives should conform with FNS Healthy Corner Store Guide: <https://fns-prod.azureedge.net/sites/default/files/snap/Healthy-Corners-Stores-Guide.pdf>.
- 2) **Fruit and Vegetable Prescription Initiative** – This PSE initiative promotes affordable access to fruits and vegetables and healthy eating in underserved communities through coordinated partnerships with: a) Federally funded community-based health centers and/or other health provider serving SNAP population; b) SNAP Outreach

providers; and, c) fresh produce retailers. The goal of the initiative is to address food insecurity and hunger, nutrition, and obesity among the SNAP population most at-risk for diet-related chronic disease. Key objectives are: a) recruitment of health care providers; b) health care training; c) provision of obesity prevention promotion materials to health care provider; d) patient food insecurity and diet-related chronic disease screening by health care provider; e) provision of prescription for fruit and vegetable consumption to target patient; f) target patient referral to local SNAP outreach organization for SNAP prescreening and application assistance 6) on-site or off-site nutrition class for target patient; and, g) monitoring and sustainability. Obesity promotion is the provision of SNAP-Ed nutrition education and obesity print materials for office and patient distribution. OTDA will provide food insecurity screening tool to contractors. A prescription for the purchase of produce must be provided to target patient. Awarded agencies implementing this initiative may request farmers market Fresh Connect SNAP incentives checks from OTDA. OTDA has a limited supply for the purpose of this initiative. Please note: SNAP-Ed funding cannot be used to fund SNAP incentives checks. Partnerships with NYS Nutrition Outreach and Public Education providers for SNAP Outreach referral is required (<http://otda.ny.gov/programs/snap/providers/default.asp>).

- 3) **Farm to Worksite or Community Site** – This PSE initiative aims to improve access and eliminate barriers to fresh produce for the SNAP population by coordinating a: a) farmers market, or b) food box distribution at priority site locations, including low-income school, partner agency, or worksite with a significant SNAP population. The goal of the initiative is to address food insecurity and improve nutrition by increasing access to fresh produce among SNAP population. Key objectives are: a) recruitment of farmer and identification of site location; b) training and technical assistance to farmer related to obtaining Electronic Benefit Transfer (EBT) machines to accept SNAP; c) training and technical assistance to site location; d) initiative promotion to SNAP population; e) nutrition education with food demonstration to SNAP population; and, f) monitoring and sustainability. Awarded agencies implementing this initiative may request Fresh Connect SNAP incentives checks from OTDA. OTDA has a limited supply for the purpose of this initiative. Therefore, preference for distribution of Fresh Connect checks will be given to agency without access to locally or privately funded SNAP incentive checks. Please note: SNAP-Ed funding cannot be used to purchase produce or the SNAP incentive coupons. SNAP-Ed funding cannot be used for the purchase or delivery of food. Applicant agencies are encouraged to partnership with the NYS Farmers' Market Federation to facilitate implementation and initiative promotion. Additional sources of financial support of initiative include the NYS Ag and Market Food Box program. Applicant agencies in receipt of funding from NYS Ag and Market will need to identify the amount of funding in the application.
- 4) **School Wellness** – This PSE initiative provides training and technical assistance to low-income schools where coordinated interventions are being delivered. Preferred coordinated interventions for youth include Coordinated Approach to Child Health (CATCH)). The goal of this PSE intervention is to promote healthy eating and physical activity among children, staff, and families. Key objectives are: a) school environment assessment; b) wellness policy development and implementation; c) nutrition and wellness staff training; d) obesity prevention promotion, including events at back to school nights and school health fairs; and, e) monitoring and sustainability. The applicant agency is responsible for arranging all training related to CATCH. A

Memorandum of Agreement with school(s) is required to document school eligibility, prevent duplication of other State and Federal funded school wellness interventions, and outline initiative components to be achieved during the year. Applicants are responsible for working with the NYS Department of Education to identify schools most in need of this service.

(<http://www.cn.nysed.gov/contact>).

- 5) **Smarter Lunchroom** – This PSE initiative provides training and technical assistance to schools to redesign school lunchrooms. The goal of the initiative is to increase number of students that select fruit and vegetables and low-fat dairy. Key objectives are: a) recruit schools; b) provide technical assistance and training to school staff; c) incorporate Smarter Lunchroom strategies into school wellness policy; d) implement low-cost and no-cost solutions related to healthy lunchroom environment; e) promote SNAP-Ed core nutrition topics; and, f) monitor and promote sustainability. Monitoring must include methods to track school solutions and effects on student food selection and consumption. The applicant agency is responsible for arranging all training related to Smarter Lunchroom. Applicants are responsible for working with the NYS School Nutrition Association to promote the availability of this program activity.
- 6) **Peer-Led Obesity Prevention**– This PSE involves a middle and/or high school-based, peer-led nutrition education and obesity prevention. The goal is to encourage healthy eating and physical activity among low-income high school students. Key objectives are: 1) nutrition education training and technical assistance for peer-leaders to facilitate effective peer-led interactions aimed at exerting social influence in school setting; 2) provision of obesity prevention promotion materials related to: a) reduction of sugar sweetened beverages; b) making half plate fruit and vegetables; and, c) reducing sedentary behaviors and screen-time; and, 3) social marketing and media using campaign themes during school year. Applicants are responsible for working with the NYS School Nutrition Association to promote the availability of this program activity.
- 7) **Community Obesity Prevention Training** – Led by a nutritionist, this PSE involves providing nutrition education and obesity prevention training to partner agency and local human services staff. The goal is to encourage partner agencies working with SNAP population to become role models and SNAP-Ed champions for change. Key objectives are: a) identify and recruit partner agencies to receive annual training; b) Provide annual training to raise awareness of the importance of SNAP and SNAP-Ed to address food insecurity, hunger, and nutrition among SNAP population; c) provide technical assistance related implementation of key SNAP-Ed obesity prevention strategies for agency and SNAP population; and, d) provide obesity prevention promotion materials for partner agency distribution to SNAP population.

B. PSE Program Planning

All contractors will be required to document implementation of PSE activities using the RE-AIM framework for program implementation. The RE-AIM framework focuses on five steps to translate research into action: reach, effectiveness, adoption, implementation, and maintenance. Contractors will be required to use logic models for documenting planning and implementation PSE initiatives. Funded organizations will be provided training on how to use the RE-AIM Framework to develop, implement, monitor, and determine the effectiveness of selected PSE activities.

V. Social Marketing

Applicant agencies may set aside up to fifteen percent (15%) of their annual budget for select social marketing activities, including development, printing and distribution of brochures, posters, newsletters for SNAP population. OTDA will provide training to contractors on allowable SNAP-Ed social marketing activities. This training will cover topics related to specific USDA and OTDA standards for campaign materials, branding requirements, OTDA approval process, policies related to allowable and unallowable materials and messaging, and required reporting requirements.

VI. Program Evaluation and Reporting

All funded organizations are required to report on key Program and PSE activity objectives. Funded organizations will be provided access to a statewide SNAP-Ed Program Evaluation and Reporting System (PEARS) for data collection. PEARS will be used for: 1) program management; and, 2) data collection in accordance with NYS and Federal requirements. Funded organizations will be required to use PEARS to generate: 1) quarterly and annual written reports for OTDA; and, 2) annual SNAP-Ed Educational and Administrative Reporting System (EARS) report. OTDA, in partnership with the contractor awarded funds for Technical Assistance Services, will provide training on the PEARS, EARS, and all other required reporting templates. Attendance to all report training is mandatory.

VII. Civil Rights Training

Funded organizations will be required to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et. seq.), Section 504 of the Rehabilitation Act of 1973, the Food Stamp Act of 1977, as amended; all provisions required by the implementing regulations of the USDA (7 CFR Part 15); Department of Justice Enforcement Guidelines (28 CFR Parts 42 and 50.3); and Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, political beliefs, religion or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity funded by Federal financial assistance from USDA.

Agency contracted staff, and any frontline staff of subcontractors, will be required to attend annual training provided by OTDA and the administrative agency. All contractors will be required to compile data, maintain records, and submit reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review such records, books, and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, USDA, FNS, shall have the right to seek judicial enforcement of this assurance.

VIII. Executive Order 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 Building—Providing safe, accessible places for the public to gather indoors and out. 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 Executive Order 190, where requested in this RFP, applicants must describe how their proposals can improve community health and wellness through alignment and coordination with the New York State Prevention Agenda priorities and the WHO Eight Domains of Livability.

Part C: TECHNICAL ASSISTANCE SERVICES GUIDELINES AND REQUIREMENTS

I. Background

OTDA requests proposals from one non-profit agency or educational institutional to provide statewide technical assistance related to training, reporting, research and design, and program evaluation for its SNAP-Ed program. The entity selected will have the experience and capacity to coordinate and/or provide technical assistance to OTDA and its contract agencies.

II. Required Technical Assistance Activities

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

- A. PEARS Reporting System** – Provide coordination and management of a USDA approved statewide program evaluation and reporting system (PEARS) to collect monthly, quarterly and annual data from contractors on SNAP-Ed funded activities in accordance with Federal USDA Educational and Administrative Report System requirements. Management will include, but not be limited to: 1) maintaining a software license for PEARS; 2) facilitating payment to vendor; 3) arranging for system training and access for OTDA and its contractors; 4) facilitating and providing additional system technical assistance; 5) regularly monitoring data entry for accuracy and facilitating timely corrections; and, 6) providing technical assistance to contractors related to required annual report submissions using system data output.
- B. Professional Development Training** – Arrange and deliver one (1) annual statewide civil rights training for nutritionists. Arrange for other professional development relating to nutrition education facilitation skills, food safety and food demonstration skills, PSE and/or other topics at the direction of OTDA. Serves on the annual statewide training conference committee and assists committee with securing workshop presenters. Facilitate NYS representation and participate in Association of SNAP Nutrition Education Administrators (ASNNA). Facilitates payment of cost reasonable expenses, including fees, materials, travel and accommodation related to association activities and conference presenters.
- C. Social Marketing** – Under the direction of OTDA, the administrative agency will be responsible for developing annual SNAP-Ed social marketing campaigns. The administrative agency will be responsible for all elements of campaign development and implementation, including: 1) formative research; 2) documenting design and development using the SNAP-Ed and RE-AIM Framework; 3) development of scope of work; 4) oversite and payment and, 5) campaign reporting and evaluation. The administrative agency may subcontract out work for elements that it cannot deliver on its own. The agency is responsible for obtaining OTDA approval of scope of work including campaign theme, message and materials prior to implementation and placement. Submits required quarterly and annual reporting to OTDA and submits process and program evaluation of each campaign for peer review on behalf of NYS OTDA. All materials

developed with SNAP-Ed funds are the property of USDA and OTDA.

III. Agency Experience and Administration Requirements

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

IV. Technical Assistance Services Cost Guidelines

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

The administrating agency is expected to have weekly conference calls with OTDA and monthly in-person meetings in Albany. Therefore, travel costs related to meetings with OTDA are allowable costs related to administering this RFP component. The administrating agency is allowed administrative costs of no more than 15% of the total proposed costs. The following chart outlines the suggested breakout for the Technical Assistance Services budget:

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

Part D: CONTRACT INFORMATION

I. Claims for Payment

For Direct Service – Contractors will be required to submit claims for payments on a quarterly basis in accordance with OTDA Guide to Payments. Contractors will receive training on submission of claims and expense documentation, including required books, records, documents, and other evidence pertaining to documentation of Direct Services expenses incurred. All contractors are required to use a financial claiming workbook provided by OTDA. Payment for all claims will be made upon 100% satisfactory completion and approval by OTDA and the Office of the State Comptroller (OSC). Claims for Payment with incomplete information or inadequate documentation will be returned to the contractor.

For Technical Assistance Services – The contractor will be required to submit a quarterly report and quarterly invoice to OTDA in accordance with the OTDA Guide to Payments. The quarterly report will contain a program narrative, dates of service and itemized list of administrative support services conducted, and expenses incurred consistent with the approved schedule of deliverables. Payments will be made once the quarterly report is reviewed and project deliverables are determined by OTDA to be satisfactory. Payment for each deliverable will be made upon 100% satisfactory completion and approval by OTDA. Payment for subcontractors must include invoice documentation that lists the subcontractor's name and/or business, payment amount(s), and nature of services provided separately on the invoice submitted. Invoices with incomplete information will be returned to the contractor.

Unspent Funds – It is expected that all funds awarded to funded organizations will be expended at the end of each contract period during the contract term. A Direct Service contractor is responsible for notifying OTDA in writing of any balance of funds that remains at the end of the contract period. This balance will not be available to the Direct Service contractor in a subsequent period and OTDA reserves the right to modify downward any subsequent contract period award and reallocate unspent funds within a contract term.

II. Record Retention

All records pertaining to awards made under this funding opportunity including financial audits, budgets, plans/drafts, supporting documents, statistical records; etc., must be retained for a period of at least six (6) years following the submission of the final expenditure report. In the event any claim, audit, litigation or State/Federal investigation is started before the expiration of the aforementioned record retention period, the records must be retained by the both direct service and administrative support services contractors until all claims or findings regarding the records are resolved. OTDA shall have access to any records relevant to the project, including books, documents, photographs, and correspondence necessary to make audit, examinations, transcripts, and excerpts. If OTDA determines that such records possess long-term historic value, they must be transferred to OTDA.

III. Program Monitoring

Direct Service contractors will be monitored by OTDA on a regular basis throughout the term of the contract. Monitoring may include observational site visits, management reviews, as well as regular telephone contact. The goal of monitoring is to ensure that the terms of the

contract are being met. In addition, monitoring enables OTDA to provide technical assistance, where necessary, to assist the contractor in meeting the terms of the contract. It is the responsibility of the contractor to monitor all subcontractors. Direct Service contractors will receive prior written notification of a site visit and/ or management review. This letter will detail the date and objective of the visit. Following a site visit or management review, the contractor will receive a letter summarizing observance of operations and/or service delivery including any requests for program modification.

PART E: APPLICATION PROPOSAL FORMAT AND CRITERIA DIRECT SERVICES

I. Proposal Format- Direct Services

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

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

II. Evaluation Process and Criteria

Proposals will be scored accordingly: Technical Section (70 points); Budget Section (20 points) and Work Plan (10 points). The evaluation process will abide by the following rules:

- A. Applicant organizations must meet the prequalification requirements set forth on page 4 of this RFP.
- B. All bidders that are determined not to be responsive or responsible will be disqualified after completing an eligibility review which includes the following mandatory items: Needs Assessment, Project Description Table, and Social Service District Letter of Support.
- C. Proposals that fail to meet the requirements of the RFP may be disqualified after completing a full review.

III. Technical Section (70 points)

Points for program specific questions and related uploads will be allocated based on the quality with which the proposal addresses the following technical items (a – g).

- A. **Priority Feature (Maximum 12 points)** – Proposal serves SNAP recipients or SNAP eligible adults and/or youth most at risk of poverty and obesity. Proposal: 1) describes population-based food insecurity health and diet-related /nutrition characteristics of the local SNAP population, including poverty rate, SNAP redemption, food insecurity, nutrition related chronic disease and obesity; 2) describes nutrition, physical activity and obesity prevention needs of the local SNAP population to be served, including barriers to access healthy foods and engaging in physical activity; 3) lists of nutrition education and obesity prevention services already taking place in the area(s) to be served; and, 4) describes how proposed program and PSE activities will meet and unmet need for SNAP population in area to be served, including assurance that all services will be coordinated to prevent duplication.
- B. **Target Audience (Maximum 6 points)** – Proposal: 1) targets services to SNAP recipients and their families and high need populations; 2) describes in detail the methods that will be employed to reach SNAP recipients, high need populations, and other eligible

for SNAP; and, 3) lists the qualifying locations that will be targeted during the year, the estimated population reach by site location, and how the site and location was identified.

- C. **Program Objectives (Maximum 5 points)** – Proposal demonstrates an understanding of the goals of the SNAP-Ed Program by proposing program objectives related to each activity that align with the goals outlined in Part A, Section II. B of this RFP. Applicant describes how proposed activities improve community health and wellness pursuant to Executive Order No. 190 specific to food insecurity and the prevention of nutrition-related chronic disease as set forth in Part B, Section VIII.
- D. **Program Activity (Maximum 23 points)** – Proposal addresses the 5 W's (who, what, when, where, why) of each direct service activity to be implemented for adults and/or youth, including the anticipated reach of each activity (**Maximum 5 points**). Additional points will be awarded as followed based on the comprehensiveness of activities proposed:

Direct Education Activities (Maximum points: 18)

- Series of adult classes (4 points)
- Single classes for adults (2 points)
- Guided grocery store tours for adults (3 points)
- Retail and farmer market food demonstrations (3 points)
- Classroom or after school classes for youth (4 points)
- Community Obesity Prevention Events (2 points)

E. PSE Activity (Maximum points: 10)

- Proposal address the 5 W's (who, what, when, where, why) of a proposed PSE strategy to address the goals of the SNAP-Ed program and the activity components address the key objectives of the PSE activity.
- More than one strategy is proposed.

F. Organizational Experience, and Past Accomplishments (Maximum 9 points)

- Proposal describes organization's relevant experience in implementing and overseeing operation of a nutrition education and/or obesity prevention program, including the agency's ability to achieve annual program goals. Proposal documents past program achievements and includes evidence of past performance.
- Proposal describes agency organizational structure and staff capacity to provide program leadership, management, and oversight of proposed activities in response to this RFP. Agency demonstrates past experience providing strong leadership to direct program staff in the implementation of activities in funding request.
- Proposal describes relevant experience in administering large grant program, including fiscal management and accountability related to personnel, purchasing and accounting, travel, claiming, and reporting. Agencies currently in receipt of multiple grants will need to demonstrate administrative capacity to meet the goals of this RFP and ensure fiscal accountability of additional funding.

Note: Applicants who are not current OTDA contractors should provide quantitative evidence of performance related to providing the services requested as part of this RFP, including names and contact information of funders to verify performance. For current OTDA SNAP-Ed contractors, past agency performance will be used in scoring this section in addition to the applicant's proposal.

G. Regional Approach (5 points)

- Proposal uses a regional-based approach to serve participants in more than one county.

IV. Budget Section (20 points) – Direct Services

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

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

Detailed justifications must be provided for all requested items, and proposed costs must be properly explained. Administrative costs are limited to no more than 15% of the total proposed costs, and all administrative costs must be identified and itemized. **Priority points will be given** to budgets that minimize administrative costs in favor of direct program costs. **Points will be deducted** from the overall score for current contractors who received two or more disallowances during the 2014-2019 contract term.

All contractors must abide by NYS and Federal cost principles. The following are examples of **unallowable administrative costs**:

Advertising and public relations

Capital expenditures for improvement or acquisition of facilities. Includes costs associated with maintenance to extend the life of property or expansion expenditures.

Interest costs incurred by provider agencies, including late fees.

Payments to third parties and other losses not covered by insurance (indemnification).

Bad debts, late fees, uncollected accounts or claims

Fines, violations or penalties for failure to comply with Federal, State or local laws.

Costs of organized fundraising

Donations and lobbying

Costs for attendance at conferences or meetings of professional organizations.

Professional licensure and individual membership

Costs for preparation of continuation agreements and other proposal development costs.

Alumni activities, commencement and convocations

Scholarships, student aid, student activity costs

Entertainment and meeting refreshments
Payment to participants for transportation or child care

Allowable budget categories include:

- A. **Salaries** – The annual salaries and corresponding full-time equivalent (FTE) values of **direct program** staff who will be delivering classes and other activities, including staff involved with direct management, supervising and monitoring. It is expected that the applicant will employ one person as a **manager**. The manager directs and oversees all aspects of the program and is the primary person with whom OTDA conducts all business. The manager may be a supervising nutritionist. The manager will interact with OTDA on all issues pertaining to the contract, including but not limited to policy and operations, fiscal, contract, personnel, training, program monitoring, reporting and evaluation. The manager will attend quarterly manager conference calls with OTDA. Nutrition education for adults must be delivered by a **nutritionist**. For this RFP, a nutritionist is 1) an individual with at least an associates or baccalaureate degree in nutrition, dietetics, nutrition education, public health, health education, nursing or individual with other college degree and equivalent coursework and experience that meets the requirement for nutritionist. Nutritionists with experience working with low-income populations at risk of food insecurity, hunger, and/or malnutrition is preferred. All salaries should be commensurate with the level of education and experience required for the position. Agencies should consider including bilingual/bicultural nutritionists as needed to address the needs of limited English proficient adults and youth in the areas of the State with increasing ethnic diversity to ensure the broadest reach of nutrition education programming. Nutrition education for youth may be delivered by NYS certified teachers or nutritionist. The applicant is responsible for all training, management support, monitoring, and reporting for all nutritionists and teachers. This section should also include the cost reasonable annual salaries and corresponding full-time equivalent (FTE) values of **other necessary program staff**, including supervisors, nutrition assistants, communication, and data reporting staff.
- B. **Fringe Benefits** – Briefly explain the calculation of fringe benefits associated with the staff salaries. Benefits should be budgeted in line with an organization's standard fringe benefit policy and/or negotiated bargaining agreement and should not exceed the current NYS rate published by the OSC in the Guide to Financial Operations. Include any social security, workers' compensation, unemployment insurance, disability insurance and other insurance programs the applicant organization provides. Contractors will be subject to rate limits that are in effect throughout the term of the contract. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.
- C. **Contractual Services** – Includes costs for services rendered to the contract under a formal or written agreement, such as direct provision of services by contractual arrangement. Each type of contractual cost must be listed individually and the cost justified. This line includes individuals or organizations external to the contractor which have entered into an agreement with the contractor to provide any services outlined in or associated with the contract, and whose services are to be funded under the contract. All such agreements are to be a bona fide written contract and a copy of each must be included. If details are not known, include a brief narrative of each contractual service to be provided, indicating the organization/individual selected,

anticipated outcomes and projected budget. **All subcontractors** receiving \$100,000 or more will be required to be current with the Attorney General's Office Charities Bureau and have a current Vendor Responsibility Questionnaire on the OSC VendRep system. All subcontracts are subject to review and approval by New York State. Applicants submitting a proposal on behalf of a consortium must include all partner entities, and provide line item costs, including administrative costs, related to the roles and responsibilities of each partner agency under the proposed SNAP-Ed contract.

- D. **Travel and Training** – Includes reasonable travel costs associated with cost to conduct nutrition classes, PSE activities, perishable food shopping, meetings, program monitoring, and training. Includes one annual training in Albany. **All costs and claims submitted must comply with NYS Office State Comptroller guidelines, including policies for meal reimbursement for day and overnight travel.** This program requires a significant amount of local travel. Agencies are responsible for ensuring that staff hired can travel to areas of the State that are not supported by public transportation for ongoing direct service activities. Cost reasonable Metro/subway and bus fares, car rental, parking fees, and tolls are allowable costs when employee is in 'travel status' for official business only. Driver tips, taxes, late fees, and donations not allowable. Only travel costs for personnel listed under staff salaries is allowed. Cost related to employee travel to and from home to work is not allowable. Daily and/or monthly parking rates for office garages and/or lots is not allowable. All travel costs related to direct service must be cost reasonable and necessary. Travel by taxi and ride sharing are not considered reasonable travel costs for ongoing direct service activities. Personal mileage for delivery of direct service is reimbursed at the current NYS mileage rate (.58 per mile effective 1/1/19). Agency's that maintain fleet vehicles will be reimbursed at the fleet rate (.375 per mile effective 1/1/19). All mileage reimbursement requires the submission of documentation listing departing origin, destination location, distance traveled, and purpose of travel. Consultant or subcontractor travel expenses should be included in contractual services budget. No out-of-state travel costs are allowed unless specifically requested and pre-approved by OTDA.
- E. **Equipment** – Includes the purchase, rental and leasing of any 'non-consumable, tangible property' having a useful life of more than one year. Computer equipment is limited to either: 1) a desktop office computer, or 2) a laptop computer and case for each employee for the contract term. Contractors responsible for maintaining inventory of all equipment purchased during contract term. When equipment is damaged and replacement fee is more economical than repair, agency is required to request 'permission to discard and replace' the equipment. For all equipment expenses, cost-allocation must be used for staff working less than 100% on the program. Three verbal estimates are required for items costing between \$501 and \$5,000. Equipment purchases with grant dollars will be limited and substantial purchases are strongly discouraged and should be avoided. In the Budget Narrative section, describe the equipment and how it relates to service delivery. If other than the low bidder is selected, provide a statement as to why that vendor was selected. Factors that may influence selection are free delivery and installation, special features, better warranty or maintenance agreement, etc. Equipment items costing \$500 or less per item, with a useful life of less than one year, are considered supplies. **The following equipment purchases are prohibited** and should not be included in the application: any equipment costing \$5,000 per unit or more; vehicles; kitchen

appliances (such as refrigeration, stoves, dishwashers); medical equipment; washers and dryers; handwashing stations; commercial food service equipment and/or dining facility equipment; retail infrastructure (such as refrigeration and shelving); community infrastructure (such as playgrounds and/or construction equipment); and large physical activity equipment (such as bicycles for recreation and/or demonstration, treadmills, ellipticals, weight sets or machines). Gardening is not an allowable activity and all associated gardening equipment is unallowable (including hydroponic equipment, garden towers, and grow lights).

- F. **Space/Property-Rent** – Include prorated necessary and ‘reasonable’ real estate rental costs required for the operation of the program. A rental agreement must be included as part of an awarded contract. Space justification must be provided and include cost per square foot. Only the square feet being used by staff charged to SNAP-Ed approved FTEs may be included.
- G. **Space/Property-Own** – Include prorated necessary and reasonable real estate costs associated with owned property allocated to the program. Space justification must include cost per square foot and only the square feet being used by staff charged to this program at SNAP-Ed approved FTEs may be included. Capital expenditures for improvement or acquisition of facilities, including costs associated with maintenance to extend the life of property is unallowable.
- H. **Utilities** – Include prorated necessary and reasonable costs associated with utilities allocated to the program, such as electricity, gas and water. Justification for utilities must be provided, and must be based on cost per square feet and/or approved FTEs, as applicable.
- I. **Operating Expenses** – Cost reasonable and necessary operating expenses including, but not limited to: teaching materials, food, disposable supplies, office supplies, copy and printing, participant reinforcement items, postage, office phones, internet, and fax. Quarterly bulk purchasing of office supplies and shelf stable food demonstration supplies encouraged. Agency is responsible for providing each nutritionist a toolkit for the contract term with the necessary material, supplies, and equipment needed annually. Toolkits are not to be purchased for individual site locations. Food delivery fees to priority site locations allowable when necessary and cost reasonable, including cost reasonable replacements for broken equipment.
Teaching Materials – teaching materials (including curriculum, supporting handouts, dry erase board and markers). **Reinforcement Items** – costing \$5.00 or less with demonstrated effectiveness related to reinforcing nutrition education class topics (Knives are prohibited). **Phones** – the costs of agency office phones for staff. **General Office Supplies** – general office supplies necessary for operation of program including, but not limited to, paper, pens, pencils, stapler, paper clips, sticky notes, folders, envelopes, flash drive or cd for storage and submitting claims to OTDA.

Teaching Materials and Supplies	Curricula, print materials, dry erase boards and pens, small PSE operating supplies
Food	Up to 2% annual budget. Food costs for 'samples' only. Maximum sample 4 ounces. Desserts prohibited.
Disposable Supplies	Sample cups, forks /spoons, napkins, paper towels; storage bags; disposable gloves; plastic table coverings; cleaning products; hand sanitizer; garbage bags, table cloth
Cookware and Small Equipment	Mixing bowl, measuring cups and spoons, mixing and serving utensils, food storage containers, pot holder, vegetable grater, peelers and corers, cutlery (nutritionist only), cutting boards, crockpot, skillet, hotplate, apron, rolling cart, storage bin, transport containers, ice packs, and coolers
Professional Development	Food Safety Training
General Office Supplies	Paper, pens, pencils, stapler, paper clips, sticky notes, folders, envelopes, and flash drive or cd for storage and submission of claims.
Reinforcement items	\$5.00 or less. One per participant. Knives prohibited. See list.
Phones/Fax/Internet	Agency office phones for staff. The following rules apply for cell phone expenses: 1) employee job responsibilities require regular phone and data connectivity to carry out essential duties; and, 2) agency cell phone stipend policy is cost reasonable and justifies a cell phone expense. OTDA is not responsible for the cost of cell phone purchase and/or equipment related to cell phones. The maximum reimbursement rate for basic cell phone lines is \$25 monthly.
Postage, Copying, and Printing	For Mailings, classes, events, participants and partner agencies
Social Marketing	Placement out of home with preapproval. No radio or T.V.

- J. **Other** – Administrative costs, including administrative staff, general administrative office supplies, administrative telephone and internet costs, administrative postage, agency position recruitment and background checks, and cost-allocated costs for agency audits. **Administrative Staff** – includes 'cost reasonable' administrative, human resources, fiscal and other necessary staff required for program operations not delivering direct programming. Executive staff compensation must be cost reasonable and reflect the actual percent administrative time spent on the program. Any personnel that provide both direct services and administrative duties may be split accordingly between the personnel and administrative cost categories. The explanation/justification should be very specific as to the time spent on activities in such instances. The itemized administrative total must not exceed 15% of the total proposed costs. Funds requested in support of administrative personnel are subject to NYS Executive Order #38, and attending NYS Social Services Law. Pursuant to this order, grant funds may not be used to support the salaries of administrative personnel that receive compensation in excess of \$199,000 without an approved waiver. OTDA may adjust the compensation cap annually based on appropriate factors and with the approval of the Director of DOB.

On January 18, 2012, Governor Andrew M. Cuomo issued Executive Order Number 38 (EO 38), "Limits on State Funded Administrative Costs and Executive Compensation", which required that certain State agencies, including those involved in this RFP, promulgate regulations limiting State reimbursement for administrative expenses and

executive compensation of service providers. Any contract awarded through this RFP will be subject to the EO 38 regulations if the awardee is a “covered provider” within the meaning of those regulations. Important Legal Notice: Based upon the April 8, 2014 decision in *Agencies for Children’s Therapy Services, Inc. v. New York State Department of Health, et. al. (“ACTS”)*, covered providers conducting business in Nassau County need not file EO 38 disclosures. For purposes of this notice, “conducting business” means having a place of business within Nassau County, providing program services or administrative services involving the use or receipt of State funds or State-authorized payments within Nassau County, or otherwise conducting business within Nassau County in relation to which executive compensation is paid. Please note that the ACTS decision is under appeal. Those affected by the ACTS decision should periodically check the EO 38 website for updates regarding any changes to this notice at: <http://executiveorder38.ny.gov/>.

V. Work Plan (10 Points) – Direct Services

The work plan should be completed to describe the deliverables that will result in meeting the requirements of the RFP. The work plan will be evaluated based on its completeness, the appropriateness of the activities to achieve each of the required contract deliverables, indicators of success, how the indicators will be measured, and the time frame for implementing services. Applicant organizations must format Direct Service work plan objectives using S.M.A.R.T format for each program and PSE activity component proposed. Proposed work plan objectives will be used by OTDA to develop quarterly and annual report templates. For each work plan objective, key indicators of performance should be presented. Work Plan example:

Work Plan Objective: School Wellness

Indicators of Performance:

By the End of FFY 2020:

1. Recruit # low-income schools to participate in Coordinated School Wellness Initiative
2. Provide school health and wellness assessments to # low-income schools
3. Provide school wellness policy technical assistance to # low-income schools
4. Provide Obesity Prevention Training to # school teachers and/or administrative staff
5. Provide Nutrition Education and Obesity Prevention materials to # families
6. Conduct at least # series of classes at participating school reaching # youth

VI. Method of Selection

The method of selection will be based on a point system. Awards will be based on the highest total points earned and in accordance with the guidelines set forth in Part E, Section II. In order to best maximize funding, OTDA reserves the right to consider lower scoring proposals to assure statewide coverage in geographic areas with high incidences of poverty, SNAP redemption, and obesity. Regardless of score, OTDA reserves the right to:

- Seek clarifications and revisions of applications;
- Fund, partially fund, or not fund an application based on availability of funds and/or other relevant information, including an agency’s financial position, administrative capacity,

- and/or past performance; and,
- Award all, some or none of the funds available for SNAP-Ed 2019.

VII. Required Pre-Submission Uploads

Following are explanations of the forms applicants are required to upload prior to submitting an SNAP-Ed application. Download all forms by following the links available on the Grants Gateway Upload Screen, or you may print the attached forms in this RFP. Upload all forms in the places designated throughout the application. If you are unable to produce required information, you must upload an explanation in its place.

- **Contractor Information Form (Attachment 2)** – This form includes required applicant information and authorized signatories.
- **Agency Agreement (Attachment 3)** – This form must be signed by an authorized signatory and certifies agreement to the terms described herein.
- **M/WBE Goal Requirements Certification of Good Faith Efforts (Attachment 4)** – This form must be signed, certifying agreement to document good faith efforts to provide meaningful participation by New York State certified M/WBE subcontractors or suppliers/vendors in the performance of this contract.
- **Staffing Plan (Attachment 5)** – The staffing plan should be completed based on the composition of staff working on the project. Enter the numbers or count in the corresponding boxes, and add up the totals in each column. This form is for diversity research purposes only and has no bearing on M/WBE participation requirements or overall participation goals.
- **M/WBE-EEO Policy Statement (Attachment 6)** – This is an acknowledgement that New York State is an Equal Employment Opportunity employer, and by extension it expects all vendors, contractors, and subcontractors that hold contracts with New York State to ensure the same standard of equal opportunity in SNAP-Ed employment practices. Applicants must sign and return the M/WBE – EEO Policy Statement with SNAP-Ed proposals.
- **M/WBE Utilization Plan (Attachment 7)** – This form must be submitted with any bid, proposal, or proposed negotiated contract, or within a reasonable time thereafter, but prior to contract award. The Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority-Owned Business Enterprise (MBE) and Women-Owned Business Enterprise (WBE) under the contract. A dually certified firm cannot be counted toward both the MBE and WBE participation goals.
- **M/WBE Subcontractor and Suppliers Letter of Intent to Participate (Attachment 8)** – This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. The form serves as an agreement with the vendors that will provide supplies and/or services under the approved contract. Letters of Intent must be submitted for each MBE and WBE indicated on the M/WBE Utilization Plan.
- **Subcontractor and Supplier Identification Form (Attachment 9)** – This form for OTDA

For-Profit and Nonprofit procurements (IFB/RFP/Contract Reporter \$50,000 or more) was created for applicants to complete as part of the bid solicitation. The form requires applicants for each new procurement (IFB/RFP/Contract Reporter Purchases \$50k or more) to list all subcontractors and the requested information for each that is in place to provide the goods and services required by that contract. This form was created to provide OTDA with a list of all subcontractors and key information, including dollar value of the subcontracts over the contract term, to assist OTDA in assessing the discretionary portion of each contract and overall compliance with NYS/OTDA M/WBE requirements.

- **SNAP-Ed Direct Service Project Description** (Attachment 13)

PART F: APPLICATION PROPOSAL FORMAT AND CRITERIA TECHNICAL ASSISTANCE SERVICES

I. Proposal Format – Technical Assistance Services

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

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

II. Evaluation Process

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

- A.** Applicant organizations must meet the prequalification requirements set forth on page 2 of this RFP; and,
- B.** Proposals that fail to meet the requirements of the RFP may be disqualified after completing a full review.

III. Technical Section (60 points)

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

- A. Agency Experience (20 points)** – Proposal demonstrates the agency's experience and capacity to deliver the technical support services outlined in this RFP. The applicant should provide an organizational chart with the names and titles of individuals to be assigned to the project including all subcontractors. A description of the agency's unique expertise and relevant prior experience, including how the team was assembled and how the work will be completed. A description of agency capacity should include fiscal and management resources, as well as the ability to meet performance goals and deadlines. Resumes of the team may be uploaded.
- B. PEARS Reporting System (10 points)** – Proposal demonstrates the agency's experience and capacity to achieve the following services in a timely and professional manner: 1) maintaining annual software license for PEARS; 2) facilitating payment to vendor; 3) arranging for system training and access for OTDA and its contractors; 4) facilitating and providing additional system technical assistance to OTDA and its contractors; 5) regularly monitoring data entry for accuracy and facilitate timely

corrections; and, 6) providing technical assistance to contractors related to required annual report submissions using system data output.

- C. Professional Development Training (10 Points)** – Proposal demonstrates the agency's experience and capacity to develop and deliver professional development to SNAP-Ed contractors, including but not limited to one (1) annual statewide civil rights training for nutritionists and one (1) Communication and facilitation skills training for nutritionists.
- D. Training Conference Planning (10 points)** – Proposal demonstrates the agency's experience and capacity to actively coordinate and plan Annual SNAP-Ed Conference in partnership with OTDA including but not limited to, securing workshop presenters. Agency demonstrates the fiscal capacity to facilitate timely payment of cost reasonable speaking fees, materials, travel and accommodation related to conference presenters. For the purposes of this RFP, the first training will be December 2019.
- E. Social Marketing (10 Points)** – Agency has the experience and capacity to arrange for the development and placement of annual NYS SNAP-Ed Social Marketing campaigns. The administrative agency demonstrates capacity to be responsible for key elements of the campaign development and implementation, including: 1) formative research, 2) documenting design and development, 3) development of scope of work, 4) oversight and payment of deliverables, and 5) campaign reporting and evaluation. If the administrative agency is subcontracting out work for components of this activity that it cannot deliver on its own, the agency demonstrates experience working successfully with subcontractors for this purpose.

IV. Budget Section (30 points)

The expenditure-based budget will be examined to determine the extent to which expense projections are reasonable, necessary and allowable for delivery of Administrative Support Services. All costs must be consistent with the scope of services described in Part F, Section II and meet the specific requirements of Part C of this RFP.

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

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

Advertising and Public Relations

Capital expenditures for improvement or acquisition of facilities. Includes costs associated with maintenance to extend the life of property or expansion expenditures.

Interest costs incurred by provider agencies, including late fees.

Payments to third parties and other losses not covered by insurance (indemnification).

Bad debts, uncollected accounts or claims

Fines, violations or penalties for failure to comply with Federal, State or local laws.
Costs of organized fundraising
Donations and lobbying
Costs for attendance at conferences or meetings of professional organizations.
Professional Licensure
Costs for preparation of continuation agreements and other proposal development costs.
Alumni Activities, Commencement and convocations
Scholarships, student aid, student activity costs
Entertainment and meeting refreshments

Detailed justifications must be provided for all requested items, and proposed costs must be properly explained. Administrative costs are limited to no more than 15% of the total proposed costs, and all administrative costs must be identified and itemized. **Priority points will be given to applications that minimize administrative costs in the budget.** Allowable budget expenses include:

- A. Salaries** – The annual salaries and corresponding full-time equivalent (FTE) values of staff necessary for the delivery of technical assistance. Include the title and duties of each staff person and corresponding FTE.
- B. Fringe Benefits** – Briefly explain the calculation of fringe benefits associated with the staff salaries. Benefits should be budgeted in line with an organization's standard fringe benefit policy and/or negotiated bargaining agreement and should not exceed the current NYS rate published by the OSC in the Guide to Financial Operations. Include any social security, workers' compensation, unemployment insurance, disability insurance and other insurance programs the applicant organization provides. Contractors will be subject to rate limits that are in effect throughout the term of the contract. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.
- C. Contractual Services** – Includes costs for services rendered to the contract under a *formal or written agreement*, such as direct provision of services by contractual arrangement. Each type of contractual cost must be listed individually and the cost justified. This line includes individuals or organizations external to the contractor which have entered into an agreement with the contractor to provide any services outlined in or associated with the contract, and whose services are to be funded under the contract. All such agreements are to be a bona fide written contract and a copy of each must be included. If details are not known, include a brief narrative of each contractual service to be provided, indicating the organization/individual selected, anticipated outcomes and projected budget. All subcontractors receiving \$100,000 or more will be required to be current with the Attorney General's Office Charities Bureau and have a current Vendor Responsibility Questionnaire on the OSC VendRep system. All subcontracts are subject to review and approval by New York State.
- D. Travel and Training** – Includes reasonable travel costs associated with cost to conducting technical assistance. **All costs and claims submitted must comply with NYS Office State Comptroller guidelines, including policies for meal reimbursement for day and overnight travel.** All travel costs related to technical assistance must be cost reasonable and necessary. Personal mileage is reimbursed at the current NYS mileage rate (.58 per mile effective 1/1/19). Fleet vehicles will be reimbursed at the fleet

rate (.375 per mile effective 1/1/19). All mileage reimbursement requires the submission of documentation listing departing origin, destination location, distance traveled, and purpose of travel. Consultant or subcontractor travel expenses should be included in contractual services budget. No out-of-state travel costs are allowed unless specifically requested and pre-approved by OTDA.

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

V. Work Plan (10 points)

The work plan should be completed to describe the deliverables that will result in meeting the requirements of the RFP. The work plan will be evaluated based on its completeness administrative support service components to achieve each of the required contract deliverables. Indicators of success should address the time frame for implementing each service and the ability to meet performance deadlines.

VI. Method of Selection

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

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

VII. Required Pre-Submission Uploads

Following are explanations of the forms applicants are required to upload prior to submitting an application. Download all forms by following the links available on the Grants Gateway Upload Screen, or you may print the attached forms in this RFP. Upload all forms in the places designated throughout the application. If you are unable to produce required information, you must upload an explanation in its place.

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- **M/WBE-EEO Policy Statement (Attachment 6)** – This is an acknowledgement that New York State is an Equal Employment Opportunity employer, and by extension it expects all vendors, contractors, and subcontractors that hold contracts with New York State to ensure the same standard of equal opportunity in SNAP-Ed employment practices. Applicants must sign and return the M/WBE – EEO Policy Statement with SNAP-Ed proposals.
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- **Subcontractor and Supplier Identification Form (Attachment 9)** – This form for OTDA For-Profit and Nonprofit procurements (IFB/RFP/Contract Reporter \$50,000 or more) was created for applicants to complete as part of the bid solicitation. The form requires

applicants for each new procurement (IFB/RFP/Contract Reporter Purchases \$50k or more) to list all subcontractors and the requested information for each that is in place to provide the goods and services required by that contract. This form was created to provide OTDA with a list of all subcontractors and key information, including dollar value of the subcontracts over the contract term, to assist OTDA in assessing the discretionary portion of each contract and overall compliance with NYS/OTDA M/WBE requirements.

- **SNAP-Ed Direct Service Project Description-** This form summarizes key elements of the proposal.

PART G: TERMS AND CONDITIONS GOVERNING THIS RFP

1. The award will be made to the applicants whose proposals are determined to best meet the criteria for proposal evaluation and selection set forth in this RFP. NYS OTDA reserves the right to terminate the contract in whole or in part, or modify the contract at its discretion or due to the unavailability of funds. If additional funding becomes available, OTDA reserves the right to subsequently reconsider eligible proposals submitted in response to this RFP at that time, using the same scoring criteria and award methodology. Updated information may be requested as deemed necessary by OTDA. OTDA also reserves the right to issue a new RFP to solicit new proposals.
2. This RFP does not commit OTDA to award any contracts or to pay any costs incurred in the preparation of a response to this RFP, or to procure or contract for any services. OTDA reserves the right to amend, modify, or withdraw this RFP and to reject any and all proposals submitted, and may exercise such right at any time and without notice or liability to any applicant or other parties for any expenses incurred in the preparation of a proposal.
3. This RFP and any resulting contracts are subject to all applicable laws, rules, and regulations promulgated by any Federal, State and municipal authority having jurisdiction over the subject matter thereof. Any contract awarded pursuant to this RFP will be subject to the Office's processing procedures for contracts of this type, including approval as to form by the State's Attorney General, as to award by the DOB, and by the OSC. The successful applicant will receive the complete standard contract for execution in the Grants Gateway. The applicant is encouraged to review sections of the contract that are attached before submitting an application.
4. It is the policy of OTDA to encourage the employment of qualified applicants/recipients of public assistance by both public organizations and private enterprises that are under contractual agreement with OTDA for provision of goods or services. OTDA may require applicants to demonstrate how they have complied or will comply with the aforesaid policy.
5. The proposal of the successful applicant will serve as the basis for the contract, the terms of which will be modified within the context of this RFP. Applicants may view a sample contract on the OTDA Procurement page. The following will be incorporated into any contracts resulting from this RFP:
 - NYS Master Contract Terms and Conditions;
 - Attachment A-1 (Program Specific Terms and Conditions);
 - Attachment B-2 (Expenditure-Based Budget);
 - Attachment C (Work Plan); and,
 - Attachment D (Payment and Reporting Schedule).
6. 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 relevant to the proposal. OTDA reserves the right to request and consider additional information from any applicant beyond that presented in the initial proposal. The award of the contract, if any, may be made in reliance on additional information requested. Such information may include budget justification, program information, operation details, verification of past performance, personnel information, or other funding source information.

7. All products, deliverable items and working papers resulting from this contract will be the sole property of OTDA, and the applicant is prohibited from releasing these documents to any persons other than the Commissioner of OTDA or his/her designee unless authorized by the Office to do so. The proposal shall be signed by an official authorized to bind the applicant and shall contain a statement to the effect that the proposal is a firm offer for a 180-day period. The proposal shall also provide the name, title, address, telephone number and area code of individuals with authority to negotiate and contractually bind the applicant, and who may be contacted during the period of proposal evaluation.

Part H: General Information for Successful Bidders

If you are awarded a contract, you will be required to submit certain forms and comply with the following information:

- 1. Cost of Proposal Preparation** – The OTDA will not be liable for any costs of work performed in the preparation and production of a proposal, or for any work performed prior to the formal execution of a contract. By submitting a proposal, the bidder agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the specifications, or because of any misinformation or lack of information. The proposals shall become property of the State of New York.
- 2. Assurances** – The applicant warrants that it has carefully reviewed the needs of the State as described in the RFP, its attachments and other communications related to the RFP, and that it has familiarized itself with the specifications and requirements of the RFP. The applicant warrants that it can provide such services as represented in SNAP-Ed proposal. The applicant agrees that it will perform all of its obligations in the resultant contract in accordance with all applicable Federal, State and local laws, regulations and policies now or hereafter in effect.
- 3. Electronic Files or Data** – If electronic files are to be exchanged as a part of this proposal or as a product of the contract, they must conform to agency policy and guidelines.
- 4. Conflict of Interest** – Applicants may be requested to provide evidence that the award of the contract from this RFP will not result in a conflict of interest with regard either to other work performed by the contractor, or to potential conflict of interest among specific contractor staff or subcontractors.
- 5. Ownership of Materials** – All materials developed with funding provided by the State and all proposals, work plans and budgets become property of New York State. All materials produced, either in whole or in part, through funding provided by New York State shall belong exclusively to OTDA and to the State of New York. OTDA may use any of the materials developed with program funds for any OTDA or other State purpose.
- 6. Equal Employment Opportunity** – By submission of its bid, the successful applicant warrants that it is an Equal Opportunity Employer, and that it does not discriminate in its employment and business practices on any of the bases provided in the New York State Human Rights Law or any applicable Federal laws.
- 7. Prompt Payment Provisions** – The payment of interest on certain payments due and owed by the State may be made in accordance with the criteria established in Article XI-A of the State Finance Law.
- 8. Contract Award** – Upon receipt of necessary State approvals, an award letter will be issued by OTDA to the successful applicant advising them of a contract award. A contract defining all deliverables and the responsibilities of the contractor and OTDA will then be developed for signature by both parties and for approval and processing in accordance with State policy and practice. The contract does not become legally binding upon the State of New York until it is executed by the OSC.

- 9. Publicity** – Includes, but is not limited to, news conferences, news releases, advertising, brochures, reports, discussions and/or presentations at conferences or meetings. The inclusion of our materials, our agency name, or other such reference to New York State and/or OTDA in any document or forum is considered publicity. News releases or any other public announcements regarding this project may not be released without prior approval from OTDA.
- 10. Freedom of Information Law and Bidder's Proposals** – The purpose of New York State's Freedom of Information Law (FOIL), which is contained in Public Officers Law Sections 84-90, is to promote the public's right to know the process of governmental decision making and to grant maximum public access to governmental records. Thus, a member of the public may submit a FOIL request for contracts awarded by the State, or for the proposals submitted to the State in response to Requests for Proposals. After formal contract award, the proposal of the successful applicant and the proposals of non-successful applicants are subject to disclosure under FOIL. However, pursuant to Section 87(2)(d) of FOIL, a State agency may deny access to those portions of proposals or portions of a successful applicant's contract which "are trade secrets or submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise". Please note that information which you may claim as proprietary, copyrighted or rights reserved is not necessarily protected from disclosure under FOIL. If there is information in your proposal which you claim meets the definition set forth in Section 87(2)(d), you must so inform us in a letter accompanying your proposal.
- 11. Americans with Disabilities Act (ADA)** – The successful applicant shall comply with all applicable requirements of the ADA, codified at Title 42 of the United States Code, section 12101 et. seq. and associated regulations, including, but not limited to, those located in 28 C.F.R. Part 36. The successful applicant shall comply with all applicable requirements of the New York State Human Rights Law, codified in the Executive Law sections 290-301 and applicable regulations implemented pursuant to that law. The successful applicant shall warrant to OTDA that the successful applicant is in compliance with both the ADA and its regulations, and the New York State Human Rights Law and its regulations. Any products developed as a result of this RFP must be in a format that can be converted for use by individuals with disabilities to meet the reasonable accommodation standards established by the ADA.
- 12. Contract Modification** – The contract budget can be modified, upon mutual agreements of the parties, during any term by written amendment. Budget modifications over 10% require external approvals by both the NYS Office of the Attorney General and the OSC.
- 13. Contract Cancellation** – OTDA reserves the right to cancel the contract or any part thereof, at any time, upon 30 days written notice. If, in the judgment of OTDA, the selected contractor fails to perform the work in accordance with the contract, OTDA may terminate the contract immediately by written notice for cause. OTDA may elect to suspend contract performance or provide a cure period prior to termination.
- 14. Responsibility Determination** – Article 11 of the New York State Finance Law requires that competitive bids be awarded to responsive and responsible bidders. In order to fulfill this requirement, you must complete the Vendor Responsibility Questionnaire (Attachment 15).

By signing the bid proposal, you hereby authorize OTDA to review any records in its possession concerning your organization including, but not limited to, wage records, unemployment insurance records, public works records, labor standards, and safety and health records. Based on the responses you provide, OTDA will determine whether your organization is a responsible bidder. If you are disqualified based on a determination of non-responsibility, you will be notified in writing and may appeal the determination in writing within 10 days to the Commissioner. If you fail to identify a violation and OTDA discovers the failure to disclose such violation, your contract may be terminated immediately upon written notice.

15. Iran Divestment Act – By submitting a bid in response to this solicitation, or by assuming the responsibility of a contract awarded hereunder, the contractor (or any assignee) certifies that it is not on the “Entities Determined to be Non-Responsive Bidders/Offerors Pursuant to the New York State Iran Divestment Act of 2012” list (Prohibited Entities List) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>, and further certifies that it will not utilize for such contract any subcontractor that is identified on the Prohibited Entities List. Additionally, the contractor is advised that should it seek to renew or extend a contract awarded in response to the solicitation, it must provide the same certification at the time the contract is renewed or extended. During the term of the contract, should OTDA receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certification, OTDA will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then OTDA shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the contractor in default. OTDA reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

16. OTDA Bid Protest Procedure – It is the policy of the OTDA to provide all applicants with an opportunity to resolve complaints or inquiries related to bid solicitations or pending contract awards administratively. The OTDA encourages all successful or unsuccessful applicants who desire a debriefing to contact Employment and Income Support Programs directly. 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 applicant or prospective applicant 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, or contract award phases of the procurement, may present a formal complaint to the OTDA and request administrative relief concerning such action (“formal protest”). A formal protest must be submitted in writing to the OTDA, by ground mail (except where alternate arrangements have been made), to the Director of the OTDA Bureau of Contract Management (BCM), Christine Irvine, 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 or Omissions in the Procurement Process** – The OTDA must receive formal protests concerning errors, omissions, or prejudice, including patently obvious errors in the RFP specifications or documents, at least 10 calendar days before the proposal due date.
- **Deadline for Submission of Formal Protests of Contract Award** – The 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 protestor may request a meeting to discuss a formal protest or the OTDA may initiate a meeting on its own accord, at which time the participants may present SNAP-Ed concerns. Either the protestor or the 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, and 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 the 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 protestor of the right to appeal an unfavorable decision to the OSC shall be sent to the protestor or its agent within 45 calendar days of receipt of the protest, except that upon notice to the protestor such period may be extended. The protest decision will be recorded and included in the procurement record, or otherwise forwarded to the OSC upon issuance.
- **Appeals** – Upon receipt of the OTDA’s determination of a protest, a protestor has 10 business days to file an appeal of determination with the OSC, Bureau of Contracts. The appeal must be filed with Ms. Charlotte Davis, Director, Bureau of Contracts, New York State Office of the State Comptroller, 110 State Street, 11th Floor, Albany, NY 12236. The protestor’s appeal must contain an affirmation in writing that a copy of the appeal has been served on the OTDA, the successful applicant (except where the contracting agency upholds the protest and the successful applicant 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 the 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. Specifics on the Nonprofit Contract Appeal Process can be found at: <http://otda.ny.gov/contracts/>.
- **Reservation of Rights and Responsibilities of the OTDA** – The 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 the OTDA. If the 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. The 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 the OTDA. If a formal protest or appeal is received by the OTDA on a recommended award prior to the underlying contract being forwarded to the OSC, notice of receipt of the protest and appeal must be included in the procurement record forwarded to the OSC.

If a final protest decision or final decision on appeal has been reached prior to transmittal to the 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 the OSC, but prior to the OSC approval under State Finance Law §112, a copy of the final OTDA decision shall be forwarded to the 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 applicant 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.

17. Contractor Requirements and Procedures for Participation by New York State-Certified Minority and Women-Owned Business Enterprises (M/WBEs) and Equal Employment Opportunity (EEO) for Minority Group Members and Women and Workforce Utilization Reporting – 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 M/WBEs, and the employment of minority group members and women in the performance of OTDA contracts. Executive Order Number 162 requires OTDA to monitor and submit Workforce Utilization Reports associated with Contractors performing work in New York State.

Business Participation Opportunities for M/WBEs – 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 M/WBEs 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 to pursuant to any Contract awarded as a result of this RFP pending receipt of the required M/WBE documentation. The directory of M/WBEs 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 the M/WBEs 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 M/WBE participation goal. The portion of a contract with an M/WBE serving as a broker that shall be deemed to represent the commercially useful function performed by the M/WBE 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 M/WBE 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 payments to M/WBEs had the contractor achieved the contractual M/WBE goals; and, (2) all sums actually paid to M/WBEs 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 M/WBE 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 as evidence of compliance with the forgoing:

- A. An M/WBE Utilization Plan (Form OTDA-4971, Attachment 7) with SNAP-Ed bid or proposal. Any modifications or changes to an accepted M/WBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised M/WBE Utilization Plan and submitted to OTDA for review and approval.

OTDA will review the submitted M/WBE 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 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 M/WBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the proposal.

OTDA may disqualify a respondent as being non-responsive under the following circumstances:

- 1. If a respondent fails to submit an M/WBE Utilization Plan,
- 2. If a respondent fails to submit a written remedy to a notice of deficiency,
- 3. If a respondent fails to submit a request for waiver, or
- 4. 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 M/WBE 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 M/WBE Contractor Compliance & Payment Report (Attachment 10) to OTDA, by the 7th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the M/WBE goals of the Contract.

Equal Employment Opportunity (EEO) 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. 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 therein (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 (religion), 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, Attachment 6) to OTDA with its bid or proposal.

If awarded a Contract, respondent shall submit form OTDA-4971 Workforce Utilization Report (Attachment 11), and shall require each of its subcontractors to submit a Workforce Utilization Report, in such a format as shall be required by OTDA on a QUARTERLY basis during the term of the Contract. The Workforce Utilization Report will include demographic information as requested in the Report and the Total Compensation for all groups of employees that perform work under each Occupation Classification and Job Title.

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.

- 18. 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 (“SDVOBs”), 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 SNAP-Ed economic activity in doing business in New York State, Bidders/Contractors 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 the 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 VeteransDevelopment@ogs.ny.gov to discuss methods of maximizing participation by SDVOBs on the Contract.

- 19. Confidentiality, Security, and Privacy Provisions-** Any data obtained by the Contractor, including but not limited to the data obtained from the Local Department of Social Services (LDSS), in performance of the requirements of this RFP, must be kept confidential, private, and secure pursuant to all applicable local, state, and federal laws, rules, regulations, and policies.






PART I: INSTRUCTIONS FOR COMPLETING THE APPLICATION

General Instructions

The entire SNAP-Ed 2019 Application must be submitted in the Grants Gateway, which is accessible at: <https://grantsgateway.ny.gov>. Applications, including all required documents, will not be reviewed if submitted outside of the Grants Gateway. Applicants should submit only one application per agency. Eligible entities are non-profits subject to Prequalification Requirements.


Read and follow all instructions while completing the screens in the Grants Gateway. These instructions provide a walkthrough of the Forms Menu as they appear in the Grants Gateway order sequence. A printed version of the application appears in Section J.

Here are some general guidelines for navigating the Grants Gateway:



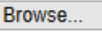
- Log into the Grants Gateway as a Grantee, Grantee Contract Signatory, or Grantee System Administrator.
- Click the  button. In the “Search by Grant Opportunity Name” box, type “SNAP-Ed.” Click on the link for this RFP under the “Grant Opportunity” heading, then the  button.
- Click on the  [Forms Menu](#) to begin. Sections from the 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 Errors” warning if you try to submit an application without completing all required forms. If this occurs, you will need to return to the sections indicated prior to submitting.
- **You must click , located at the top of your screen, before moving on.**
- If you do not complete the application process in one session, it will be in your “Tasks” box, labeled “application in process.” You may also click the “Applications” tab at the top of the homepage and enter “SNAP-Ed” into the Grant Opportunity Name field.

Other helpful information:

- There is a Grantee Application Tutorial Video available. After logging into the Grants Gateway, click the “Training Materials” tab at the top of the screen.
- Grants Gateway Helpdesk information: (518) 474-5595, 8:00 AM to 4:00 PM, Monday-Friday, grantsgateway@its.ny.gov.
- The Grantee Quick Start Guide is available in the Pre-Submission Upload section of the application.




The following underlined headings correspond to the screens that must be completed for your SNAP-Ed 2019 Application in the Grants Gateway. Each screen is listed as a link under the Forms Menu. Click a link, complete the screen as directed, save the screen often, and then go back to the Forms Menu and click another link. Continue in this manner until you have completed all the links/screens. **Remember to click  often. If you do not, all data entered on the screen you are working in will be lost.**

Program Information



1. Project Site Address Screen: Enter your organization's name, site address, and agency specific region, then click . If additional site addresses are needed, click the  button.
2. Program Specific Questions Screen:
 - Be sure to refer to the instructions at the top of the screen.
 - The Project Title is SNAP Nutrition Education and Obesity Prevention 2019.
 - Although most answer fields allow 4,000 characters, we encourage answers to be clear and concise.
 - If you are applying as a consortium, be sure to include the roles and responsibilities of each consortium member as they relate to all questions asked.
 - Questions 9 and 13 request an upload. Click  and add your attachment(s).

Expenditure Budget

All costs must be reasonable, necessary and allowable for the delivery of services. Only use whole dollar amounts for funds requested. For Direct Services, administrative costs are limited to no more than 15% of the total proposed costs, must be identified and itemized in the Other category section and indirect costs are not allowable.

1. Personal Services – Salary:
 - Provide a brief description of each position in the Role/Responsibility field.
 - Once a position has been entered and all required fields completed, click . Additional positions may be added by clicking the  button.
 - An entry must be made for each employee that will be paid in full or in part from contract funds.
 - Personal Services – Salary Narrative:
 - For each position listed in the Personal Services – Salary screen, provide a detailed description of job duties and responsibilities in relation to SNAP-Ed operations.
 - This form should also be used to describe the following: exceptions in staffing patterns, annual salary costs, and an explanation of the percentage of staff time allocated to SNAP-Ed activities, **including the percentage of time allocated to administrative versus program activities.**
2. Personal Services - Fringe:
 - Provide a brief explanation of the percentage and composition of your fringe benefit structure in the Justification box.
 - Once Fringe has been entered with all required fields filled out, click .
 - Personal Services – Fringe Narrative:
 - Use this screen to explain additional (nonstandard) fringe benefits being requested such as pension, health, life, and/or dental insurance.
 - No exceptions are granted to the maximum fringe rate.



3. Contractual:

- List all contractual services provided under a formal or written agreement that will be supported with grant funds.
- Entities applying as a member of a consortium must include all partner agencies under this section.
- Use the Justification field to provide a brief explanation of how the costs of each service are allocated to this contract.
- Once a contractual service has been entered and all required fields completed, click  . Additional contractual services may be added by clicking the  button.

➤ Contractual Narrative:

- Use this screen to provide detailed descriptions and justifications for each of the services listed in the Contractual section.
- For consortium-based models, indicate the roles and responsibilities of each partner agency, and the narrative details of each line item expense.



4. Travel:

- Only travel costs for personnel listed under Personal Services or Other are acceptable.
- In the justification field, provide a brief explanation of how travel costs are calculated and allocated to this contract.
- After making an entry, click  and then  if further entries are needed.

➤ Travel Narrative:

- Use this screen to provide explanations of travel-related expenses, including which staff will be traveling in connection to the project, the destination, purpose and frequency of travel.
- Costs for attendance at conferences or meetings of professional organizations are not allowable unless attendance is determined necessary for the project and prior approval is obtained.

5. Equipment:



- Enter each equipment item allocated to this project on a separate screen.
- Use the Justification line to briefly describe how each equipment item will be cost-allocated to this contract.
- Use the drop-down to indicate whether the equipment is purchased or rented.
- After making an entry, click  and then  if further entries are needed.

➤ Equipment Narrative:

- Use this screen to explain bids received and/or provide justifications for equipment purchase/rental costs. Note: there are two separate text boxes on this form for additional information regarding equipment requests. The first text box should be used to provide documentation regarding bids received for proposed equipment purchases. If other than the low bidder is selected, provide a statement indicating why that vendor was selected. The second text box should be used to explain any out of the ordinary equipment costs.
- Please note that equipment may not be purchased, rented or leased unless it is included in the approved contract. Substantial equipment purchases (costing

more than \$5,000) should be avoided and must receive prior approval.



6. Space/Property (Rent):

- Proposed space/property rental costs to be funded with SNAP-Ed funds must be supported by calculations based on the cost per square foot for each FTE associated with the program.
- Use the Justification box to provide a brief explanation of the rental costs allocated to this project.
- Once the required fields have been filled out, click  and then  if further entries are needed.

➤ Space/Property (Rent) Narrative:

- Use this form to provide detailed explanations of any out of the ordinary costs or anticipated changes in costs during the 12-month period.



7. Space/Property (Own):

- Proposed space/property costs to be funded with SNAP-Ed funds must be supported by calculations based on the cost per square foot for each FTE associated with the program.
- Use the Justification box to provide a brief explanation of the space/property costs allocated to this project.
- Once the required fields have been filled out, click  and then  if further entries are needed.

➤ Space/Property (Own) Narrative:

- Use this form to provide a detailed explanation of any out of the ordinary costs or anticipated changes in costs during the 12-month period.



8. Utilities:

- Only the pro-rated portion of the entire expenditure that is related to the operation of SNAP-Ed is allowed. Cost allocations must be justified in the Justification field.
- Once the required fields have been filled out, click  and then  if further entries are needed.

➤ Utilities Narrative:

- Use this form to provide a detailed explanation of any out of the ordinary costs or anticipated changes in costs during the 12-month period.



9. Operating Expenses:

- Briefly describe expenses not included in any of the categories above, such as general office supplies, postage, and printing/photocopying in the Justification field.
- Once the required fields have been filled out, click  and then  if further entries are needed.

➤ Operating Expenses Narrative:

- Use this screen to provide more detailed justifications for operating expenses included in your budget as well as explanations of any out of the ordinary costs.

10. Other Expenses Detail:

- This section includes all other costs, including administrative costs, not captured in the above categories.
- Once the required fields have been filled out, click  and then  if further entries are needed.

➤ Other Expenses Narrative:

- Use this screen to provide more detailed justifications for other expenses included in your budget as well as explanations of any out of the ordinary costs.


11. Expenditure Summary:

- Make sure that the expenses requested on all previous budget forms add up to the total amount you are requesting to operate SNAP-Ed. This amount will appear in the “Total” cell. The entries should be in whole numbers only.

Work Plan: Grant Opportunity Defined

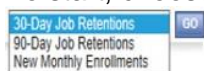
In the Grants Gateway application, a template of 6 objectives is provided for your convenience. Applicants can view, add, or delete objectives based on their program design.

1. Work Plan Overview Form:

- Please note that some of the information requested in this section will be duplicative from earlier in the application. You may copy/paste previous responses where appropriate.
- This section is to be completed from an **annual** perspective and **the Work Plan Period is October 1, 2019 through September 30, 2020.**
- Although you will not be switching screens often during this section, it is recommended you  often.
- This section of the application will become your work plan/program narrative, and will be included in your final contract, if selected to operate SNAP-Ed. You must provide **detailed** responses to the following:
 - Project Summary – Provide a high-level overview of your project including your location, basis of need in your area, services offered, service delivery method. **This section should be a complete description of your proposed SNAP-Ed 2019 program. You may copy and paste from other sections of the application to complete this section.**
 - Organizational Capacity – Describe the relevant experience of your organization and any partner organizations, including experience and capacity to administer SNAP-Ed services. Include the staffing, qualifications, ongoing agency staff development/ training activities, and relevant experience of staff to support the activities proposed.

2. Objectives and Tasks:

- To start, choose an objective from the drop-down menu and click “Go.”



- Next, click View/Add. Enter the performance measure name, which must match the name of the objective you chose. For instance, for Direct Service Adult Series of Classes objective, type “Series of Adult Classes”. Each objective then requires an integer

response. In this example, enter the anticipated number of Adults Series of Classes milestones for the initial 12-month period. No upload is required.

Objective		
Objective Name		
30-Day Job Retentions		
Objective Description		
Providers will assist participants retain employment for the 30-day job retention period		

Number	Task Text	Performance Measures
1	Indicate the anticipated number of 30-day job entry milestones for the 12-month period	View/Add



- Click **SAVE**. Return to the Forms Menu and select another objective from the drop-down menu. Repeat these steps for the remaining activity objectives,

Pre-Submission Uploads

Follow the instructions provided to attach required and optional pre-submission uploads. Brief explanations of each upload are included in the Grants Gateway. In addition, all required pre-submission uploads are attached to this RFP.

Application Submission

When you have completed your application, click **CHECK GLOBAL ERRORS**, located at the top-right of your screen. If you receive any error messages, all items must be addressed prior to submitting your application. The system will let you know when there are no outstanding items.

- **Remember that only the Grantee Signatory or System Administrator may submit the application.** To do so, the appropriate person must sign into the Gateway with SNAP-Ed credentials. This is likely someone other than the person who created the application so at this juncture, log out.
- Once the appropriate person logs in to submit the application, click on the “Applications” tab at the top of the screen and search for “SNAP-Ed” under Grant Opportunity Name.
- Click  [Status Changes](#) then **APPLY STATUS** located under the “Application Submitted” heading.
- Prior to submission, you will need to certify the agreement as stated. You must click “I agree” for your application to be submitted.
- You will know your application has been submitted successfully if you hover your mouse over  [Status Changes](#) and it shows “There are no available status options at this time”.

Part J – Attachments

The attachments in this section include 1) optional and required forms; and, 2) additional information. **Forms in bold are required forms and must be uploaded in the New York State Grants Gateway.** Forms that are not in bold are either applicable in specific circumstances, optional, or for your reference.

1. Notice of Intent to Bid
2. **Contractor Information Form**
3. **Agency Agreement**
4. **M/WBE Goal Requirements Certification of Good Faith Efforts**
5. **Equal Employment Opportunity Staffing Plan**
6. **M/WBE – EEO Policy Statement**
7. **M/WBE Utilization Plan**
8. **M/WBE Subcontractors and Suppliers Letter of Intent to Participate**
9. **Subcontractor and Supplier Identification Form**
10. Quarterly M/WBE Compliance & Payment Report
11. Workforce Employment Utilization Report
12. OSC Vendor Responsibility Questionnaire (completion in VendRep system is required)
13. **Offeror's Acknowledgement of Understanding of Post-Employment Provisions**
14. **Offeror's Assurance of No Conflict of Interest or Detrimental Effect**
15. **Sexual Harassment Prevention Certification**
16. **EO 177 Certification**
17. **Non-Collusive Bidding Certification**
18. **SNAP-Ed Direct Service Project Description**
19. **Federal and State Nutrition Funding Attestation Form** (if applicable)
20. NYS SNAP-Ed Approved Curricula for Adults
21. NYS SNAP-Ed Approved Curricula for Youth
22. Printed Version of Application

NOTICE OF INTENT TO BID

This form confirms our intent to respond to the Supplemental Nutrition Assistance Program Nutrition Education and Obesity Prevention Program (SNAP-Ed) 2019 Request for Proposals issued by the New York State Office of Temporary and Disability Assistance.

Signed:

(Name/Title/Organization/Bidder Name)

(Mailing Address)

(Phone # and Email Address)

Please respond by **May 6, 2019** by mailing, faxing, or emailing this form to:

New York State Office of Temporary and Disability Assistance
Division of Employment and Income Support Programs
Office of Food and Nutrition Policy
Attn: Lisa Irving
40 North Pearl Street, 11th Floor
Albany, New York 12243

Fax: (518) 473-7650

Email: Lisa.Irving@otda.ny.gov

Contractor Information

1. Incorporated Agency Name: _____

2. Street Address: _____

City, State, Zip Code: _____

County(ies) Served: _____

3. Agency Contact: _____ Title: _____

Phone #: _____ FAX _____ #: _____

E-mail Address: _____

Mailing Address: _____

Program Contact: _____ Title: _____

Phone #: _____ FAX _____ #: _____

E-mail Address: _____

Mailing Address: _____

4. Federal Employer Identification #: _____

State Registered Charitable Organization #: _____

Municipality #: _____

Community District(s): _____

Federal Congressional District(s): _____

State Senate District(s): _____

State Assembly District(s): _____

5. Award Amount: _____

Award Name: SNAP Nutrition Education (SNAP-Ed)

Awarding Agency: New York State Office of Temporary and Disability Assistance

6. Organization Information

For statistical purposes, check yes or no for *each* of the following items as it relates to your organization. See the instructions for definitions. LEAVE NO BLANKS.

Non-Profit Organization	Yes <input type="checkbox"/> No <input type="checkbox"/>	Women-Owned Business	Yes <input type="checkbox"/> No <input type="checkbox"/>
Minority Business	Yes <input type="checkbox"/> No <input type="checkbox"/>	Municipality	Yes <input type="checkbox"/> No <input type="checkbox"/>
Small Business	Yes <input type="checkbox"/> No <input type="checkbox"/>		

7. Non-Discrimination/Sectarian Organization Compliance Justification

a. According to your Certificate of Incorporation, are your organization's purposes sectarian? (For example, are you a corporation organized under the religious corporation law or a corporation that has a corporate purpose to serve a particular religious group or promoting the doctrine of a particular religion in general?)	Yes	No
b. Are any of the proposed services in your project sectarian in nature?		
c. Does your organization have as its goal the furthering of any sectarian purpose?		
d. Are the services to be provided by sectarian staff?		
e. Are services being delivered in a building owned by a sectarian organization?		
If no, proceed to letter (f.). If yes, are services educational in nature?		
f. Will the proposed services be provided on the basis of race, religion, color or national origin?		
g. If the contract is with a sectarian organization, is the amount and comprehensiveness of the surveillance necessary to insure the contract does not foster or inhibit religion greater than the contract necessary to administer a similar contract with a non-sectarian agency?		

If any of the above answers are Yes, please justify the recommendation for funding below:

LIST OF AUTHORIZED SIGNATORIES

List all individuals who are authorized by the Board of Directors to sign this contract and related documents on behalf of the organization. *Should any individual be added to or removed from the list, inform the Bureau in writing immediately.*

Name _____ Title _____
(Printed)

Signature _____

Restrictions _____

Name _____ Title _____
(Printed)

Signature _____

Restrictions _____

Name _____ Title _____
(Printed)

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 a response to this RFP, or to procure or contract for any 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 SNAP-Ed 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 this 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, including performance under the SNAP-Ed program, if applicable. (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 Part G, General Information for Successful Bidders.

OTDA reserves the right, if funds become available, to make additional awards based on the remaining proposals submitted in response 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 awards to administer projects for a five (5) year contract cycle to be funded annually for one (1) year budget periods. For those applicants selected as a result of this Request for Proposals (RFP), subsequent year's funding may be at a decreased or increased level and may be awarded on a performance basis.

The applicant certifies that to the best of his/her knowledge and belief the information in this application is true and correct, and that s/he 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)

M/WBE GOAL REQUIREMENTS CERTIFICATION OF GOOD FAITH EFFORTS

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

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

- (a) The Contractor attended any pre-bid, pre-award, or other meetings scheduled by the contracting agency or the NYS Department of Economic Development or its designee to inform certified minority- or women-owned business enterprises of contracting and subcontracting opportunities available on the project, for purposes of complying with contract participation goal requirements;
- (b) The Contractor identified economically feasible units of the project that could be contracted or subcontracted to certified minority- and women-owned business enterprises in order to increase the likelihood of participation by such enterprises on the contract;
- (c) The Contractor undertook efforts to reasonably structure the contract scope of work for purposes of subcontracting with certified minority- and- women-owned business enterprises;
- (d) The Contractor advertised in a timely fashion and in appropriate general circulation, trade and minority- and women-oriented publications, if any, concerning the contracting or subcontracting opportunity;
- (e) The Contractor made written solicitations in a timely fashion to a reasonable number of certified minority- and women- owned business enterprises identified from current certified lists of such business enterprises provided or maintained by the NYS Empire State Development's Division of Minority and Women Owned Business Development, or its designee, of the contracting or subcontracting opportunity. The directory of certified businesses can be viewed at: <http://esd.ny.gov/index.html>;
- (f) The Contractor can document if any timely responses to any such advertisements and solicitations were provided by certified minority- and women-owned business enterprises;
- (g) The Contractor followed-up initial solicitations by contacting the enterprises to determine whether the enterprises were interested in such contracting or subcontracting opportunity;
- (h) The Contractor provided interested certified minority- and women-owned business enterprises in a timely fashion with adequate information about the plans, specifications or terms and conditions of the State contract and requirements for the contracting or subcontracting opportunity so as to prepare an informed response to a contractor solicitation;
- (i) The Contractor submitted a completed, acceptable utilization plan in accordance with applicable requirements to meet goals for participation of certified minority-and women-owned business enterprises established in the State contract;
- (j) The Contractor used the services of community organizations, contractor groups, State and Federal business assistance offices and other organizations identified by the NYS Department of Economic Development or its designee that provide assistance in the recruitment and placement of minority and women business enterprises;

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

Signature Date

Print Name

Title

Company

Contract Number

Program/Solicitation Name

STAFFING PLAN

Submit with Bid or Proposal – Instructions on page 2

Solicitation No.: [REDACTED]	Reporting Entity: [REDACTED]	Report includes Contractor's/Subcontractor's: <input type="checkbox"/> Workforce to be utilized on this contract
Offeror's Name: [REDACTED]	<input type="checkbox"/> Offeror	
Offeror's Address: [REDACTED]	<input type="checkbox"/> 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 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]
Professionals	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Technicians	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Sales Workers	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Office/Clerical	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Craft Workers	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Laborers	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Service Workers	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Temporary /Apprentices	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Totals	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

PREPARED BY (Signature): [REDACTED]	TELEPHONE NO.: [REDACTED]	DATE: [REDACTED]
NAME AND TITLE OF PREPARER (Print or Type): [REDACTED]		Submit completed with bid or proposal

**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

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.

EEO

(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: _____

Attachment 6

OTDA – 4970 (Rev. 11/16)

_____ 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: _____

MWBE 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 (MWBE) under the contract. Note – A dually certified firm cannot be counted toward both the MBE and WBE participation goals. Attach additional sheets if necessary.

Offeror's Name: _____ Address: _____ City, State, Zip Code: _____ Telephone No.: _____ Region/Location of Work: _____			Federal Identification No.: _____ Solicitation Name/Contract No.: _____ MWBE Certified: Y/N _____ MWBE Participation Goals: MBE _____ % WBE _____ %		
1. Certified MWBE 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. _____	NY'S ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	_____	_____	_____	
B. _____	NY'S ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE	_____	_____	_____	
6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER FORM - OTDA - 4969.					
PREPARED BY (Signature): _____ DATE: _____		TELEPHONE NO.: _____ EMAIL ADDRESS: _____			
NAME AND TITLE OF PREPARER (Print or Type): _____					
SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE MWBE REQUIREMENTS SET FORTH UNDER NY'S 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.					
UTILIZATION PLAN APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ Contract No.: _____ Contract Award Date: _____ Estimated Date of Completion: _____ Amount Obligated Under the Contract: _____ Description of Work: _____ NOTICE OF DEFICIENCY ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ NOTICE OF ACCEPTANCE ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____					

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

OTDA – 4938 (Rev. 1/2016)

MWBE SUBCONTRACTORS AND SUPPLIERS LETTER OF INTENT TO PARTICIPATE

Contractor:

Contract No.:

Address:

Federal ID#:

Dear Contractor:

I, intend to perform work for
(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
(Certification date)

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

(Describe work to be performed on the above project)	Unit Price	Total Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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 [☐] **Supplier** [☐]

WBE: Subcontractor [☐] **Supplier** [☐]

Company Official's Name:

Title:

Company Official's Signature

Date:

Address:

This section is to be completed by the prime contractor

Company Official's Name:

Title:

Company Official's Signature

Date:

Telephone Number:

Fax Number:

SUBCONTRACTOR AND SUPPLIER IDENTIFICATION FORM

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

Offeror's Name: [Redacted]

Address: [Redacted]

City, State, Zip Code: [Redacted]

Region/Location of Work: [Redacted]

Federal Identification Number: [Redacted]

Telephone Number: [Redacted]

Email: [Redacted]

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

1. Subcontractors/Suppliers Business Name, Address, Email Address, Telephone No.	2. Service/Product Provided	3. Federal ID No.	4. Business Designation Check all that apply	5. Dollar Value of Subcontracts/Supplies/Services over the term of the contract.
A. [Redacted]	[Redacted]	[Redacted]	<div><input type="checkbox"/> MBE</div> <div><input type="checkbox"/> WBE</div> <div><input type="checkbox"/> NYS Business**</div> <div><input type="checkbox"/> NYS Small Business**</div>	[Redacted]
B. [Redacted]	[Redacted]	[Redacted]	<div><input type="checkbox"/> MBE</div> <div><input type="checkbox"/> WBE</div> <div><input type="checkbox"/> NYS Business**</div> <div><input type="checkbox"/> NYS Small Business**</div>	[Redacted]
C. [Redacted]	[Redacted]	[Redacted]	<div><input type="checkbox"/> MBE</div> <div><input type="checkbox"/> WBE</div> <div><input type="checkbox"/> NYS Business**</div> <div><input type="checkbox"/> NYS Small Business**</div>	[Redacted]
D. [Redacted]	[Redacted]	[Redacted]	<div><input type="checkbox"/> MBE</div> <div><input type="checkbox"/> WBE</div> <div><input type="checkbox"/> NYS Business**</div> <div><input type="checkbox"/> NYS Small Business**</div>	[Redacted]
E. [Redacted]	[Redacted]	[Redacted]	<div><input type="checkbox"/> MBE</div> <div><input type="checkbox"/> WBE</div> <div><input type="checkbox"/> NYS Business**</div> <div><input type="checkbox"/> NYS Small Business**</div>	[Redacted]

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

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

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

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

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

NAME AND TITLE OF PREPARER (Print or Type): [Redacted]

Signature: [Redacted]
Authorized Signature

Date: [Redacted]

Telephone Number: [Redacted]

EMAIL Address: [Redacted]

Failure to submit this form will result in non-compliance

M/WBE Quarterly Compliance Report

Is this a final report? Check One
Yes ☐ No ☐

NYS OTDA Contract Number: _____

Contract Name: _____

The following information indicates the payment amounts made by the grantee/contractor to the NYS Certified M/WBE subcontractor on this project. The payments as shown made are in compliance with contract documents for the above referenced project.

Contractors Name and Address		Federal ID#	Goals/\$ Amt.		Paid to Contractor This Quarter:					
			MBE %=	WBE %=						
Expenditure Code		Project Completion Date	Work Location		Total Paid to Contractor To Date:					
					REPORTING PERIOD (BEGINNING 10 DAYS FOLLOWING THE END OF THE FIRST CALENDAR QUARTER):					
					1 st Quarter (4/1-6/30) 2 nd Quarter (7/1-9/30) 3 rd Quarter (10/1-12/31) 4 th Quarter (1/1-3/31)					
M/WBE Subcontractor/Vendor	Product Code*	Work Status This Report	Total Subcontractor Contract Amount		Payments this Quarter		Previous Payments		Total Payment Made to Date	
			MBE	WBE	MBE	WBE	MBE	WBE	MBE	WBE
Name: _____										
FED ID# _____										
Name: _____										
FED ID# _____										
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Name: _____										
FED ID# _____										
Name: _____										
FED ID# _____										
Totals										

CLICK HERE TO SUBMIT or send completed report to: otda.sm.co.quarterly.compliance.reports@otda.ny.gov and cc your OTDA Program/Contract Manager.

Date: _____ Name: _____ Title: _____ Signature: _____

WORKFORCE UTILIZATION REPORT



Section A - Contractor's/ Subcontractor's Information

Reporting Period: Select One	
<input type="checkbox"/> January 1 - May 31, 20	<input type="checkbox"/> May 1 - June 30
<input type="checkbox"/> July 1 - September 30	<input type="checkbox"/> October 1 - December 31
Reporting Month: Select One	
<input type="checkbox"/> January	<input type="checkbox"/> February
<input type="checkbox"/> March	<input type="checkbox"/> April
<input type="checkbox"/> May	<input type="checkbox"/> June
<input type="checkbox"/> July	<input type="checkbox"/> August
<input type="checkbox"/> September	<input type="checkbox"/> October
<input type="checkbox"/> November	<input type="checkbox"/> December
Workshops identified in Report	
<input type="checkbox"/> Workshops listed in Performance of Contract	
<input type="checkbox"/> Workshops identified in Performance of Contract	
<input type="checkbox"/> Contractor/Supplier's Field Workings	

Reporting Entity: <input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor
Contractor Name: _____
Contractor Address: _____
Funding Source: <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> Blended
Contract Number: _____

Section C - Number of Employees, Hours Worked and Total Compensation by Race/Ethnic Identification During Reporting Period

[illegible]

AC 3291-S (9/13)

NYS Vendor ID: 000000000

**NEW YORK STATE
VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY**

BUSINESS ENTITY INFORMATION				
Legal Business Name []			EIN []	
Address of the Principal Place of Business/Executive Office []			New York State Vendor Identification Number []	
			Telephone []	ext. [] Fax []
Email []		Website []		
Authorized Contact for this Questionnaire				
Name: []			Telephone []	ext. [] Fax []
Title []			Email []	
List any other DBA, Trade Name, Other Identity, or EIN used in the last five (5) years, the state or county where filed, and the status (active or inactive): (if applicable)				
Type	Name	EIN	State or County where filed	Status
[]	[]	[]	[]	[]
[]	[]	[]	[]	[]

I. BUSINESS CHARACTERISTICS		
1.0 Business Entity Type – Please check appropriate box and provide additional information:		
a) <input type="checkbox"/> Corporation (including PC)	Date of Incorporation []	
b) <input type="checkbox"/> Limited Liability Co. (LLC or PLLC)	Date Organized []	
c) <input type="checkbox"/> Limited Liability Partnership	Date of Registration []	
d) <input type="checkbox"/> Limited Partnership	Date Established []	
e) <input type="checkbox"/> General Partnership	Date Established []	County (if formed in NYS) []
f) <input type="checkbox"/> Sole Proprietor	How many years in business? []	
g) <input type="checkbox"/> Other	Date Established []	
If Other, explain: []		
1.1 Was the Business Entity formed in New York State?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If "No," indicate jurisdiction where Business Entity was formed:		
<input type="checkbox"/> United States	State []	
<input type="checkbox"/> Other	Country []	
1.2 Is the Business Entity currently registered to do business in New York State with the Department of State? <i>Note: Select 'not required' if the Business Entity is a General Partnership.</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not required
If "No," explain why the Business Entity is not required to be registered in New York State. []		
1.3 Is the Business Entity registered as a Sales Tax vendor with the New York State Department of Tax and Finance?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Explain and provide detail, such as 'not required,' 'application in process,' or other reasons for not being registered. []		

**NEW YORK STATE
VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY**

I. BUSINESS CHARACTERISTICS		
1.4 Is the Business Entity a Joint Venture? <i>Note: If the submitting Business Entity is a Joint Venture, also submit a separate questionnaire for the Business Entity comprising the Joint Venture.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
1.5 Does the Business Entity have an active Charities Registration Number?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Enter Number: <input style="width: 50px;" type="text"/> If exempt, explain: <input style="width: 100px;" type="text"/> If an application is pending, enter date of application: <input style="width: 50px;" type="text"/> Attach a copy of the application		
1.6 Does the Business Entity have a DUNS Number?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Enter DUNS Number <input style="width: 50px;" type="text"/>		
1.7 Is the Business Entity's principal place of business/Executive Office in New York State? If "No," does the Business Entity maintain an office in New York State?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
Provide the address and telephone number for one New York Office. <input style="width: 100%;" type="text"/>		
1.8 Is the Business Entity's principal place of business/executive office:		
<input type="checkbox"/> Owned <input type="checkbox"/> Rented Landlord Name (if 'rented') <input style="width: 100px;" type="text"/> <input type="checkbox"/> Other Provide explanation (if 'other') <input style="width: 100px;" type="text"/>		
Is space shared with another Business Entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Name of other Business Entity <input style="width: 100%;" type="text"/>		
Address <input style="width: 100%;" type="text"/>		
City <input style="width: 50px;" type="text"/>	State <input style="width: 20px;" type="text"/>	Zip Code <input style="width: 30px;" type="text"/> Country <input style="width: 30px;" type="text"/>
1.9 Is the Business Entity a Minority Community Based Organization (MCBO)?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
1.10 Identify current Key Employees of the Business Entity. Attach additional pages if necessary.		
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
1.11 Identify current Trustees/Board Members of the Business Entity. Attach additional pages if necessary.		
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
Name <input style="width: 100px;" type="text"/>	Title <input style="width: 100px;" type="text"/>	
II. AFFILIATES AND JOINT VENTURE RELATIONSHIPS		
2.0 Does the Business Entity have any Affiliates? Attach additional pages if necessary. (If no, proceed to Section III)		<input type="checkbox"/> Yes <input type="checkbox"/> No
Affiliate Name <input style="width: 150px;" type="text"/>	Affiliate EIN (If available) <input style="width: 50px;" type="text"/>	Affiliate's Primary Business Activity <input style="width: 100px;" type="text"/>
Explain relationship with the Affiliate and indicate percent ownership, if applicable (enter N/A, if not applicable): <input style="width: 100%;" type="text"/>		
Are there any Business Entity Officials or Principal Owners that the Business Entity has in common with this Affiliate?		<input type="checkbox"/> Yes <input type="checkbox"/> No
Individual's Name <input style="width: 100px;" type="text"/>	Position/Title with Affiliate <input style="width: 100px;" type="text"/>	

**NEW YORK STATE
VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY**

III. CONTRACT HISTORY	
3.0 Has the Business Entity held any contracts with New York State government entities in the last three (3) years? If "Yes," attach a list including the Contract Number, Agency Name, Contract Amount, Contract Start Date, Contract End Date, and the Contract Description.	<input type="checkbox"/> Yes <input type="checkbox"/> No

IV. INTEGRITY – CONTRACT BIDDING	
<i>Within the past five (5) years, has the Business Entity or any Affiliate</i>	
4.0 Been suspended or debarred from any government contracting process or been disqualified on any government procurement?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.1 Been subject to a denial or revocation of a government prequalification?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.2 Been denied a contract or had a bid rejected based upon a finding of non-responsibility by a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.3 Agreed to a voluntary exclusion from bidding/contracting with a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.4 Initiated a request to withdraw a bid submitted to a government entity or made any claim of an error on a bid submitted to a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	

V. INTEGRITY – CONTRACT AWARD	
<i>Within the past five (5) years, has the Business Entity or any Affiliate</i>	
5.0 Been suspended, cancelled or terminated for cause on any government contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1 Been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any government contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.2 Entered into a formal monitoring agreement as a condition of a contract award from a government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	

VI. CERTIFICATIONS/LICENSES	
6.0 Within the past five (5) years, has the Business Entity or any Affiliate had a revocation, suspension or disbarment of any business or professional permit and/or license?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	

VII. LEGAL PROCEEDINGS	
<i>Within the past five (5) years, has the Business Entity or any Affiliate</i>	
7.0 Been the subject of an investigation, whether open or closed, by any government entity for a civil or criminal violation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.1 Been the subject of an indictment, grant of immunity, judgment or conviction (including entering into a plea bargain) for conduct constituting a crime?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.2 Received any OSHA citation and Notification of Penalty containing a violation classified as serious or willful?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.3 Had any New York State Labor Law violation deemed willful?	<input type="checkbox"/> Yes <input type="checkbox"/> No

NEW YORK STATE
VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY

VII. LEGAL PROCEEDINGS

Within the past five (5) years, has the Business Entity or any Affiliate

7.4 Entered into a consent order with the New York State Department of Environmental Conservation, or a federal, state or local government enforcement determination involving a violation of federal, state or local environmental laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.5 Other than the previously disclosed: (i) Been subject to the imposition of a fine or penalty in excess of \$1,000, imposed by any government entity as a result of the issuance of citation, summons or notice of violation, or pursuant to any administrative, regulatory, or judicial determination; or (ii) Been charged or convicted of a criminal offense pursuant to any administrative and/or regulatory action taken by any government entity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	

VIII. LEADERSHIP INTEGRITY

Note: If the Business Entity is a Joint Venture, answer 'N/A- Not Applicable' to questions 8.0 through 8.4.

Within the past five (5) years, has any individual previously identified, any other Key Employees not previously identified or any individual having the authority to sign execute or approve bids, proposals, contracts or supporting documentation with New York State been subject to

8.0 A sanction imposed relative to any business or professional permit and/or license?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8.1 An investigation, whether open or closed, by any government entity for a civil or criminal violation for any <u>business related</u> conduct?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8.2 An indictment, grant of immunity, judgment, or conviction of any <u>business related</u> conduct constituting a crime including, but not limited to, fraud, extortion, bribery, racketeering, price fixing, bid collusion or any crime related to truthfulness?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8.3 Misdemeanor or felony charge, indictment or conviction for: (i) any business-related activity including but not limited to fraud, coercion, extortion, bribe or bribe-receiving, giving or accepting unlawful gratuities, immigration or tax fraud, racketeering, mail fraud, wire fraud, price fixing or collusive bidding; or (ii) any crime, whether or not business related, the underlying conduct of which related to truthfulness, including but not limited to the filing of false documents or false sworn statements, perjury or larceny?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
8.4 A debarment from any government contracting process?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
For each "Yes" answer, provide an explanation of the issue(s), the individual involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.	

**NEW YORK STATE
VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY**

IX. FINANCIAL AND ORGANIZATIONAL CAPACITY	
9.0 Within the past five (5) years, has the Business Entity or any Affiliates received any formal unsatisfactory performance assessment(s) from any government entity on any contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the <u>current status</u> of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
9.1 Within the past five (5) years, has the Business Entity or any Affiliates had any liquidated damages assessed over \$25,000?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the contracting party involved, the amount assessed and the <u>current status</u> of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
9.2 Within the past five (5) years, has the Business Entity or any Affiliates had any liens, claims or judgments over \$15,000 filed against the Business Entity which remain undischarged or were unsatisfied for more than 120 days?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, relevant dates, the lien holder or claimant's name(s), the amount of the lien(s), claim(s), or judgments(s) and the <u>current status</u> of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
9.3 Within the last seven (7) years, has the Business Entity or any Affiliate initiated or been the subject of any bankruptcy proceedings, whether or not closed, regardless of the date of filing, or is any bankruptcy proceeding pending?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide the Business Entity involved, the relationship to the submitting Business Entity, the Bankruptcy Chapter Number, the Court name, the Docket Number. Indicate the <u>current status</u> of the proceedings as "Initiated," "Pending" or "Closed." Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
9.4 During the past three (3) years, has the Business Entity and any Affiliates failed to file or pay any tax returns required by federal, state or local tax laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide the Business Entity involved, the relationship to the submitting Business Entity, the taxing jurisdiction (federal, state or other), the type of tax, the liability year(s), the Tax Liability amount the Business Entity failed to file/pay, and the <u>current status</u> of the Tax Liability. Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
9.5 During the past three (3) years, has the Business Entity and any Affiliates failed to file or pay any New York State unemployment insurance returns?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes," provide the Business Entity involved, the relationship to the submitting Business Entity, the year(s) the Business Entity failed to file/pay the insurance, explain the situation, and any remedial or corrective action(s) taken and the <u>current status</u> of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	
9.6 During the past three (3) years, has the Business Entity or any Affiliates had any government audits? If "Yes," did any audit reveal material weaknesses in the Business Entity's system of internal controls If "Yes," did any audit reveal non-compliance with contractual agreements or any material disallowance (if not previously disclosed in 9.6)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
For each "Yes" answer, provide an explanation of the issue(s), the Business Entity involved, the relationship to the submitting Business Entity, the government entity involved, relevant dates and any remedial or corrective action(s) taken and the <u>current status</u> of the issue(s). Provide answer below or attach additional sheets with numbered responses. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	

X. FREEDOM OF INFORMATION LAW (FOIL)	
10.0 Indicate whether any information supplied herein is believed to be exempt from disclosure under the Freedom of Information Law (FOIL). Note: A determination of whether such information is exempt from FOIL will be made at the time of any request for disclosure under FOIL.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Indicate the question number(s) and explain the basis for your claim. <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	

**NEW YORK STATE
VENDOR RESPONSIBILITY QUESTIONNAIRE
NOT-FOR-PROFIT BUSINESS ENTITY**

Certification

The undersigned: (1) recognizes that this questionnaire is submitted for the express purpose of assisting New York State government entities (including the Office of the State Comptroller (OSC)) in making responsibility determinations regarding award or approval of a contract or subcontract and that such government entities will rely on information disclosed in the questionnaire in making responsibility determinations; (2) acknowledges that the New York State government entities and OSC may, in their discretion, by means which they may choose, verify the truth and accuracy of all statements made herein; and (3) acknowledges that intentional submission of false or misleading information may result in criminal penalties under State and/or Federal Law, as well as a finding of non-responsibility, contract suspension or contract termination.

The undersigned certifies that he/she:

- is knowledgeable about the submitting Business Entity's business and operations;
- has read and understands all of the questions contained in the questionnaire;
- has not altered the content of the questionnaire in any manner;
- has reviewed and/or supplied full and complete responses to each question;
- to the best of his/her knowledge, information and belief, confirms that the Business Entity's responses are true, accurate and complete, including all attachments, if applicable;
- understands that New York State government entities will rely on the information disclosed in the questionnaire when entering into a contract with the Business Entity; and
- is under an obligation to update the information provided herein to include any material changes to the Business Entity's responses at the time of bid/proposal submission through the contract award notification, and may be required to update the information at the request of the New York State government entities or OSC prior to the award and/or approval of a contract, or during the term of the contract.

Signature of Owner/Official _____

Printed Name of Signatory _____

Title _____

Name of Business _____

Address _____

City, State, Zip _____

Sworn to before me this _____ day of _____, 20____;

Notary Public

Offeror's Acknowledgment of Understanding of Post-Employment Provisions

CONTRACTOR'S ACKNOWLEDGEMENT OF UNDERSTANDING OF POST-EMPLOYMENT PROVISIONS	
<p>The Authorized Signatory of the Contractor acknowledges that he/she has the authority to sign on behalf of the Contractor, has read and understands the provisions applicable to post-employment restrictions affecting former State officers and employees, and agrees to abide by the Provisions of the Public Officer's Law during the term of the Agreement.</p>	
CONTRACTOR'S DISCLOSURE OF ANY EXISTING AND/OR CONTEMPLATED CONFLICT OF INTEREST	
<p>Have you any existing or contemplated relationship with any other person or entity, including relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Contractor or former officers and employees of the Agencies and their Affiliates, in connection with your rendering services enumerated in this Agreement.</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 Agreement documents describing how your Staffing Firm would eliminate or prevent the Conflict of Interest. Indicate what procedures will be followed to detect, notify OTDA of, and resolve any such conflicts.</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>	
CONTRACTOR'S DISCLOSURE OF FORMER STATE EMPLOYEES	
<p>Do you employ and/or use any subcontractors who are former employees of OTDA that will be assigned to perform services under this Agreement.</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 OTDA that will be assigned to perform services under this Agreement. Include a description of their work duties, 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>	
CONTRACTOR'S DISCLOSURE OF ANY INVESTIGATION OR DISCIPLINARY ACTION BY THE NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY OR ITS PREDECESSOR STATE ENTITIES (COLLECTIVELY, "COMMISSION")	
<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>	
CONTRACTOR'S AGREEMENT TO NOTIFY OTDA OF POTENTIAL FUTURE CONFLICTS	
<p>By signature below, the Authorized Signatory of the Contractor, certifies that he/she will notify OTDA of any/all new potential conflicts of interest and any/all new contractor staff that are prior OTDA employees during the term of the contract, prior to hiring of said individual, and will complete and submit an updated version of this form to OTDA at the time of becoming aware of any such new potential conflicts of interest, and of any/all new contractor or subcontractor staff that are prior OTDA employees.</p>	
THE SIGNATURE BELOW INDICATES CERTIFICATION/ACKNOWLEDGEMENT/UNDERSTANDING OF EACH OF THE ABOVE	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p></p> <p>Authorized Signatory</p> </div> <div style="width: 45%;"> <p></p> <p>Date</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>Printed or Typed Name</p> <p></p> </div> <div style="width: 45%;"> <p></p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>Title</p> <p></p> </div> <div style="width: 45%;"> <p>Contract Number</p> <p></p> </div> </div>	

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



60.7%



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:

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:	<div></div>
By:	<div><div>Signature</div></div>
Name:	<div></div>
Title:	<div></div>
Date:	<div></div>

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 ___, 20___ as the act and deed of said corporation or partnership.

SNAP-Ed Direct Service Project Description							
Applicant Name							
Requested Funding Amount			Program Manager				
			Phone				
			Email				
Timeline	Start	10/1/2019			End	9/30/2024	
Program Goals	•						
NYS Prevention Agenda Alignment							
Program Activities	List Program Activity (Identify Framework Indicator)						
PSE Activities	List PSE Activity (Identify Framework Indicator)						
Subcontractor	One per row, add rows as needed.						
Partner	One per row, add rows as needed.						
Role of Partners							
Target Audience	Delivery Site	Audience Category	How Category Was Determined	Specific Segment of Target	Projected # direct education	Projected # indirect education	Total projected number to be served
	TOTAL						
Curriculums	•						
Other Indirect Activities	•						

Federal and State Nutrition Funding Attestation Form

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

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

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

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

 SIGNATURE OF AGENCY REPRESENTATIVE

 DATE

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

NYS SNAP- ED APPROVED CURRICULA FOR ADULTS

The following evidenced-based curricula are designed for use with the SNAP population. All curricula must be implemented as designed. If a curriculum is designed to be delivered as a series, the lessons may not be used for single classes. Training is the responsibility of the contractor.

Eat Healthy Be Active Community Workshops – The workshops support the 2010 dietary guidelines and corresponds with USDA MyPlate topics. Designed for groups of adults. Lesson topics can be delivered individually or as a series. Includes learning videos, activities, and handouts. Evaluation survey is included as well as a certificate of completion. English and Spanish. Accessible at: <https://health.gov/dietaryguidelines/2015/workshops/>

Cooking Matters – Workshops designed to teach low-income families how to cook and eat healthy on a budget. Includes Cooking Matters for Adults, Cooking Matters for Families, Cooking Matters at the Store, Cooking Matters for Teens, Cooking Matters at the Store, MyPlate on Budget, and Cooking Matters for Chefs and Kids. Accessible at: <https://cookingmatters.org/>

Eat Smart, Live Strong – Designed to improve fruit and vegetable consumption and physical activity among 60-74-year olds participating in or eligible for FNS nutrition assistance programs. Available in Spanish. <https://snaped.fns.usda.gov/nutrition-education/fns-curricula/eat-smart-live-strong>

Loving Your Family, Feeding Their Future – Designed for low-literate mothers focusing on how to stretch food dollars, fix easy and nutritious meals, eat healthier and be physically active. Uses participant centered approach with interactive activities. Available in Spanish. Accessible at: <https://snaped.fns.usda.gov/library/materials/loving-your-family-feeding-their-future-nutrition-education-through-food-stamp>

MyPlate for My Family – A curriculum for Families to encourage fruit and vegetable consumption and physical activity. It is targeted to parents and caregivers who are SNAP participants or eligible for SNAP. Focuses on planning, purchasing and preparing food for families and obesity prevention: <https://snaped.fns.usda.gov/nutrition-education/fns-curricula/myplate-my-family>

NYS SNAP- ED APPROVED CURRICULA FOR YOUTH

The following evidenced-based curricula are designed for use with low-income youth. All curricula must be implemented as designed. If a curriculum is designed to be delivered as a series, the lessons may not be used for single classes. Training is the responsibility of the contractor.

CATCH – The CATCH classroom and CATCH Kids Club features lessons on physical activity, nutrition, and screen-time reduction. Several strategies are used including: movement activities, individual practice, educational games, goal setting, and hands-on snack preparation. Family Tip Sheets reinforce learning related to healthy eating and physical activity behaviors. Elementary and Middle School Classroom and Afterschool: <https://catchinfo.org/>

CATCH Cafeteria – CATCH Cafeteria lessons teach key concepts related to the nutritional value of various food groups. CATCH uses a spotlight model to break foods out into three groups: GO, SLOW, and WHOA foods. CATCH cafeteria helps to creating an environment that encourages and supports healthy choices: <https://catchinfo.org/modules/cafeteria/>

Serving Up MyPlate – *Serving Up MyPlate* is a collection of classroom materials that helps elementary school teachers integrate nutrition education into Math, Science, English Language Arts, and Health. This curriculum introduces the importance of eating from all five food groups using the *MyPlate* icon and a variety of hands-on activities. <https://www.fns.usda.gov/tn/serving-myplate-yummy-curriculum>

Power Up! – This food and fitness program is designed just for teens. <https://snaped.fns.usda.gov/nutrition-education/fns-curricula/power>

Cooking Matters Kids/Teens – Planning tools and advice to lead fun, food based activities with kids and teens. Contractor responsible for all necessary and cost reasonable training. <http://cookingmatters.org/>

Eat Fit – Designed to improve the eating and fitness choices of middle school students. Designed to improve the eating and fitness choices of middle school students, it includes 9 lesson plans and enhancements, recipes, educational standards, references, and answer sheets for the Eat Fit Student Workbook. <https://eatfit.net/about/teachers>

Cookshop – Gives low-income children, adults and teens the knowledge and tools to adopt and enjoy a healthy diet and active lifestyle on a limited budget. Programs include: CookShop Classroom, CookShop for Families, CookShop for Teens (EATWISE), Community CookShop. Only for use by teachers and staff who have completed Cookshop Training.

Printed Version of the Gateway Application

PROGRAM SPECIFIC QUESTIONS

Instructions:


1. Please complete all the required fields.
2. Select the **Save** button above to save your work frequently.

Project Title

Applicants for Direct Services will answer questions 1-22 as they relate to Part B of the RFP. Applicants for Technical Assistance will answer questions 23- 29 as they related to Part C. Answer all questions in a clear and concise manner. If a document is uploaded, please refer to this upload in the answer. Tables must be uploaded.

1 Needs Assessment

- 2 Describe the population that you intend to serve. Include population-based food insecurity, health, and diet-related characteristics of the local SNAP population. Describe local poverty rate, SNAP redemption, food insecurity, nutrition related chronic disease, and obesity rates. *

--Select-- 

Upload: *

- 3 Describe the nutrition, physical activity and obesity prevention needs of the local SNAP population to be served, including barriers to accessing healthy foods and engaging in physical activity. *

--Select-- 

Upload: *

- 4 List nutrition education and obesity prevention services already taking place in the areas to be served. *

Upload: *

- 5 Describe how proposed program and PSE activities will meet an unmet need for SNAP population in area (s) to be served. Outline how services will be coordinated to prevent duplication. *

Upload: *

6 Target Audience

- 7 Describe in detail the target audience and any high need populations to be served *

Upload: *

- 8 Describe the method that will be employed to reach SNAP recipients, high need populations, and other eligible participants *

Upload: *

- 9 In chart form, list the qualifying locations that will be targeted during the year and the estimated population reach by each site location. In narrative form, explain why and how each site location was chosen. *

Upload: *

10 Program Objective

- 11 Describe the goal and objective of the proposed activities. Describe how these goals will support state goals for SNAP-Ed . Describe how the goals will support community health and wellness pursuant to Executive Order #190. *

Upload: *

12 Program Activities

- 13 Describe clearly each direct service activity to be implemented for adults and/ or youth, including the estimated reach of each activity. Describe how each activity will achieve the goal of the SNAP-Ed program. *

Upload: *

14 PSE Activities

- 4 Describe in detail the proposed PSE strategy. Describe how the activity components address the goals of the SNAP Ed program. Describe how the activity components will achieve the objective of the PSE activity. *

Upload: Browse... *

16 Organizational Experience and Past Accomplishments

- 17 Describe your organization's relevant experience in implementing and overseeing operation of a nutrition education and/or obesity prevention program. Describe your agency's ability to achieve annual program goals. Upload relevant evidence of past program achievement and performance. *

Upload: Browse... *

- 18 Describe your agency's organizational structure and staff capacity to provide program leadership, management, and oversight of proposed activities. Provide evidence of your agency's leadership to direct and supervise program staff for the activities proposed. (3 points) *

Upload: Browse... *

- 19 Describe relevant experience in administering a large grant program. Include evidence of fiscal management and accountability related to personnel, purchasing, accounting, travel, claiming, and reporting. If your agency manages multiple grants, demonstrate agency ability and accountability in administering multiple funding streams. *

Upload: Browse... *

20 Regional Approach

- 21 List the counties that will be served. If more than one county, describe the regional approach that will be used. *

Upload: Browse... *

- 22 Upload a budget narrative for Direct Services. All costs must be itemized. Include formulas used to calculate costs. *

Upload: Browse... *

23 Technical Assistance

- 24 Describe in detail your agency's experience and capacity to deliver the technical support services outlined in this RFP. Upload organizational chart and resumes. *

Upload: Browse... *

- 25 Demonstrate your agency's experience with the SNAP-Ed Program Evaluation and Reporting System. Describe your agency's capacity to support and maintain software license, contractor access, system training. Describe the capacity of your agency to facilitate payment for system and monitor statewide access and use to the system. *

Upload: Browse... *

- 26 Describe your agency's experience and capacity to develop and deliver professional development to SNAP-Ed contractors. If subcontractors will be employed to complete portions of this work, describe in detail the subcontractor experience to complete required work and how your agency will manage this subcontract. *

Upload: Browse... *

- 27 Describe your agency's experience and capacity to work collaboratively with OTDA on an annual statewide SNAP-Ed Training Conference. Describe your agencies fiscal capacity to facilitate timely payment of expenses related to conference speakers and materials. *

Upload: Browse... *

- 28 Describe your agency's experience and capacity to arrange for the development and placement of annual statewide SNAP-Ed Social Marketing campaign. Demonstrate your agency' experience with obesity prevention social marketing. Describe your agency's capacity to manage all aspects of a social marketing campaign including working with outside add firm on scope of work, campaign deliverables, payment, oversight and reporting. *

Upload: Browse... *

- 29 Upload a Technical Assistance Budget Narrative *

Upload: Browse... *