

Title: Letter of Interest (LOI) # 1045 Facility Based After-school Programming at Industry Residential Center

Agency: Children & Family Services, NYS Office of Bureau of Contract Management

Contract Number: TBD

Contract term: 3/1/2021 – 2/28/2026

Date of issue: 7/15/2020

Due date/time: 8/5/2020 by 4:00 PM Eastern Time

Location: Industry Residential Center
375 Rush-Scottsville Road
Rush, NY 14543

Counties: Monroe

Background

The New York State Office of Children & Family Services (OCFS) announces an opportunity for qualified entities that; can provide customized afterschool programming for juvenile offenders placed at Industry Residential Center, which is located in Western New York State, in Rush, NY. The facility's comprehensive services include academic, vocational and special education, a behavior management system, medical care and mental health and substance abuse counseling. OCFS is looking for a afterschool program that espouses a mission to empower at-risk young people with the skills necessary to promote unity, safety, and achievement in schools and communities at large. The program would complement the comprehensive programs already in place at Industry Residential Center.

This advertisement is public notice that OCFS is seeking to contract with one (1) organization to provide afterschool programming for juvenile justice involved youth, between the ages of 14 and 18 years old, who have been placed in the custody of OCFS by the family court. The afterschool program must be geared towards providing youth in a secure residential setting with recreational, mentoring and team-building activities for approximately 30 hours per week, which will include occasional weekends and holidays, at the convenience of Industry Residential Center.

OCFS is seeking an afterschool program that will parallel the experience of youth in the community who would attend a similar programming. The proposed program curriculum should target youth involved in the deep end of the juvenile justice system and address risk factors which directly impacts recidivism. These factors include barriers to employment, substance abuse, lack of family involvement, poor peer associations and a lack of community involvement. The afterschool program must stimulate and assist youth with positive activities and interactions during their free time and provide a model that supports structured recreational activities, and mentoring opportunities which will foster

the development of pro-social skills and positive experiences and relationships through teamwork. Programing should also focus on instituting teambuilding exercises that will foster the development of positive experiences, positive skills and positive relationships building for the youth participants.

The purpose of this opportunity is to invite any eligible and interested entities that believe they can satisfy this program's needs to inform OCFS by a Letter of Interest (LOI). To be considered responsive, your organization's LOI must be received no later than the deadline specified on the first page of this announcement. OCFS intends to use the results of this announcement to determine if this opportunity will be competitively bid. Please see the **How to Apply** section for additional information and submission requirements.

To be considered eligible and responsive to this opportunity, the respondent's LOI must provide:

- Provide a completed **Attachment 1 – Letter of Interest to include narratives demonstrating the following:**
 - The applicant's history of understanding, willingness and ability to deliver afterschool programming in a secure residential correctional facility or other similar secure setting for juvenile justice involved youth, between the ages of 14 and 18 years old. The afterschool program must have been geared toward providing youth with recreational, mentoring and team-building activities, and it must be clearly demonstrated that your organization has at least three (3) full years, obtained within the last five (5) years, of the requested experience.
 - A narrative demonstrating your organization's comprehensive afterschool program curriculum that includes activity plans for group work that address the following categories:
 - Structured recreational activities
 - Mentoring opportunities
 - Promoting unity, safety and achievement
 - Teamwork exercises that will foster the development of positive skills, relationships and experiences.
- Three (3) written references from organizations that have utilized the applicant's afterschool services, one (1) of which must be from afterschool services performed within the past twelve (12) months;
- Provide a completed **Attachment 3 – Annual Budget** with narrative justification completed, proposing the cost for all expenses required to successfully deliver all services outlined in your proposal. The proposed budget should cover the first 1-year period cost.
- Provide an organizational chart(s) that depicts the overall organization, key administrative level staff within the organization who will be managing the program, and project-specific staff, team structure and hierarchy.

- Provide resumes demonstrating that direct care service providers have a total of at least five (5) years of cumulative experience delivering after-school programming in a residential setting, correctional or other similar secure setting.

Funding Details

Funding for this project is contingent upon the availability of funds in the state and/or federal budgets. In making awards, OCFS must verify geographic coverage of the regions proposed.

It is anticipated that:

- there will be a maximum of \$50,000 allocated annually, for a total of \$250,000 over the five-year contract term.
- up to 30 youth would be served per week/session.
- there will be a maximum of 240 hours required for these services on an annual basis.
 - The awardee is expected to work approximately thirty (30) hours per week (approximately 360 hours per year). These hours will be performed as scheduled and approved at the discretion of Industry's facility director or designee.
 - While these hours are OCFS' best estimate of utilization, they are not guaranteed.
- any required travel will be reimbursed at New York State rate(s).

Please note: OCFS does not guarantee any specific level of income or referrals.

Term of Contract

Contract(s) awarded in response to this announcement will be for **five (5) years**. The anticipated start date is **March 1, 2021**, and the anticipated end date is **February 28, 2026**. Funding is anticipated to be available for the first year of the contract. The award of a contract does not guarantee that funding will be available for subsequent years. Contractors may not begin providing services before the contract start date; OCFS has no obligation to pay for services rendered before the New York State Office of the State Comptroller and the Office of the Attorney General approve the contract.

How to Apply

To be considered responsive, interested parties must complete and submit all required documents to this solicitation conforming with the format and content requirements as explained. A response that does not provide all the information requested may be subject to rejection. The response should contain sufficient information to assure OCFS of its accuracy. The information provided should, wherever possible, verify that your organization meets the requirements in the **Background** section of this announcement.

Each applicant is required to complete and provide the following documents:

- **Attachment 1 – Letter of Interest**
- **Attachment 3 – Annual Budget**

- **Three (3) Written letters of Reference** (1 must be within last 12 months)
- **Organizational Chart(s)**
- **Resumes:**
 - Staff providing direct care services (totaling at least 5 cumulative years of required experience).
 - Key organizational staff and individuals who will be assigned to provide or develop the programming.

Refer to the **Background** section of this announcement for detailed information regarding how to complete these required documents. **Omissions in the information provided in response to any of the requirements will not be resolved in the proposer's favor.**

Applicants must submit these documents via email to RFP@ocfs.ny.gov no later than the deadline specified on the first page of this announcement.

Please enter "**LOI # 1045 After-school Program at Industry**" in the subject line of the email submission of your application and identify the name of the applicant in the body of the email and in the filenames of attached documents to ensure your submission is processed efficiently. **Early submissions are encouraged as late responses may be subject to rejection.**

Please limit your Letter of Interest to a maximum of **ten (10)** page(s), Arial 12-point font, single line spacing and one-inch margins. Please see the **Attachment 1 – Sample Letter of Interest** provided for your reference. If applicable, Letters of Interest should attempt to conform to the guidance outlined in **Attachment 2 – Guidelines for Preparing Letters of Interest.**

Questions

Questions must be submitted via e-mail to RFP@ocfs.ny.gov before the due date and time of this announcement. Please submit your question with adequate time for response; OCFS recommends allowing at least five business days. Be sure to put "**LOI # 1045 After-school Program at Industry**" in the subject line. **Late questions may not be addressed.**

Under the requirement of the Procurement Lobbying Act all communications regarding advertised projects are to be channeled only through the primary contact identified herein.

Evaluation Process

An internal review by OCFS will evaluate LOIs submitted in response to this announcement. This announcement is not a guarantee or promise of funding. OCFS may require additional information from an organization before deciding whether the interested organization is responsive and can supply the requested commodities or services. If OCFS requests additional information, it must be provided within five business days from request. OCFS intends to use the results of this announcement to determine if this opportunity will be competitively bid.

OCFS Reserved Rights

OCFS reserves the right to withdraw, amend or postpone this announcement, without notice, and without liability, to any applicant, or other party, and may exercise these rights at any time. In addition, OCFS reserves the right to:

- place a monetary cap on the funding amount made in each contract award;
- change any of the schedule dates stated in the LOI;
- make an award under the LOI in whole or in part;
- disqualify any applicant whose conduct and/or response fails to conform to the requirements of the LOI;
- reject any LOI if, in the sole discretion of OCFS, it determines the applicant is not a responsible vendor;
- request all bidders who submitted proposals to present supplemental information clarifying their proposals either in writing or by formal presentation;
- direct all organizations who submitted LOIs to prepare modifications addressing announcement amendments;
- make funding decisions that maximize compliance with and address the outcomes identified in this announcement;
- fund only one portion, or selected activities, of the selected applicant's response and/or adopt all or part of the selected applicant's response based on federal and state requirements;
- eliminate any LOI requirements unmet by all applicants, upon notice to all parties that submitted LOIs;
- waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the applicant involved;
- correct any arithmetic errors in any proposal, or make typographical corrections to proposals, with the concurrence of the applicant;
- negotiate with the eligible applicant(s) prior to contract award;
- require that all proposals be held valid for a minimum of 180 days from the closing date for receipt of applications, unless otherwise expressly provided for in writing;
- fund any or all of the proposals received in response to this announcement. However, issuance of this announcement does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted;
- use the LOI submitted in response to this announcement as part of an approved contract. At the time of contract development, awardees may be asked to provide additional budget and program information for the final contract;
- make inquiries of third parties, including but not limited to applicant's references, regarding the applicant's experience or other matters deemed relevant by OCFS. By submitting an LOI in response to this announcement, the applicant gives its consent to any inquiry made by OCFS;
- where applicable, require contractors to participate in a formal evaluation of the program to be developed by OCFS. Contractors may be required to collect data for these purposes. The evaluation design will maintain participants' confidentiality and recognize practical constraints of collecting this kind of information;
- when applicable consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals; and
- reject any extraneous terms, alternate activities/work to be performed, added

conditions, or exceptions stated by applicants within their response. This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

Contract Documents

The applicant must review the contract terms and conditions of the contract template provided below.

If applying, your organization must read, understand, and accept all provisions of Appendix A – Standard Clauses for NYS Contracts. Appendix A contains important information related to the contract to be entered into as a result of this LOI and will be incorporated, without change or amendment, into the contract entered into between OCFS and the selected organization(s). By submitting a response to the LOI, your organization agrees to comply with all the provisions of Appendix A. Please review the sample non-grant contract template, which includes Appendix A, available at: <https://ocfs.ny.gov/main/contracts/docs/Non-Grant-Contract-Template.pdf>.

In addition, the following documents will be required prior to contracting:

- [Vendor Responsibility Questionnaire](#) (if applicable)
- [Proof of Workers Compensation Insurance](#) (if applicable)
- [Proof of Disability Benefits Coverage](#) (if applicable)
- [ST-220-TD, Contractor Certification](#) (if applicable, for reference only)
- [ST-220-CA, Contractor Certification to Covered Agency](#) (if applicable)
- [Attachment A-2, Federal Assurance and Certifications](#) (if applicable)
- [OCFS-4822, Procurement Lobbying Act – Offerer Certification Form](#) (if applicable)
- [OCFS-4631, MWBE Utilization Plan Form](#) (if applicable)
- [OCFS-4629, Project Staffing Plan Form](#)
- [OCFS-3460, Equal Employment Opportunity \(EEO\) Policy Statement](#)
- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)

State Finance Law §139-I; Statement on Sexual Harassment in Bids

New York State Finance Law §139-I, effective January 1, 2019, requires, in relevant part, that “[e]very bid . . . made to the state or any public department or agency thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain [a] statement subscribed by the bidder and affirmed by such bidder as true under the penalty of perjury. . . [that] ‘[b]y 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 as to 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.’” The contractor must provide the foregoing certification before any award being made by OCFS. For additional guidance on drafting an appropriate sexual harassment policy and developing appropriate training please refer to State Finance Law §139-I and

<https://www.ny.gov/combating-sexual-harassment-workplace/employers#top>

Other Contracting Requirements

1. If applicable, not-for-profit organizations must be registered in the NYS Grants Gateway and complete the Vendor Prequalification process before contract execution per [New York State Division of Budget Bulletin H-1032 Revised](#), dated July 16, 2014.
2. Executive Order 177, signed on February 3, 2018, by Governor Andrew M. Cuomo, directs New York State agencies and authorities not to enter into any contracts with entities that 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 basis. The contractor must provide the [EO 177 certification statement](#) before any award being made by OCFS.
3. Sections 57 and 220 of the Workers' Compensation Law (WCL) and section 142 of the State Finance Law require that businesses contracting with New York State have and maintain and [provide evidence of appropriate workers' compensation and disability benefits insurance coverage](#). If an award is made from this announcement, updated proof of coverage must be provided during contract development. Failure to submit the proof will delay the contract development process and may result in the award being rescinded. Municipalities are not required to show proof of coverage.
4. Section 163(9)(f) of the NY State Finance Law requires that a state agency determine that a bidder is responsible before awarding that bidder a state contract. Vendor responsibility will be determined based on the information provided by the bidder, on-line, through the [New York State VendRep System Questionnaire](#) or through a paper copy of the [Vendor Responsibility Questionnaire](#). OCFS will review the information provided before making an award.
5. By submitting an LOI in response to this solicitation or by assuming the responsibility of a contract awarded hereunder, bidder/contractor (or any assignee) certifies that it is not on the "Prohibited Entities List," as defined by the *Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012* (the Act), which is posted on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such contract any subcontractor that is identified on the "Prohibited Entities List." Bidder/contractor is advised that should it seek to renew or extend a contract awarded in response to the solicitation, it must provide the same certification at the time the contract is renewed or extended.
6. All offerers and their employees must be aware of and comply with the requirements of the New York State Public Officers Law, and all other appropriate provisions of New York State law and all resultant codes, rules and regulations from state laws establishing the standards for business and professional activities of state employees and governing the conduct of employees of firms, associations and corporations in

business with the state. In signing the proposal, each offerer guarantees knowledge and full compliance with those provisions for any dealings, transactions, sales, contracts, services, offers, relationships, etc. involving the state and/or state employees. Failure to comply with those provisions may result in disqualification from the bidding process and in other civil or criminal proceedings as required by law: <https://www.nysenate.gov/legislation/laws/PBO>

7. 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, OCFS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises (MWBE) and the employment of minority group members and women in the performance of OCFS contracts. If applicable, a contractor on any contract resulting from this procurement must document its good faith efforts to provide meaningful participation by MWBE as subcontractors and suppliers in the performance of the contract. To that end, by submitting a response to this opportunity, the respondent agrees that OCFS may withhold payment pursuant to any contract awarded as a result of this announcement pending receipt of the required MWBE documentation. The directory of MWBE can be viewed at: <https://ny.newnycontracts.com>. OCFS will request any necessary completed MWBE documents from the contractor during the contract development process.
8. If applicable, not-for-profit vendors must be registered with the New York State Office of the Attorney General as a charitable organization, and the registration must be up-to-date at the time of contracting. Vendors must be sure all their documents are up-to-date and comply with the vendor responsibility requirements as outlined below. To determine the status of your charity's registration information, contact: https://www.charitiesnys.com/RegistrySearch/search_charities.jsp

Contact Information

Primary contact:

Director of Contracts
Office of Children & Family Services
52 Washington Street
Room 202S – Procurement Unit
Rensselaer, NY 12144
RFP@ocfs.ny.gov

Submit to contact:

Director of Contracts
Office of Children & Family Services
52 Washington Street
Room 202S – Procurement Unit
Rensselaer, NY 12144
RFP@ocfs.ny.gov

Attachments

Please see the following attachments to this announcement, which are available on the NYS Contract Reporter website at <https://www.nyscr.ny.gov> or the OCFS website at <https://ocfs.ny.gov/main/contracts/funding/>.

Attachment 1 – Sample Letter of Interest*

Attachment 2 – Guidelines for Preparing Letters of Interest (for reference only)

Attachment 3 – Budget*

* Attachments marked with an asterisk **must** be completed and included with your bid proposal.