



**Office of Temporary  
and Disability Assistance**

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Release Date: May 28, 2019

Request for Proposals

**Services to Older  
Refugees Program**

Submission Deadline: July 12, 2019

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## **Bidders' Telephone Conference**

Participation during the bidders' telephone conference is voluntary. OTDA staff will entertain questions about the request for proposals (RFP) and its process during the teleconference. The following information is necessary to participate in the bidders' telephone conference:

Conference Call Date and Time	June 10, 2019 at 1:30 PM
Conference Call-In Number	1.866.394.2346
Conference Code	9832145369

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# PART A - SUMMARY INFORMATION

## I. INTRODUCTION

The Bureau of Refugee Services (BRS) of the New York State Office of Temporary and Disability Assistance (OTDA), issues this RFP to solicit applications from qualified applicants. The purpose of this RFP is to provide assistance to older refugees age 60 and above for the purpose of accessing available mainstream aging services in their communities.

OTDA anticipates distributing \$1,116,530 in Services to Older Refugees Program (SORP) funds for 60-month contracts under this procurement. All program funds allocated for the administration of the program are received from the federal Office of Refugee Resettlement (ORR) and subject to continued availability and State appropriation thereof. Use of these funds must relate to the provision of activities that support integration and wellness for older refugees.

NOTE: For the purpose of this RFP, eligible persons as defined in Part A. Section VIII will hereafter be referred to as “refugees” unless special circumstances apply.

If selected, the proposal and all parts of it submitted in response to this RFP may become part of a contract with OTDA, subject to approval by the New York State Attorney General and the Office of the State Comptroller. At the time of contract development, awardees will be required to submit additional performance-based budgets, program information and any revised M/WBE forms and documents for the final contract. Successful grantees will be required to submit all final contract documents, narratives and budgets in Grants Gateway. OTDA reserves the right to negotiate any aspect of a proposal other than rates of payment in order to ensure that the final agreement meets OTDA objectives and requirements.

## II. PREQUALIFICATION REQUIREMENT

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which require not-for-profits to register in the Grants Gateway and complete the Vendor Prequalification process in order for proposals to be evaluated. Information on these initiatives can be found on the Grants Management website at <https://grantsmanagement.ny.gov/resources-grant-applicants>.

**Proposals received from not-for-profit applicants that have not registered and are not prequalified in the Grants Gateway on the proposal due date of 2:00 pm on July 12, 2019 cannot be evaluated. Such proposals will be disqualified from further consideration.**

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. Additional information on prequalification can be found on the [Grants Management website](#).

### 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 Division of Budget 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](mailto: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 in to the [Grants Gateway](#). **If this is your first time logging in**, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be referred to the OTDA prequalification representative, Rick Umholtz at [Richard.Umholtz@otda.ny.gov](mailto:Richard.Umholtz@otda.ny.gov) or to the Grants Management Team at [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov).

## 3) Submit Your Prequalification Application

- After completing your Prequalification Application, click the Submit Document Vault link located below the Required Documents section 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 questions or requests changes you will receive email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

**Vendors are strongly encouraged to begin the process as soon as possible in order to participate in this opportunity.**

## III. PROCUREMENT SCHEDULE/SUBMISSION GUIDELINES

(OTDA reserves the right to modify the dates)

Release Date of the Request for Proposals.....	5/28/2019
Bidders' Conference Call .....	<b>1:30pm on 6/10/2019</b>
Deadline for Written Questions.....	6/11/2019
Response to Questions.....	6/18/2019
<b>Due Date and Time for Proposals.....</b>	<b>2:00pm on 7/12/2019</b>
Anticipated Notification of Awards.....	10/1/2019
Anticipated Contract Start Date.....	1/1/2020

### Questions And Answers Regarding this RFP

Prospective applicants may submit questions via fax, email or written correspondence to the individual and address below. Questions must be submitted no later than 6/11/2019 to:

Linda Veraska  
New York State Office of Temporary and Disability Assistance  
Bureau of Refugee Services  
40 North Pearl Street, 10<sup>th</sup> Floor, Section C  
Albany, New York 12243-0001  
Fax: (518) 402-3029  
Email: [Linda.Veraska@otda.ny.gov](mailto:Linda.Veraska@otda.ny.gov)

OTDA will respond to questions by 6/18/2019. Questions and answers will be posted on OTDA's website on the *Contracts and Grants Opportunities* web page, located at <http://otda.ny.gov/contracts/>

OTDA reserves the right to respond to questions submitted after the deadline.

### **Proposal Submittal**

Applications must be submitted electronically via Grants Gateway at <https://grantsgateway.ny.gov> by 2:00pm on 7/12/2019. Applicants are strongly encouraged to complete the electronic application submission process several days before the application due date to ensure the application is successfully accepted by <https://grantsgateway.ny.gov>. Applicants should consider that the application due date will have a high volume of submissions, which may slow down State systems and increase the time needed for applications to be received by <https://grantsgateway.ny.gov>. Applicants must take this processing time into consideration by allowing enough time to enter submissions so that the application is submitted error-free by the deadline.

Any proposal received after the deadline may be reviewed at the discretion of OTDA. OTDA will not accept mailed proposals, faxed proposals, or proposals sent via electronic mail.

In order to be notified of future requests for proposals, individuals must sign-up on the Grants Gateway website. Complete instructions on how to sign-up and update your preferences can be found under "Notifications" at the following website: <http://www.grantsgateway.ny.gov>.

New York State vendors are required to file a Vendor Responsibility Questionnaire available through the New York State VendRep System. Instructions on how to complete and file the questionnaire can be found on the VendRep website [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep). Vendors may contact the Office of the State Comptroller's (OSC) Help Desk with any questions at 518-408-4672, 1-866-370-4672 or [itservicedesk@osc.ny.gov](mailto:itservicedesk@osc.ny.gov).

## **IV. FEDERAL AUTHORITY**

The federal Office of Refugee Resettlement (ORR) is authorized to fund the Services to Older Refugees Program opportunity pursuant to §412(c)(1)(A) of the Immigration and Nationality Act (INA), 8 U.S.C. §1522(c)(1)(A), as amended. The Services to Older Refugees Program is found under Catalog of Federal Domestic Assistance (CFDA), No. 93.566, of the Department of Health and Human Services (DHHS) program title, Refugee and Entrant Assistance Discretionary Grants. ORR Policy Letter 19-03 defines SORP's goals, eligible populations, reporting, and monitoring. ORR Dear Colleague Letter 18-08 classifies SORP as a Social Services Set-Aside within the federal fiscal year 2019 (FFY19) Refugee Support Services (RSS) formula allocation. Services to Older Refugees funding is to be used primarily for activities that support integration and wellness for older refugees and other ORR-eligible populations age 60 and above.

Services to refugees must be provided in accordance with 45 C.F.R. Part 400 including, but not limited to, §400.154 Employability Services, §400.155 Other Services, and §400.152 (b) Time limitation.

More information can be found at the following websites:

<https://www.acf.hhs.gov/orr/resource/services-for-older-refugees-program>

<http://www.acf.hhs.gov/programs/orr/resource/state-letter-18-08https://www.acf.hhs.gov/orr/resource/fiscal-year-2019-services-to-older-refugees-support-services-set-aside>

<http://www.acf.hhs.gov/programs/orr/resource/federal-guidance-and-authority>

## **V. PROGRAM DESCRIPTION**

### **Purpose**

The purpose of the Services to Older Refugees Program (SORP) is to provide activities that support integration and wellness for older refugees, including gaining access to mainstream services within their respective communities so that they may live independently for a longer period of time. Awardees under this program will be required to implement comprehensive programs that pursue the following five objectives:

1. Helping older refugees access mainstream aging services in the community by establishing or expanding working relationships with state or local agencies on aging.
2. Coordinating and providing older refugees with appropriate services, including those that are not available in the community.
3. Creating opportunities that enable older refugees to live independently as long as possible.
4. Developing opportunities for older refugees to connect with their communities to avoid isolation.
5. Assisting older refugees on the path to citizenship, especially those at risk of losing Supplemental Security Income or other federal benefits, to naturalize.

### **Background**

#### New York's Aging Refugee Population

There is a sizable population of older persons in New York State of which refugees make up only a small percentage. The majority of older refugees are from Bhutan, Burma, Iran, Iraq, and the Democratic Republic of Congo. Although the refugees have resettled from various countries, many experience similar obstacles. They may be unfamiliar with services that are available through local service providers such as the Local Offices for the Aging because they are new to the U.S. or may have difficulty accessing services due to language and cultural barriers.

Older refugees often present with the following issues:

- Inability to advocate for themselves due to language and cultural barriers;
- Loneliness and depression;
- Lack of reliable support systems such as relatives;
- Difficulty speaking and learning English;
- Trouble obtaining or using transportation;
- Reluctance to participate in activities within the local community;
- Difficulty purchasing food and/or preparing meals;
- Medical needs that have gone untreated prior to, during, or after their arrival in the U.S.;
- Lack of planning for both short and long term health care;
- Inability to perform daily living activities;
- Lack of awareness of mainstream services that are available;
- Limited access to entitlements and/or public benefits; and
- Risk of losing or loss of SSI and/or other federal benefits due to Social Security Administration (SSA) time limits on eligibility due to immigration status.

Many of the issues that older refugees face are very similar to those experienced by domestic individuals 60 years of age and older. However, the needs of the older refugee population sometimes go unmet due to the additional barriers experienced by this population. For example, written mainstream services information and outreach materials are not always available in languages spoken by the older refugees making it difficult for them to know what exists in their communities. Conversely, local service providers may have little working knowledge of the unique needs of the older refugee population or may not be equipped to provide services in the languages spoken by the local refugee population.

## **VI. ELIGIBLE GRANT APPLICANTS**

Only proposals submitted by Eligible Grant Applicants, as defined below, will be accepted for review. Proposals submitted by ineligible applicants will not be reviewed.

Eligible applicants include non-governmental organizations: nonprofit corporations, including charitable organizations incorporated, registered and in good standing with the Charities Bureau of the Attorney General in the State of New York; faith based organizations and educational institutions.

Eligible applicants must be prequalified in Grants Gateway as outlined in Part A, section II.

Eligible applicants must be located in and do business in New York State.

Prospective applicants who want to verify their status as a charitable organization should contact the Office of New York State Attorney General, Charities Bureau at 1(800) 771-7755 or on the internet at <http://www.charitiesnys.com/home.jsp>.

## **VII. SERVICE STRATEGY**

The Services to Older Refugees Program will consist of the following deliverables/outcomes:

- Cross Training
- Community Education Workshops
- Socialization and Community Engagement
- Assessment
- Case Management Services
- Services to Older Refugees Five-Years Post Arrival

A SORP Provider will be responsible for providing comprehensive case management to older refugee participants and collaborating with other local service providers to ensure that older refugee participants are receiving the services needed to live independently in their homes and community.

Successful Services to Older Refugee Programs have the capacity to (1) engage the refugee communities most in need of services; and (2) ensure that outreach and case management services are provided in a culturally and linguistically appropriate manner.

### **Cross Training**

Cross Training is the collaboration between a SORP Provider and other local service providers, whereby awareness about older refugees is brought to the attention of other local service providers. Capacity building between the agencies then occurs in order to effectively serve older refugees in a culturally and linguistically appropriate manner.

Cross Training encourages and provides a structure for regular and frequent collaboration between these agencies. The ongoing communication between the agencies will result in the increased capacity of the



community to identify and serve older refugees, thereby meeting the needs of this vulnerable and underserved population.

OTDA intends that a minimum of 6 Cross Trainings will occur on an annual basis.

### **Community Education Workshops**

Community Education Workshops are hosted by a SORP Provider with the assistance of other local service providers, in the primary languages of the target population to educate the older refugees about the resources offered locally. The workshops are also an avenue to disseminate any informational resources that have been translated. They also may be the first step in identifying the older refugees who are not currently receiving services and scheduling intake appointments to assess their needs.

Likewise, a SORP Provider with the assistance of other local service providers will facilitate workshops for domestic senior groups that provide information regarding newly arriving refugees, such as their countries of origin, refugee camps, what languages they speak, their dietary preferences, and common health issues. These experiences in workshops will help to address misconceptions that domestic seniors may have about their refugee peers and help integrate the two communities.

Community Education Workshops will be hosted at venues convenient to the target population. For example, they may be hosted at a refugee service provider site, the local Offices for the Aging, English as a New Language (ENL) classes, senior nutrition sites or public libraries.

OTDA intends that Community Education Workshops will result in older refugees being identified for assessments of their needs for case management and services.

### **Socialization and Community Engagement**

For many older refugees, social isolation is a problem due to linguistic, transportation and cultural barriers. A SORP Provider may use SORP funds to create and facilitate opportunities for older refugees to participate in social activities and enhance civic participation consistent with Executive Order 190 (EO 190), such as bingo, performing arts, yoga, sports lessons and events, opportunities to volunteer, card games, crafts, bus trips to ball games, senior community centers and local markets, museums and parks. A SORP Provider may also connect older refugee populations with local volunteers who help people find their way to these types of activities within the local community.

### **Assessment**

Assessment comprises determining the scope of needs of the older refugee, developing a plan of action to meet those needs, and preparing a case management plan which will include all the services that are planned for the older refugee. Following Assessment, a SORP Provider will provide case management services and update and adjust the participant's case management plan as needed. However, recognizing that the needs of an older refugee participant may change significantly in a short period of time, a SORP Provider may provide up to five Assessment deliverables to an individual during the 60-month contract term.

### **Case Management Services**

Following Assessment, a SORP Provider must manage the older refugee's progress and assist him/her to access the needs identified in the case management plan by providing Case Management Services. Case management is a multi-step process to ensure access to and coordination of mainstream senior services to promote and support self-sufficiency and independence for as long as possible. This process may include the provision of services directly by a SORP Provider or referrals and facilitated engagement in programs and/or services from an outside agency for identified service needs. Additionally, as services are provided,

a SORP Provider assesses whether the case management plan needs to be adapted. This allows for service delivery that is built upon objective presenting needs, input from the older refugee, and adaptation to changing circumstances. All services provided must address needs documented in the Case Management Plan.

Bilingual staff or interpreters will assist with Case Management Services as needed. OTDA expects a SORP Provider to assess the older refugee's needs and provide services and/or referrals in the following categories:

- Housing Assistance
- Public Benefits Application Assistance
- Medical/Mental Health Care and Counseling
- Supportive Services
- Legal Services
- Food and Nutritional Assistance
- Naturalization Assistance
- Other Identified Service Needs as approved by OTDA

### **Housing Assistance**

A SORP Provider must have the experience and ability to provide housing assistance to older refugees which may include services such as eviction and homelessness prevention; assistance with finding affordable and/or accessible housing; and assistance with long term care placement. A SORP Provider may need to assist older refugees in securing or maintaining safe housing and/or living arrangements that help to promote their ability to live independently for a longer period of time consistent with EO 190 and the World Health Organization 8 Domains of Livability.

### **Public Benefits Application Assistance**

Older refugees may be eligible for public benefits, but need information and assistance in applying for them. A SORP Provider should be prepared to assist all eligible participants in obtaining the benefits for which they are eligible and ensuring that they maintain their eligibility for important benefits such as Supplemental Nutrition Assistance Program (SNAP) and Supplement Security Income (SSI).

### **Medical/Mental Health Care and Counseling**

There are many different kinds of health services that are available and essential to the aging population in New York State. A SORP Provider must have the ability to provide or connect older refugees with these services in order to address health concerns, provide education, and promote a healthy lifestyle and disease prevention. Consistent with EO 190, types of services may include routine health screening; physical fitness programs; mental health screening and counseling services; medications management screening and education; and chronic disease self-management education programs.

### **Supportive Services**

Supportive Services are designed to support and empower older refugees to be as independent as possible for as long as possible through advocacy on behalf of them and their families/caregivers by a SORP Provider. Consistent with EO 190, Supportive Services may include participation in intergenerational activities; arranging for home care; adult day care; respite care; nursing home ombudsman services; transportation; interpretation; translation; and elder abuse prevention.

### **Legal Services**

Many older refugees are unaccustomed to the laws and their legal rights and responsibilities in the United States and/or cannot afford the costs of legal assistance to address particular legal issues or problems. A

SORP Provider will have experience and capacity to provide legal services. Legal Services may include assessment, immigration assistance, advice and counsel or connection to a community-based legal services program. Legal services may be provided to assist older refugees with estate planning; to develop a healthcare proxy; to plan for health care; to write a living will; to explain Grandparents' Rights; and to prevent identity theft and consumer fraud. OTDA expects a SORP Provider to comply with all applicable statutes, regulations and ethics opinions governing immigrant consultants and the authorized practice of law.

### **Food and Nutritional Assistance**

Older refugees may be unfamiliar with how to obtain and/or prepare meals in the United States, or they are unable to prepare meals for themselves and do not have a caregiver to assist them. A SORP Provider should provide access to and education about food and nutrition to older refugees by providing services such as arranging for congregate nutrition services (community dining); meal delivery for homebound participants; grocery store orientation; and nutrition education and counseling.

### **Naturalization Assistance**

Naturalization assistance is essential for refugees who have lost or are at risk of losing SSI and other federal benefits. Allowable activities include English as a New Language (ENL)/Civics instruction specifically tailored to older refugees to help them prepare for the English and/or U.S. history and civics portions of the naturalization test; naturalization counseling to provide information and determine eligibility; and application completion for the forms N-400, N-648, and I-912 and any other applicable forms or waivers. SORP funds may not be used for naturalization application fees.

### **Other Identified Service Needs**

A SORP Provider may request approval from OTDA to provide any other specific services not listed.

### **Services to Older Refugees Five-Years Post Arrival**

For older refugees who have been in the U.S. for longer than 60-months, a SORP Provider may only provide naturalization and interpretation services and referrals to outside programs or agencies for services. Assessment, Case Management Services and Socialization and Community Engagement deliverables may not be claimed for an older refugee who has resided in the U.S. for longer than 60-months.

## **VIII. ELIGIBLE PARTICIPANTS**

Only proposals that serve eligible participants, as defined below, will be accepted for review. Proposals to serve ineligible participants will not be reviewed. In the event of federal regulation changes that affect the type of immigration status eligible for these services, contractors will be notified of the change and required to comply with the new criteria for participant eligibility. SORP funds must be used for services for persons who are eligible based on their immigration status, age and their length of stay in the United States or length of time in status, as follows:

### **Eligible Immigration Status**

1. Individuals paroled as **refugees or asylees** under § 212(d)(5) of the Immigration and Nationality Act (INA)
2. *Refugees* admitted under § 207 of the INA
3. *Asylees* whose status was granted under § 208 of the INA
4. Cuban and Haitian *entrants*, in accordance with the requirements in 45 CFR § 401.2
  - a. Any individual granted parole status as a Cuban/Haitian Entrant (Status Pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time assistance or services are provided

- b. A national of Cuba or Haiti who was paroled into the United States and has not acquired any other status under the INA and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion has not been entered
- c. A national of Cuba or Haiti who is the subject of removal, deportation or exclusion proceedings under the INA and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion has not been entered
- d. A national of Cuba or Haiti who has an application for asylum pending with DHS/USCIS or Department of Justice (DOJ)/EOIR and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion has not been entered
- 5. Certain Amerasians from Vietnam who are admitted to the United States as immigrants pursuant to § 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (as contained in § 101(e) of Public Law 100-202), as amended (8 U.S.C. § 1101 note).
- 6. Iraqi and Afghan Special Immigrants per section 1244(g) of Div. A of Pub. L. 110-181, as amended (8 U.S.C. § 1157 note) and section 602(b) (8) of Div. F of Pub. L. 118-8, as amended (8 U.S.C. § 1101 note).
- 7. Victims of a severe form of trafficking in persons per the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, as amended, 22 U.S.C. § 7105(b) (1) (A) and (C).
- 8. Lawful permanent residents provided the individuals previously held one of the statuses identified above (Note that this does not refer to Amerasians who are admitted as lawful permanent residents, or to Iraqi and Afghan Special Immigrants. See #6 and # 7).

### **Length of Time in the U.S.**

Eligibility for services will expire on the last day of the 60th month following the refugee's date of arrival into the United States or the date that the eligible immigration status is granted, with the exception of the Services to Older Refugees Five-Years Post-Arrival deliverable (see page 15). Eligibility for services will expire on the last day of the 60th month following: the refugee's date of arrival into the United States; the date that asylum status is granted to an asylee; the date that a trafficking victim is certified by the Office of Refugee Resettlement or the date that status is granted to the certain family members of the certified trafficking victim; or the date that a parolee was granted parole.

### **Age**

Refugees must be 60 years of age or older in order to be eligible to receive services.

### **Residency Requirements**

Eligible participants are required to be residents of New York State, but are not required to reside in the impacted areas listed in Section XI. Selection Process.

## **IX. FUNDING LIMITATIONS AND PROVISIONS**

### **Available Funds**

The ORR formula allocation uses eligible individuals served from FFY 2017 as a qualifying basis for the SORP set-aside allocation.

Anticipated allocations and subsequent budget periods are subject to continued availability of federal funds and state appropriation of the funds thereof. Only federal funds designated for the SORP are available through this RFP. It is estimated that \$223,306 per budget period may be available through this procurement for the 60-month contract term; however, the amount of funding may be adjusted annually based on funding availability.

## **Distribution of Funds**

OTDA intends to award three contracts of approximately \$74,435 each for Budget Period 1.

Initial contract awards to successful applicants and the corresponding award for Budget Period 1 are the result of this competitive procurement. During the contract term, however, subsequent budget period awards will be based on available funding, continuing need, and satisfactory contractor performance, as evidenced by voucher claims and program monitoring.

When making subsequent budget period awards, OTDA reserves the right to do any of the following:

- Reallocate funding from contractor to contractor
- Suspend a budget period award to an underperforming contractor
- Award a lesser budget period award than was awarded in a previous budget period(s) to an underperforming contractor
- Award a higher budget period award than was awarded in a previous budget period(s) to an over-performing contractor

## **Contract Term and Budget Periods**

This RFP governs the provision of funds for the anticipated 60-month contract term, January 1, 2020 to December 31, 2024. A Work Plan will be required for the 12-month budget period one term as well as one Attachment B-2 Performance Based Budget Summary for the contract's first 12-month budget period.

During the course of the contract, funds will be made available to the contractor for each pre-established budget period. A 12-month Attachment B-2 Performance Based Budget Summary will be required from the contractor for each budget period. OTDA anticipates that there will be five budget periods within the contract term:

- Budget Period I: January 1, 2020 to December 31, 2020
- Budget Period II: January 1, 2021 to December 31, 2021
- Budget Period III: January 1, 2022 to December 31, 2022
- Budget Period IV: January 1, 2023 to December 31, 2023
- Budget Period V: January 1, 2024 to December 31, 2024

# **X. PROGRAM INFORMATION**

## **Performance Based Contracts**

Contracts resulting from this procurement will be performance-based. Under this contract, contractors are not reimbursed for line-item expenses. Compensation is directly tied to the completion of documented deliverables/outcomes. Documentation of the provision of a required or allowable "task" (service) or number of tasks to a participant allows a contractor to claim an achieved deliverable or outcome. The contractor is paid for the deliverables/outcomes at the established rate, as defined in the contract.

Payment for deliverables/outcomes are derived from unit rates proposed in each application. The applicant's award request is calculated by multiplying the rates for each deliverable/outcome by the units to be achieved per deliverable/outcome.

Please calculate the annual costs of your proposed program in the Budget Screens in Grants Gateway following the instructions on the screens and in this RFP in Part B- Instructions for Completing the Application.

Contractors' performance data, along with allocation data such as award amounts, contract periods, program sites, service locations, and spending information may be posted on OTDA's web site as required.

## Payment Rates

The following chart provides information regarding the payment caps for the deliverables/outcomes that your agency will provide. These are the maximum rates per deliverable/outcome that OTDA will reimburse for services under this RFP. The maximum rates have been determined using historical data.

DELIVERABLE/OUTCOME	MAXIMUM RATE
Cross Training	\$700
Community Education Workshops	\$1,600
Socialization and Community Engagement	\$600
Assessment	\$300
Case Management Services	\$600
Services to Older Refugees Five Years Post-Arrival	\$600

The applicant must propose rates for the deliverables/outcomes that do not exceed the maximum rates.

## Payment Limitations

The **Assessment deliverable/outcome is limited** to five per participant per contract term. The other participant-specific deliverables, Case Management Services and Services to Older Refugees Five-Years Post Arrival, are unlimited.

## Deliverable/Outcomes, Definitions, Allowable Services, and Documentation

The parameters and documentation requirements of each deliverable/outcome are provided on the following chart. The applicant should use this information to project service levels and allocate funds to each deliverable/outcome. All required and allowable tasks an applicant proposes to provide must be described in the Work Plan per instructions in Part B. Instructions for Completing the Application.

Applicants are required to provide all deliverables/outcomes with the exception of Socialization and Community Engagement and Services to Older Refugees Five-Years Post Arrival.

In the event of federal statutory, rule, regulation, policy, guidance or programmatic changes that affect the deliverables/outcomes in the chart below, contractors will be notified of the change(s) and required to comply with the new requirements.

Deliverable/ Outcome	Objective	Task(s)	Documentation Required
<b>Cross Training</b>	Meetings between a SORP Provider and other relevant service providers to develop and increase capacity resulting in more	Completing one meeting allows the contractor to claim one <b>Cross Training</b> deliverable.  <b>Required Task</b>	<ul style="list-style-type: none"> <li>Copy of the agenda</li> <li>Sign-in sheet that includes date, time, location of the</li> </ul>

	<p>collaboration to benefit older refugees.</p> <p><i>A minimum of six (6) Cross Trainings per budget period is required.</i></p> <p><i>Cross Training is a non-participant specific deliverable.</i></p>	<p>1. Hold Cross Training meeting</p>	<p>training, and the name (s) of the person (s) conducting and attending the meeting</p> <ul style="list-style-type: none"> <li>• Summary of the meeting on file</li> </ul>
<p><b>Community Education Workshops</b></p>	<p>Conduct workshops that target older refugees and domestic senior groups which:</p> <ol style="list-style-type: none"> <li>1. Promote awareness in refugee communities of services offered by a SORP Provider and other relevant service providers <i>and</i></li> <li>2. Promote cultural awareness about refugee communities throughout the Aging Services Network.</li> </ol> <p><i>A minimum of four (4) Community Education Workshops per budget period are required.</i></p> <p><i>Community Education Workshops are a non-participant specific deliverable/outcome.</i></p>	<p>Completing one Community Education Workshop allows the contractor to claim one <b>Community Education Workshops</b> deliverable.</p> <p><b>Required Task</b></p> <ol style="list-style-type: none"> <li>1. Hold a Community Education Workshop</li> </ol>	<ul style="list-style-type: none"> <li>• Copy of the agenda</li> <li>• Sign-in sheet that includes date, time, location of the workshop, and the name(s) of the person(s) conducting and attending the workshop</li> <li>• Summary of the workshop on file</li> </ul>

<b>Socialization and Community Engagement</b>	<p>Activities which involve older persons in courses, workshops, other learning activities and opportunities for engagement in the community and cultural activities, consistent with EO 190.</p> <p><i>Socialization and Community Engagement is a non-participant-specific deliverable/outcome.</i></p>	<p>Providing one allowable task below allows the provider to claim one <b>Socialization and Community Engagement</b> deliverable.</p> <p><b>Allowable Tasks</b></p> <ol style="list-style-type: none"> <li>1. Completion of a social activity or civic/community participation as described in the approved Work Plan of the contract.</li> </ol>	<ul style="list-style-type: none"> <li>• Copy of the agenda</li> <li>• Sign-in sheet that includes date, time, location of the activity, and the name (s) of the person (s) conducting and attending the activity</li> <li>• Summary of the activity on file</li> </ul>
<b>Assessment</b>	<p>The provider meets with the eligible participant to assess the participant's needs. In conjunction with the participant, the contractor creates a case management plan.</p> <p><i>Assessment is a participant-specific deliverable/outcome.</i></p> <p>The <b>Assessment</b> deliverable is a pre-requisite to the Case Management Services deliverable.</p>	<p>Providing the required tasks below allows the provider to claim one <b>Assessment</b> deliverable.</p> <p><b>Required Tasks</b></p> <ol style="list-style-type: none"> <li>1. Schedule intake with eligible participant</li> <li>2. Assessment of needs</li> <li>3. Create case management plan</li> </ol>	<ul style="list-style-type: none"> <li>• Proof of Immigration status</li> <li>• Application for Services – signed and dated by both the participant and agency representative once the application is complete and prior to services being provided. The agency supervisor must sign and date the application within 30 days of the participant and agency representative signatures or prior to the submission of a voucher, whichever date is earlier</li> <li>• Case management plan</li> <li>• Corresponding case note</li> </ul>



			documentation
<b>Case Management Services</b>	<p>The provider manages the participant's progress throughout the service provision process, updates the Case Management Plan, adjusts as needed, and provides any and all services in the Case Management Plan.</p> <p><i>Case Management Services is a participant-specific deliverable/outcome.</i></p>	<p>Providing the required tasks below allows the provider to claim one <b>Case Management Services</b> deliverable.</p> <p><b>Required Tasks:</b></p> <ol style="list-style-type: none"> <li>1. Provide services and/or referrals in the Case Management Plan within one of the following categories: <ul style="list-style-type: none"> <li>○ Housing Assistance, consistent with EO 190</li> <li>○ Public Benefits Application Assistance</li> <li>○ Medical/Mental Health Care and Counseling consistent with EO 190</li> <li>○ Supportive Services, consistent with EO 190</li> <li>○ Legal Services</li> <li>○ Food and Nutritional Assistance</li> <li>○ Naturalization Assistance</li> <li>○ Other Identified Service Needs as approved by OTDA</li> </ul> </li> <li>2. Update and adjust Case Management Plan</li> </ol>	<ul style="list-style-type: none"> <li>• Proof of Immigration status</li> <li>• Application for Services – signed and dated by both the participant and agency representative once the application is complete and prior to services being provided. The agency supervisor must sign and date the application within 30 days of the participant and agency representative signatures or prior to the submission of a voucher, whichever date is earlier</li> <li>• Case Management Plan</li> <li>• Case note documentation of tasks and/or referrals</li> </ul>

			provided to the participant and any other such documentation as required by OTDA
<b>Services to Older Refugees Five-Years Post Arrival</b>	<p>The provider assists an older refugee participant who has been in the United States 60-months or longer to access services.</p> <p><i>Services to Older Refugees Five-Years Post Arrival is a participant-specific deliverable/outcome.</i></p>	<p>Providing one allowable services below allows the provider to claim one <b>Services to Older Refugees Five-Years Post Arrival</b> deliverable.</p> <p><b>Allowable Tasks:</b></p> <ol style="list-style-type: none"> <li>1. Interpretation</li> <li>2. Naturalization Assistance</li> <li>3. Referral</li> </ol>	<ul style="list-style-type: none"> <li>• Proof of Immigration status</li> <li>• Application for Services – signed and dated by both the participant and agency representative once the application is complete and prior to services being provided. The agency supervisor must sign and date the application within 30 days of the participant and agency representative signatures or prior to the submission of a voucher, whichever date is earlier</li> <li>• Case note documentation of tasks and/or referrals provided to the participant and any other such documentation as required by OTDA</li> </ul>

## **Additional Deliverable/Outcome Information**

### **Case Management Services**

The Assessment deliverable is a pre-requisite to providing any allowable tasks under Case Management Services.

All tasks provided under Case Management Services should be identified in the participant's Case Management Plan in the participant case file. A Case Management Services deliverable may be claimed only when the participant has completed the allowable task and the Case Management Plan has been updated and adjusted. Completion is defined as the provision of the task in a manner that has addressed the need identified in the Case Management Plan. Case notes documenting the Case Management Services must contain enough detail to demonstrate how the provision of the service has addressed the need identified in the Case Management Plan.

A referral to an outside agency other than the provider for a Case Management Service may be claimed only when the participant has accepted the referral and the outside agency's provision of the service has addressed the need identified in the Case Management Plan.

### **Services to Older Refugees Five-Years Post Arrival**

A referral to an outside agency under Services to Older Refugees Five-Years Post Arrival may be claimed only when the participant has accepted the referral and commenced the service. Case notes documenting the Services to Older Refugees Five-Years Post Arrival must contain enough detail to demonstrate the participant accepted and commenced the service.

## **XI. SELECTION PROCESS**

### **Evaluation Process**

Each proposal will be read and scored by at least two reviewers from OTDA. Proposals will be reviewed in accordance with the scoring criteria referenced below. Scores will be averaged and the averaged scores will be ranked from highest to lowest.

Regardless of score, OTDA reserves the right to fund or not fund an application based on other relevant information, such as the occurrence of SORP funds supplanting existing funds, an agency's financial position, an agency's prequalification status in Grants Gateway, vendor responsibility determination and the status of the vendor's NYS Office of the Attorney General Charities Registration filing.

OTDA reserves the right to conduct site visits and solicit the opinion of applicants' other funding sources prior to making a funding decision.

### **Evaluation Criteria**

OTDA will select contractors based on several considerations. The points assigned are reflective of the importance of each item as it relates to the total technical score.

- **Program Specific Questions and Pre-submission Uploads (25 points)**

The applicant's comprehensive explanation of the proposed program, why the program is needed, recruitment of participants, their special needs, potential barriers and how they will be addressed, relationships with community service providers and other points that are relevant to proposed program.

- **Budget (25 points)**

Proposals will be rated based on the Budget Period (BP) 1 funds requested divided by the proposed number of Case Management Services units.

- **Work Plan (50 points)**

The applicant's high-level overview of the project, including overall goal and desired outcomes. A detailed description of the location of the project, target population, overall number of persons to be served, service strategy and hours of operation. Applicants will also be scored on their method of service delivery for the Deliverables/Outcomes as described in the Objectives and Tasks section of the application. Also, the applicant's relevant experience, staffing, qualifications, language capacity and ongoing staff development/training activities.

### **Award Methodology**

- The three projects will be selected from the following six impacted areas: Erie, Monroe, Onondaga, Oneida and Albany counties, and New York City (5 boroughs). Only one award will be made per impacted area. For instance, if OTDA receives applications from all six of these areas, the highest scoring applicant will be selected, the next highest scoring applicant from a different area will be selected and the next highest scoring applicant from a third different area will be selected.
- OTDA intends to award the available funds evenly amongst the three awardees until the BP 1 funding allocation is exhausted with the following exceptions:
  - a. Awarded proposals may not receive the entire requested amount.
  - b. Awards may be reduced or increased based on availability, to provide statewide coverage and to address State priorities and needs.
  - c. If additional funding becomes available, or if circumstances otherwise allow BRS to fund additional contractors, BRS reserves the right to subsequently reconsider eligible proposals submitted in response to this RFP using the same scoring criteria and award methodology. Updated information may be requested as deemed necessary by BRS. If additional funding becomes available, BRS reserves the right to distribute the funding among any or all of the contract awardees. BRS also reserves the right to issue a new RFP at any time during the contract term to solicit new proposals.
- *Initial* contract awards to successful applicants and the corresponding award for the first budget period are the result of this competitive procurement. During the contract term, however, *subsequent* budget period awards will be based on available funding, continuing need, and satisfactory contractor performance, as evidenced by voucher claims and program monitoring.
- When making subsequent budget period awards, OTDA reserves the right to do any of the following:
  - a. Reallocate funding from contractor to contractor
  - b. Suspend a budget period award to an underperforming contractor
  - c. Award a lesser budget period award to an underperforming contractor
  - d. Award a higher budget period award to an over-performing contractor
  - e. Adjust annual contract awards to further the State's priorities and needs.

### **Maintenance of Effort**

Funds awarded through SORP must be used by an applicant for a new service or a quantifiable increase in the level of service above that provided during the immediately previous 12-month period. This provision prohibits using SORP funds to replace existing government or non-profit funding of services. However, once a new or increased level of service meets the above standards, SORP funds may be used to continue funding that service in subsequent years.

## **XII. AWARD PROCEDURES**

It is the policy of OTDA to provide all program Applicants with an opportunity to resolve complaints or inquiries related to bid solicitations or pending contract awards administratively. OTDA encourages all Applicants to seek resolution of complaints concerning the contract award process through consultation with OTDA. All such matters will be accorded impartial and timely consideration. Detailed procedures are provided on OTDA website at Contracts-Grant Opportunities <http://otda.ny.gov/contracts/>. OTDA continues to encourage all successful or unsuccessful applicants who desire a debriefing to contact the OTDA directly.

An appeal may be requested by following the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in the OSC Guide to Financial Operations at <http://www.osc.state.ny.us/agencies/guide/MyWebHelp>. Go to Chapter XI Procurement and Contract Management, 17. Protest Procedures for further information.

### **Contract Development Process**

OTDA will begin the contract development process with successful applicants when the awards are announced. The successful applicants may be asked to provide updated work plans and performance based budget summaries that specify the services to be delivered, project goals, deliverables/outcomes, and the claiming process. Successful applicants will be asked to provide current proof of NYS Worker's Compensation and Disability Insurance before the contract is executed. The contract will include standard terms and conditions such as confidentiality of records, publications, and contract termination. The contract will constitute a legal agreement between the selected applicant and OTDA and will be in effect for the full period of the contract term.

### **Payment**

The contractor will not be reimbursed for line item expenses. Under performance-based contracts, the contractor will be paid for achieving specified deliverables/outcomes described herein. Payment will be made only for deliverables/outcomes for which outcomes are documented and for which vouchers are submitted by the required due date.

No payments will be made until the contract is fully executed and signed by the State Comptroller and the State Attorney General. Once the contract has been fully executed by OTDA (signed and approved by OTDA, the State Attorney General and the Office of the State Comptroller), OTDA may, at its discretion, advance up to 25 percent of the first budget period amount, if requested and if deemed appropriate by OTDA. There will be no advances for subsequent budget periods. Contractors will work at their own risk if they conduct program activities before the contract is executed.

## **XIII. REPORTS AND RECORD KEEPING**

### **1. Record Keeping**

The Contractor must maintain current and accurate fiscal and accounting controls to support the claims for deliverables/outcomes claimed under the contract. Records must adequately identify revenue sources and expense items for all contract activities. Accounting records must be supported by clear documentation for all funds received and disbursed. Records must be retained and be accessible for a period of six years from the end of the contract or last payment or last contract transaction.

However, if any claim, audit, litigation, or State/Federal investigation is commenced before the expiration of the aforementioned record retention period, the records must be retained by the contractor until all claims or findings regarding the records are finally resolved. OTDA or its designee shall have access to any records relevant to the project (including but not limited to books, documents, photographs, correspondence, and

records), for audits, examinations, transcripts, and excerpts. If OTDA determines that such records possess long-term or historic value, they must be transferred, upon request, to OTDA.

If the Contractor expends \$750,000 or more in Federal funds during any one fiscal year, the Contractor will be subject to the Audit Requirements and provisions of OMB Super Circular, found in Federal regulations at 2 CFR Part 200 (Subparts A – F) - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; and, all other audit requirements determined applicable by the OTDA. The audit shall be completed on an annual basis and the audit report submitted within the earlier of 30 days after receipt of the auditor's report(s), or nine months after the end of the audit period, unless a longer period is agreed to in advance by the OTDA. The audit shall be conducted in accordance with generally accepted government auditing standards by an independent auditor and submitted in a form determined by the OTDA. The OTDA will report its findings and any recommendations to the Contractor and may impose any sanctions as determined appropriate.

## **2. Reporting and Vouchering Requirements**

The BRS Information Network (BIN) is the required method to be used by contractors to report individual participant data and contract performance, and to prepare claims for payment.

The contractor must have sufficient equipment and a system environment to use the BIN system, as follows:

- Web browser's Microsoft Internet Explorer (version 11.0 or greater), Google Chrome 30, Mozilla Firefox, and Apple Safari 7. These are free and can be downloaded from their respective websites.
- Internet service (via DSL, Cable Modem, Dial-up, etc.)
- Desktop computer(s) or laptop computer(s) with internet access
- Laser Printer

Reports and vouchers must be submitted by the contractor on a quarterly basis during the contract term, unless otherwise specified. Payments will be based on vouchers and any necessary documents that support the deliverables/outcomes in the performance based budget summary. Additional reporting, as may be determined by OTDA, may also be required. Participant-specific deliverables/outcomes require a Social Security Number (SSN) to be entered into BIN to claim deliverables/outcomes for allowable services provided to a participant.

Final reports and vouchers, known as "close-out" vouchers, are due within 60 days after the completion of, or termination of, the contract.

BIN provides contractors and subcontractors access to individual participant application for services, family self-sufficiency, and individual service plan screens for the purposes of screening and enrolling applicants, establishing financial targets for employment outcomes (if applicable), and developing service plans. A participant's service history with any OTDA contractor will be made available to contractor/subcontractor intake staff to assist in data collection and in determining the potential for payment for service outcomes for the participant. Individuals who will be authorized to access BIN, or who will otherwise have access to Protected Information, as that term is defined in Attachment A-1, will be required to sign the standard Non-Disclosure Agreement (NDA), which is available for review in Grants Gateway and is attached at the end of this RFP. Applicants are encouraged to review the Master Contract for Grants, all Attachments thereto, and the NDA prior to submitting a proposal.

Dates of Service in BIN should be consistent with the actual service dates, as noted in the detailed case notes, as required.

The contractor must enter performance information into BIN as participant outcomes are achieved. The contractor may review and approve subcontractor's performance information in the BIN system.

After the end of a contract quarter, the contractor generates from BIN voucher forms with the payment claims amount for contractor review and subsequent submission to OTDA for payment. In addition to BIN generated reports, backup documentation must be maintained on site by the contractor and must be accessible for review by OTDA at any time.

BIN generates the Claim for Payment, Program Service Report, and Comprehensive Program Report, all of which must be submitted to OTDA on a quarterly basis.

Contractors will be expected to comply with Grants Gateway quarterly reporting.

### **3. Case Records**

The contractor must adhere to OTDA instructions regarding case records as stated in the contract and in related OTDA manuals, directives, and other forms of notification. The dates of service recorded in BIN must be consistent with the actual service dates recorded in the case record.

### **4. Monitoring**

OTDA will monitor projects on a regular basis throughout the life of the contract. Monitoring may include site visits, regular telephone contact and/or discussions of monthly progress reports. The goals of project monitoring are to determine whether the terms of the contract are being met and to provide technical assistance, where necessary, to help the contractor meet these terms. OTDA reserves the right to conduct site visits and make telephone contact to subcontractors as a means of monitoring the prime contractor's performance.

Monitoring activities will concentrate on proper documentation of claims in the contractor's case records for each participant or service claimed. Selected contractors are expected to provide services consistent with the goals of this program. OTDA will monitor services provided for enrolled participants to assess the extent to which services provided are necessary and appropriate.

### **5. Amendments to The Contract**

Amendments and modifications of executed contracts are sometimes necessary to accommodate the needs of both the contractor and OTDA. These changes, which must be by mutual written agreement, may include modification to reimbursement schedules, time and money amendments, or no-cost extensions as necessary. Contract modifications, including amendments and no-cost time extensions, will be made at the discretion of the OTDA with the approval of the Attorney General and the Office of the State Comptroller.

## **XIV. GENERAL TERMS AND CONDITIONS**

This RFP does not commit OTDA to award any contracts or to pay the costs incurred in the preparation of a response to this RFP, or to amend any contract for services.

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 without notice and without liability to any applicant or other parties for any expenses incurred in the preparation of a proposal. OTDA reserves the right to accept or reject any or all proposals that do not completely conform to the requirements or instructions given in the RFP, including time frames for submission thereof.

OTDA reserves the right to award contract(s) to as many or as few applicants as it may select.

OTDA reserves the right to conduct contract negotiations with the next responsible bidder, should the agency be unsuccessful in negotiating with the selected bidder.

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 to be 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 with reliance on additional information requested. Such information may include budget justification, program information, operation details, personnel information, or other funding source information.

OTDA reserves the right to seek clarifications and revisions of proposals and to require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offeror's proposal and/or to determine an offeror's compliance with the requirements of the solicitation.

OTDA reserves the right to use proposal information obtained through site visits, management interviews and the State's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the bidder in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFP. OTDA reserves the right to use any and all ideas submitted in the proposals received. Funds awarded for this project shall be used only for the conduct of the project as approved.

If additional funding becomes available, OTDA reserves the right to redistribute among any or all of the contract awardees and/or subsequently reconsider eligible proposals submitted in response to this RFP at that time, using the same scoring criteria and award methodology in lieu of releasing a new RFP, if deemed to be in the best interest of the State. Updated information may be requested as deemed necessary by OTDA. OTDA also reserves the right to issue a new RFP to solicit new proposals.

NYS OTDA reserves the right to terminate in whole or in part, or modify the contract at its discretion or due to the unavailability of funds. Such termination shall not affect obligations incurred under the contract prior to the effective date of such termination.

When funds are advanced any unexpended balance or funds unaccounted for at the end of the approved period or at the time of termination must be returned.

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 and by the NYS Office of the State Comptroller.

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 the provision of goods and services. OTDA may require the Contractor to demonstrate how the Contractor has complied or will comply with the aforesaid policy.

Subject to the availability of funds, the contract 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.

OTDA reserves the right to award contract(s) to as many or as few applicants as it may select, and to reject all proposals that do not conform to the requirements of the RFP.

OTDA reserves the right to reject any or all proposals received in response to the RFP. OTDA reserves the right to make an award under the RFP in whole or in part.



This RFP and any contract resulting from this RFP is subject to all applicable laws, rules, regulations, policies, guidance, and programmatic requirements promulgated by any Federal and State authority having jurisdiction over the subject matter thereof.

The contractor will be required to comply with all applicable Federal and State laws, regulations, policies, guidance, and programmatic requirements. The contractor must also comply with applicable New York State Executive Orders.

The terms and conditions for all funded projects are specified in a detailed contract which must be signed by OTDA and approved by the New York State Attorney General Office and the Office of the State Comptroller before any work is to begin or payments are made. The successful applicant will be sent the complete standard contract for execution. Before submitting the application, the Applicant is encouraged to review sections of the contract that are available to download from the Contract Document Properties section of the Forms Menu in the Grants Gateway grant opportunity.

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. 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 A-2 (Federal Terms and Conditions)
- Attachment B-2, (Performance-based Budget)
- Attachment C (Work Plan)
- Attachment D (Payment and Reporting Schedule)

Applicants must review the Attachments, as successful applicants will be expected to comply with the terms and conditions specified therein. These Attachments will become a part of any contract that is developed with successful applicants as a result of this RFP.

All plans and working documents prepared by the applicant under the contract to be awarded will become the property of the State of New York. OTDA reserves the right to use any and all ideas submitted in the proposals received.

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 the Office of Temporary and Disability Assistance or his/her designee unless authorized by OTDA to do so.

All reports of investigations, studies, and publications made as a result of this proposal must acknowledge the support provided by OTDA.

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.

OTDA reserves a royalty free non-exclusive license to use and to authorize others to use all copyrighted material resulting from this project.

Successful applicants will be subject to the State's prompt contracting law.

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 corporation or municipality and who may be contacted during the period of proposal evaluation.

## **XV. 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. The OTDA recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of OTDA contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders/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 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.

## **XVI. EXECUTIVE ORDER NUMBER 38: LIMITS ON STATE-FUNDED ADMINISTRATIVE COSTS AND EXECUTIVE COMPENSATION**

Funds requested in support of administrative personnel are subject to Executive Order #38. 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 the Division of Budget.

On January 18, 2012, Governor Andrew M. Cuomo issued Executive Order Number 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 Executive Order 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. <http://executiveorder38.ny.gov/>

## **XVII. EXECUTIVE ORDER NO. 190: INCORPORATING HEALTH ACROSS ALL POLICIES INTO STATE AGENCY ACTIVITIES**

Per 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 Buildings
  - 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.

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

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

### **1. Business Participation Opportunities for MWBEs**

For purposes of this solicitation, OTDA hereby establishes an overall goal of 0% for MWBE participation, 0% percent for New York State-certified Minority-owned Business Enterprise (“MBE”) participation and 0% percent for New York State-certified Women-owned Business Enterprise (“WBE”) participation (based on the current availability of MBEs and WBEs). A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFP, the respondent agrees that OTDA may withhold payment pursuant to any Contract awarded as a result of this RFP pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how OTDA will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. [FOR CONSTRUCTION CONTRACTS – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60 percent of the total value of the contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE]. [FOR ALL OTHER CONTRACTS - The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25 percent of the total value of the contract]

In accordance with 5 NYCRR § 142.13, the respondent further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a Contract resulting from this RFP, such finding constitutes a breach of contract and OTDA may withhold payment as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a respondent agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a respondent may arrange to provide such evidence via a non-electronic method by contacting the Contract’s program manager at OTDA.

Additionally, a respondent will be required to submit the following documents and information as evidence of compliance with the foregoing:

- An MWBE Utilization Plan with their bid or proposal. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to OTDA for review and approval.

OTDA will review the submitted MWBE Utilization Plan and advise the respondent of OTDA acceptance or issue a notice of deficiency within 30 days of receipt.

- If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the OTDA a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by OTDA to be inadequate, OTDA shall notify the respondent and direct the respondent to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

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

- If a respondent fails to submit an MWBE Utilization Plan;
- If a respondent fails to submit a written remedy to a notice of deficiency;
- If a respondent fails to submit a request for waiver; or
- If OTDA determines that the respondent has failed to document good faith efforts.

The successful respondent will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to OTDA, but must be made no later than prior to the submission of a request for final payment on the Contract.

The successful respondent will be required to submit a quarterly M/WBE Contractor Compliance & Payment Report to OTDA, by the 8th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

## **2. Equal Employment Opportunity Requirements**

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

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

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

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.







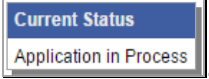
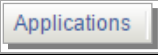
**Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed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

## **PART B – Instructions for Completing the Application**

*Please read Pages 1-27 of the Request for Proposals carefully before completing the application. The entire Services to Older Refugees Program Application must be submitted in Grants Gateway. Read and follow all instructions while completing the screens in Grants Gateway.*

## Completing the Application

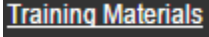
Here are some general guidelines for navigating the Grants Gateway System:

- Log into Grants Gateway as a **Grantee, Grantee Signatory or Grantee System Administrator**.
- Click the  button.
- From the “search by funding agency” drop-down menu, select Office of Temporary and Disability Assistance. Click .
- Locate **Services to Older Refugees Program** and click on the blue link.
- Click the  button.
- From the  **Forms Menu**, complete the forms described in these instructions. Screens from the **Forms Menu** do not have to be completed in any particular order. Certain forms may be left blank if they do not apply to your application, such as the budget items not requested. There will be a “**global warning**” error if you try to submit an application without completing required forms.
- You must  your work before moving onto a new screen.
- If you do not complete the application in one session, it will be in your “tasks” box,  **My Tasks**, labeled , labeled
- Another way to find an application in process is to click the  tab at the top of the screen.

**Please note:** Although those logged in as **Grantee** may work on the application, only those logged in as a **Grantee Signatory** or a **Grantee System Administrator** can submit the application to OTDA.

When the application is ready for submission, click the  **Status Changes** tab then click the  button under “application submitted”.

Other helpful information:

- There is a Grantee Application Tutorial Video available. After logging into Grants Gateway, click the  tab at the top of the screen.
- **The New York State Grants Gateway Vendor User Guide** can be downloaded via the Pre-Submission Uploads screen in Grants Gateway or found online at: <https://grantsmanagement.ny.gov/system/files/documents/2018/11/vendor-user-manual-final.pdf>.
- [Resources for Grant Applicants](#) page on the Grants Management website.
- **Helpdesk information**
  - **Primary Help Desk**
    - Hours: Weekdays 8:00 am - 4:00 pm
    - Email: [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov)
    - Phone: 1-518-474-5595
  - **After Hours Support**
    - Hours: Weekdays 4:00 pm - 8:00 pm
    - Phone: 1-800-820-1890
    - Email: [helpdesk@agatesoftware.com](mailto:helpdesk@agatesoftware.com)



## **Screens in the Forms Menu in Grants Gateway are as follows:**

### **Contract Documents**

1. **Contract Document Properties Screen-** Click on [Sample Master Contract for Grants](#) to download a copy. To download copies of the **Attachment A-1: Program Specific Terms and Conditions** and **Attachment A-2: Federal Specific Terms and Conditions** click the [View File](#) link. You do not upload or complete anything on this screen.

### **Application Information**

1. **Print Application-** Click the link to download a PDF copy of the grant application.
2. **Full Version of RFP-** Click the link to download a copy of this RFP.
3. **Application Instructions** – Pages 28-33 of this RFP.
4. **Application Versions-** There is nothing to do on this screen.

### **Program Information Screens**

1. **Project Site Address Screen-**
  - Enter all the site addresses, one site per screen, including agency specific regional information. Name/Description is the name of the office or location. Regional council is n/a.
  - Click [SAVE](#).
  - Click [ADD](#) for additional screens to add another site address.
2. **Program Specific Questions-** Follow the instructions at the top of the screen. Under Project Title, enter “Services to Older Refugees Program”. Answer all questions in this section. Narrative answer spaces are limited to maximum of 4,000 characters text and OTDA expects answers to be concise. Click [SAVE](#) frequently to avoid losing your work.

### **Performance Budget Screens**

1. **Performance Based Budget-**
  - Complete the Performance Based Budget for **ANNUAL** grant funds requested for the first budget period.
  - Under “Details” in the textbox next to “Deliverable/Outcome” type the deliverable/outcome (ex. Cross Training) that your agency will provide.
  - Under “Financial”, using the maximum payment rates on page 11 of the RFP as a guide, complete “Total Amount Per Unit” and “Grant Amount Per Unit”. The same number should be in both boxes.
  - Under “Number of Units” include the **ANNUAL** units of the deliverable/outcome your agency is proposing.
  - Under “Total Grant Funds” put the amount per unit multiplied by the number of units to get the total amount being requested for the deliverable/outcome.
  - Click [SAVE](#)
  - To add the next deliverable/outcome, click [ADD](#) in the top right corner of the screen.
  - Repeat this process for each deliverable/outcome your agency will provide in your proposed Work Plan.
  - Only whole dollar amounts for funds requested may be used.

2. **Performance Summary-** Summarization of all Performance Budget Detail items for the first proposed budget period. You do not make any changes to the budget here.

**Work Plan: Grant Opportunity Defined Screens-** Section consists of the work plan overview form, deliverables/outcomes, tasks and performance measures.

1. **Work Plan Overview Form-** This section should be completed from an annual perspective. Therefore, the Work Plan Period should be from January 1, 2020 to December 31, 2020.

- **Follow the instructions on the screen. Additionally, your response should address the following:**
  - a. In the Project Summary section:
    - Describe the eligible target populations in your community(ies)/county and their countries of origins.
    - Describe your agency's strategy for engaging older refugees in need of services and ensuring that outreach and case management services are provided in a culturally and linguistically appropriate manner as described in Section VII on pages 5-8 of this RFP.
      - Additionally, where reference is made to EO 190, the agency should describe how their service strategy can improve community health and wellness and align or coordinate with applicable New York State Prevention Agenda Priorities and the World Health Organization Eight Domains of Livability.
  - b. In the Organizational Capacity section:
    - Describe staff language capacity and how services will be provided in a culturally and linguistically appropriate manner. Also describe how staff will assist members of the target population for whom the agency has no language capacity.
    - Describe your organization's experiences in providing services to refugee and/or other eligible populations.
    - Describe how staff will receive education, training and updates on the latest immigration issues, especially those that affect older refugees.

## 2. **Objectives and Tasks-**

- Applicants are required to provide all deliverables/outcomes except for Socialization and Community Engagement and Services to Older Refugees Five-Years Post Arrival. Additionally, please pay special attention to pages 11-15 of the RFP where it indicates whether Tasks are required or allowable. Failure to define the method of service for a required task or deliverable may result in the loss of points for the overall score of your proposal.
- Starting with Objective number 1, Cross Training, under 1.1.1 Performance Measure Name, enter your first task (Example: Cross Training - Local Food Pantries).
- Under Performance Measure Data Capture Type, select Text (500 character limit) is selected from the drop down. In the Narrative, field define in sufficient detail the who, what, where, when, how for providing the required and/or allowable tasks and obtaining the required documentation in order to achieve the deliverable/outcome.
- **SAVE**
- Once saved, a new blank row called 1.1.2 New Performance Measure will be added. Using Cross Training as an example, if you have more than one performance measure, enter the additional performance measure name (Example: Cross Training - Local Hospitals), and complete the Narrative field as described above. The performance measure names for allowable Performance Measures under Case Management Services are pre-entered. Complete the ones for the categories your agency will provide and remove the ones your agency will not provide.
- **SAVE**
- There is a 500 character limit for each performance measure narrative.

- Although not required, examples of the referral forms, outreach flyers, sample agendas, etc. may be uploaded by clicking  and attaching your file. .
- Repeat this process for all Objectives and Tasks your agency will provide.
- If your agency will not provide the Socialization and Community Engagement and/or Services to Older Refugees Five-Years Post Arrival deliverables, select the  ☐ checkbox and .
- If your agency will not provide an allowable task, select the  ☐ checkbox and .
- If your agency will not provide a Performance Measure under the Case Management Services deliverable, select the  ☐ checkbox and .
- If you delete an Objective or Task in error, you can add it back in, but please ensure that you do so in the proper place.

For each performance measure narrative, include the number of staff and each staff person's role and responsibilities in providing the required and/or allowable task.

If a subcontractor will provide a required and/or allowable task, indicate such.

In addition to the above instructions, please include the following information in the Performance Measure Narratives for each deliverable/outcome:

### **Cross Training**

- Describe your agency's process for organizing and holding a Cross Training, including with which types of agencies your agency proposes to collaborate.

### **Community Education Workshops**

- Describe your agency's process for organizing and holding a Community Education Workshop including the proposed topics.

### **Socialization and Community Engagement**

- Describe your agency's process for organizing and holding Socialization and Community Engagement activities, including the type and frequency of activities that your agency proposes to provide.

### **Assessment**

- Describe and define your agency's process for scheduling an intake with an eligible client.
- Describe your agency's process for performing an assessment of needs.
- Describe your agency's process for creating a Case Management Plan.

### **Case Management Services**

- Describe the method of service delivery (who, what, when, where, how) for each category of service described on page 14 that your agency proposes to provide.
- Describe your agency's process for updating and adjusting the Case Management Plan.
- Service providers are not required to provide services in all Case Management Services categories.


### **Services to Older Refugees Five-Years Post Arrival**




- Describe the method of service delivery (who, what, when, where, how) for each Five-Years Post Arrival task that your agency proposes to provide. Include potential referral sources.

**Pre-Submission Upload Screen-** Follow the instructions on the screen and upload all required forms. See Part C of this RFP. Some forms have templates that must be downloaded and completed before they are uploaded. Download the template by clicking "Click Here":

No file chosen   
 Document Template: [Click here](#)  
[View File](#)

**Grantee Document Folder-** Nothing needs to be done on this screen.

**Application Submission-** When you have completed your application, click  , 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 Grants Gateway with their 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 “Services to Older Refugees” under Grant Opportunity Name.
- Click  [Status Changes](#) then  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”.
- To check the status of your application, click on the “Details” link. After submitting your application, the status will say “Assignment of Reviewers.” This means you have successfully submitted the application.

## PART C – Forms to Upload

Upload all required forms in the places designated throughout the application:

- **Agency Organizational Chart** – Upload your agency's organizational chart to show where SORP is located.
- **Participant Flow Chart** - Upload a participant flow chart depicting your agency's service delivery sequence from intake to discharge.
- **Key Personnel Profile** - Upload a chart that depicts the staff involved with the project. For each staff member listed, include the person's name and job title, the responsibilities of the person, the required qualification for the position, the name and title of the supervisor, and the full time equivalent (FTE) of the person's position.
- **Agency Agreement Form** - Sign, complete and upload with the application.
- **Subcontractor and Supplier Identification Form** - Complete all applicable sections and upload with the application.
- **OTDA 4934 Equal Employment Opportunity Staffing Plan**- Complete all applicable sections and upload with the application.
- **OTDA 4970 M/WBE and EEO Policy Statement**- Complete all applicable sections and upload with the application.
- **EO 177 Certification**- Sign, complete and upload with the application.
- **Non-Collusive Bidding Certification**- Sign, complete and upload with the application.
- **Offeror's Acknowledgment of Understanding of Post-Employment Provisions**- Sign, complete and upload with the application.
- **Offeror's Assurance of No Conflict of Interest or Detrimental Effect**- Sign, complete and upload with the application.
- **Sexual Harassment Prevention Certification**- Sign, complete and upload with the application.

Applicants are required to complete the **New York State Vendor Responsibility Questionnaire Not-For-Profit Business Entity**, but it will not be a required upload in Grants Gateway. Instructions on how to complete and file the Questionnaire can be found on the VendRep website [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep).

The **Grants Gateway: Vendor User Guide** can be downloaded via the Pre-Submission Uploads screen in Grants Gateway or found online at <https://grantsmanagement.ny.gov/system/files/documents/2018/11/vendor-user-manual-final.pdf>.

The **Confidentiality/Non-Disclosure Agreement** is not a required upload in Grants Gateway. Upon award and approval of a resulting contract, it will be required to be signed by each of the contractor's staff who have access to OTDA information. The contractor would keep the signed forms on file and would need to produce them upon request.

## AGENCY AGREEMENT

It is understood and agreed to by the applicant that (1) This RFP does not commit the New York State Office of Temporary and Disability Assistance (OTDA) to award any contracts, pay the costs incurred in the preparation of response to this RFP, or to procure or contract services. (2) OTDA reserves the right to amend, modify or withdraw this RFP and to reject any proposals submitted, and may exercise such right at any time and without notice and without liability to any Offeror or other parties for their expenses incurred in the preparation of a proposal or otherwise. Proposals will be prepared at the sole cost and expense of the Offeror. (3) OTDA reserves the right to accept or reject any or all proposals that do not completely conform to the instructions given in the RFP, including time frames for submission thereof. (4) Submission of a proposal will be deemed to be the consent of the applicant to any inquiry made by OTDA of third parties with regard to the applicant's experience or other matters deemed by OTDA relevant to the proposal. (5) Funds granted 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 Minority and Women-Owned Business Enterprises/Equal Employment Opportunity anti-discrimination provisions as more fully set forth in this RFP..

OTDA reserves the right, if funds become available, to reconsider additional proposals submitted in response to this RFP at that time, using the same scoring criteria and award methodology, in lieu of releasing a new RFP, if deemed to be in the best interest of the State.

OTDA anticipates making an award to administer projects for sixty (60) months. Projects may be renewed for additional periods depending on continued need for the services, achievement of anticipated outcomes, continued availability of funding and at the sole discretion of OTDA. For those applicants selected as a result of this Request for Proposals (RFP), subsequent year's funding may be at a decreased level.

The applicant certifies that to the best of his/her knowledge and belief the information in this application is true and correct, that he/she will comply with the above agreement if the grant is received, and that this constitutes a firm offer for 180 days.

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(Signature of official with authority to negotiate and contractually bind the organization who is authorized to sign for applicant) and (Date)

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(Type name, title and include an address and telephone number)

## CONFIDENTIALITY/NON-DISCLOSURE AGREEMENT

With regard to my work with \_\_\_\_\_(Requestor)

I, \_\_\_\_\_ am: \_\_\_\_\_  
(INDIVIDUAL's name)

- ☐ an employee of Requestor
- ☐ a volunteer with Requestor
- ☐ a contractor of Requestor
- ☐ an employee of a contractor of Requestor
- ☐ a volunteer with a contractor of Requestor
- ☐ a subcontractor to a contractor of Requestor
- ☐ an employee of a subcontractor to Requestor
- ☐ a volunteer with a subcontractor to Requestor

and I understand that as part of performing my duties as an employee, volunteer, contractor or subcontractor I may have access to, see or hear "Protected Information," which, for purposes of this agreement, shall include, but not be limited to:

1. Data or information maintained in and/or obtained from OTDA and social services districts-owned applications, systems, networks and/or databases. Data or information maintained in and/or obtained from any other device, application, hardware, software, system, network and/or database created and/or maintained by a third party contractor, agent, vendor, or subcontractor which may be encompassed by this Agreement.
2. Data or information identifying an individual, particularly where such disclosure could result in an unwarranted invasion of personal privacy. Such data or information may include, but is not limited to: home addresses; telephone numbers; Social Security numbers; client identification numbers; payroll information; financial information; health information; and/or, eligibility and benefit information;
3. Computer codes or other electronic or non-electronic data or information, the disclosure of which could jeopardize the compliance stature, security or confidentiality of OTDA's information technology solutions, applications, systems, networks or data;
4. Non-final OTDA policy or deliberative data or information related to the official business of OTDA;
5. Data or information which is not otherwise required to be disclosed under the NYS Freedom of Information Law;
6. Any other material designated by OTDA as being "Confidential," "Personal," "Private" or otherwise "Sensitive."

I acknowledge and agree that all Protected Information (oral, visual or written, including both paper and electronic) which I see or to which I have access shall be treated as strictly confidential and shall not be released,

copied or otherwise re-disclosed, in whole or in part, unless expressly authorized by the New York State Office of Temporary and Disability Assistance (OTDA).

I understand and agree that access to and the use of Protected Information obtained in the performance of my duties shall be limited to purposes directly connected with such duties, unless otherwise provided in writing by OTDA. When access to such information or data also results in access to Protected Information or data beyond that which is necessary for the purpose for which access was granted, I agree to access only that Protected Information needed for the purpose for which access was given.

When I no longer require the use of or access to such Protected Information, I agree that I will not access or attempt to access any Protected Information, including, but not limited to any Protected Information in State systems or other sources, to which I have been given access. I will return any and all reports, notes, memoranda, notebooks, drawings, data and other Protected Information developed, received, compiled by or delivered to me in order to carry out my functions or which may be in my possession, regardless of the source of the Protected Information. Any Protected Information not returned will be catalogued, and thereafter securely scrubbed, shredded, or otherwise disposed of in accordance with New York State EISO policies [<http://www.its.ny.gov/tables/technologypolicyindex>].

I understand that federal and State law and regulation prohibit the release or disclosure of such Protected Information, in whole or part. I acknowledge and hereby agree that I will not copy, re-disclose or otherwise share Protected Information in whole or in part in any form to anyone unless I am expressly directed to do so by my supervisor and such disclosure complies with applicable federal and State law and regulation. I further understand that if I am unsure as to what information is confidential, I will immediately, and prior to any such access, use, or re-disclosure, consult with OTDA or my supervisor.

I will safeguard, and will not disclose to unauthorized parties, any user name and/or password that may be issued to me in furtherance of my access to the Protected Information unless authorized. I understand that my access to Protected Information may be revoked at any time if my responsibilities change, or for any other reason at the discretion and direction of OTDA, or my supervisor. Further, I will not facilitate access or disclosure of Protected Information to any unauthorized person or entity, whether by knowingly providing my user name and/or password or otherwise.

I will comply with all applicable Federal and State confidentiality, record security, compliance and retention laws, regulations, policies and procedures.

I will immediately report to my supervisor any activities by any individual or entity that I have reason to believe may compromise the availability, integrity, security or privacy of the Protected Information. I will immediately notify OTDA and my supervisor of any request for Protected Information that does not come from an individual directly involved in the project.

I agree not to attach or load any hardware or software to or into any State or Requestor equipment unless properly authorized, in writing, to do so by OTDA. I will use only my access rights to, and will access only those systems, directories, and Protected Information authorized for my use by OTDA.

I will not use OTDA telecommunications, Internet, E-mail or other services or equipment for any illegal, disruptive, unethical or unprofessional activities, for personal gain, or for any purpose that could jeopardize the legitimate interests of the State or expose some or all Protected Information.



I agree not to knowingly take any actions that may intrude upon, disrupt or deny OTDA or Requestor services or the flow of any Protected Information.

I agree to store any Protected Information received in secure, locked containers or, where stored on a computer or other electronic media, in accordance with state and federal law and regulation, as well as OTDA's and New York State Office of Information Technology Services' (ITS) security policies that protects Protected Information from unauthorized disclosure.

I understand and agree that the terms of this Agreement shall continue even when I am no longer an OTDA or Requestor employee, contractor, subcontractor, or volunteer and that I will abide by the terms of this Agreement in perpetuity.

I understand that failure to comply with these requirements may result in disciplinary action, termination, civil action and/or criminal prosecution, as well as any other penalties provided by law.

This Agreement shall be governed by the laws of the State of New York, unless otherwise required by Federal law.

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(INDIVIDUAL's Signature)

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(INDIVIDUAL's Printed Name)

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(Entity of which INDIVIDUAL is an employee, subcontractor or volunteer)

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(Date)

## SUBCONTRACTOR AND SUPPLIER IDENTIFICATION FORM

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

**Offeror's Name:**

**Address:**

**City, State, Zip Code:**

**Region/Location of Work:**

**Federal Identification Number:**

**Telephone Number:**

**Email:**

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

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

Please Identify **ALL** subcontracting and supplier purchasing opportunities.

NOTE: Any Subcontractor or Supplier purchases in excess of \$100,000 must comply with NYS Vendor Responsibility Requirements.

**\*\*New York State businesses** have a substantial presence in State contracts and strongly contribute to the 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):**

**Signature:**  
**Authorized Signature**

**Date:**

**Telephone Number:**

**EMAIL Address:**

## STAFFING PLAN

Submit with Bid or Proposal – Instructions on page 2

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

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

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

<b>PREPARED BY (Signature):</b>	<b>TELEPHONE NO.:</b> <b>EMAIL ADDRESS:</b>	<b>DATE:</b>
<b>NAME AND TITLE OF PREPARER (Print or Type):</b>		Submit completed with bid or proposal

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

**Instructions for completing:**

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

**RACE/ETHNIC IDENTIFICATION**

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

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

**OTHER CATEGORIES**

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

GENDER      Male      or      Female

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

**M/WBE AND EEO POLICY STATEMENT**

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

**M/WBE**

**EEO**

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

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

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

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

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

(d) The Contractor shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. The Contractor and subcontractors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

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

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

By \_\_\_\_\_

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

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

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

**M/WBE Contract Goals**

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

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

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

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

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

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

## PROHIBITING CONTRACTS WITH ENTITIES THAT SUPPORT DISCRIMINATION

### EO 177 Certification

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Subscribed to under penalty of perjury under the laws of the State of New York, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ as the act and deed of said corporation or partnership.



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

Identifying Data Potential Contractor:

Address:

Telephone:

Title:

If applicable, Responsible Corporate Officer Name:

Title:

Signature:

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

Legal name of person, firm or corporation

Legal name of person, firm or corporation

By:

Name

Name

Title

Title

Address:

## Offeror's Acknowledgment of Understanding of Post-Employment Provisions

### CONTRACTOR'S ACKNOWLEDGEMENT OF UNDERSTANDING OF POST-EMPLOYMENT PROVISIONS

The Authorized Signatory of the Contractor acknowledges that he/she has the authority to sign on behalf of the Contractor, has read and understands the provisions applicable to post-employment restrictions affecting former State officers and employees, and agrees to abide by the Provisions of the Public Officer's Law during the term of the Agreement.

### CONTRACTOR'S DISCLOSURE OF ANY EXISTING AND/OR CONTEMPLATED CONFLICT OF INTEREST

Have you any existing or contemplated relationship with any other person or entity, including relationships with any member, shareholders of 5% or more, parent, subsidiary, 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.

☐ Yes

☐ No

If your answer to the above is "Yes", please attach a written explanation, include a statement with your Agreement documents describing how your Staffing Firm would eliminate or prevent the Conflict of Interest. Indicate what procedures will be followed to detect, notify OTDA of, and resolve any such conflicts.

By my signature on this form, I certify that all information disclosed to the State is complete, true, and accurate with regard to Conflicts of Interest.

### CONTRACTOR'S DISCLOSURE OF FORMER STATE EMPLOYEES

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

☐ Yes

☐ No

If your answer to the above is "Yes", please attach a written statement identifying any/all employees and/or subcontractors who are former employees of OTDA that will be assigned to perform services under this Agreement, include a description of their work duties, and the dates of their employment.

By my signature on this form, I certify that all information disclosed to the State is complete, true, and accurate with regard to Former State Employees.

### CONTRACTOR'S DISCLOSURE OF ANY INVESTIGATION OR DISCIPLINARY ACTION BY THE NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY OR ITS PREDECESSOR STATE ENTITIES (COLLECTIVELY, "COMMISSION")

Have you or any of your members, shareholders of 5% or more, parents, affiliates, or subsidiaries, 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").

☐ Yes

☐ No

If your answer to the above is "Yes", please attach a written explanation; include a statement with your Proposal providing a brief description indicating how any matter before the Commission was resolved, or whether it remains unresolved.

By my signature on this form, I certify that all information disclosed to the State is complete, true, and accurate with regard to investigations or disciplinary actions by the Commission.

### CONTRACTOR'S AGREEMENT TO NOTIFY OTDA OF POTENTIAL FUTURE CONFLICTS

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

THE SIGNATURE BELOW INDICATES CERTIFICATION/ACKNOWLEDGEMENT/UNDERSTANDING OF EACH OF THE ABOVE

\_\_\_\_\_  
Authorized Signatory

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed

\_\_\_\_\_  
or Typed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contract Number

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

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

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

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

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

Dated:

\_\_\_\_\_  
Signature

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

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

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

**OTDA 11/2016**

# Sexual Harassment Prevention Certification

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

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

Contractor: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

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

# PART D - Printed Version of Program Specific Questions

## PROGRAM SPECIFIC QUESTIONS

### Instructions:

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

Project Title – Services to Older Refugees Program

- 1 Describe in detail why SORP is needed, how the services provided by your agency will meet the special needs of the target population, address potential barriers and assist them to become self-sufficient.
- 2 Describe other programs or services that your agency operates and how they will be used to enhance the effectiveness of your proposed program.
- 3 Describe your agency's relationships with the local Office of the Aging and other community service providers. What specific resources will your SORP participants gain through these relationships?
- 4 Describe how your agency plans to recruit and serve participants who are newly arrived older refugees during their first year in the U.S , those who have already lived in the U.S. for more than a year, and those who have been in the U.S. longer than five years.