



**Office of Children  
and Family Services**

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**New York State  
Office of Children and Family Services  
Commission on National and Community Service**

**Grant Procurement**

**REQUEST FOR PROPOSALS**

**RFP # 1071**

**New York State AmeriCorps 2022 - 2023 Competitive Pool**

**Issued: 10/25/2021**

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## 1.0 GENERAL INFORMATION/CALENDAR OF EVENTS

The New York State Commission on National and Community Service (hereafter “the Commission”) seeks applicants for 2022-23 AmeriCorps Formula/Competitive grant funding. The Commission is a governor-appointed commission with a diverse, non-partisan body of, among others, representatives of: business, labor, education, government, human service agencies and community-based organizations. The Commission directs national service policy for the state and directly administers funding awarded by the Corporation for National and Community Service (hereafter “the Corporation” or “AmeriCorps”)<sup>1</sup> to support New York State AmeriCorps programs.

The Commission, while independent, is hosted by the New York State Office of Children and Family Services (hereafter “OCFS”). OCFS provides administrative and other types of support to the Commission. OCFS provides valuable and critical support to the Commission and is the designated state agency for purposes of issuing the Commission requests for proposals and administering grant contracts. There will be instances within this Request for Proposal (hereafter “RFP”) for documents, forms and other information requested by OCFS. The Commission supports the mission and priorities of OCFS, and applicants should prepare their proposals to address the specific parameters of this RFP. All documents and forms requested by OCFS must be submitted before the deadline for submission of proposals indicated in [Section 1.2 \(Calendar of Events\)](#). If awarded subgrants under this RFP, your agency must agree to comply with all applicable state and federal laws, rules and regulations, and all OCFS contract and reporting procedures.

**Once applicants have been determined to have met the minimum qualifications outlined in [Section 3.1](#) OCFS is NOT responsible for further review or evaluation of applications. All recommendations to the Corporation to fund applications, or the decision to not recommend an applicant for funding, are within the discretion of the Commission. Final award determinations are made by the Corporation. The Corporation does not allow an appeal of any award decisions.**

### **THIS REQUEST FOR PROPOSAL IS FOR COMPETITIVE FUNDING ONLY**

This RFP’s funding comes from the AmeriCorps national service funding (hereafter the “competitive pool”). The recommendations made by the Commission must be approved by the Corporation before grants may be awarded. The Commission will recommend funding a single organization or agency, or multiple organizations or agencies to establish and administer an AmeriCorps program or programs.

**Note:** Throughout this document, the terms *proposals*, *bids*, *offers*, and *applications* are used interchangeably, as are *applicants*, *bidders*, and *offerers*. If the offerer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP,

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<sup>1</sup> All references to “AmeriCorps” in this RFP refer to the Corporation.

the offerer shall immediately notify OCFS ([see Section 1.1 Procurement Contact](#)) of such error in writing and request clarification or modification of the document.

If before the deadline for submission of written questions an offerer fails to notify OCFS of a known error in or omission from the RFP, or of any error or omission or prejudice in bid specification or documents with the RFP that the offerer knew or should have known, the offerer agrees that it will assume such risk if awarded funds, and the offerer agrees that it is precluded from seeking further administrative relief or additional compensation under the contract by reason of such error, omission, or prejudice in bid specification or documents.

### Key Concepts

- [2022 AmeriCorps State and National Grants NOFO \(hereafter “the NOFO”\)](#)
  - The NOFO should be read in conjunction with this Commission RFP, the [AmeriCorps Regulations, 45 CFR §§ 2520–2550](#), the mandatory supplemental instructions, application instructions, and the National Performance Measure instructions, which are incorporated herein by reference. **NOTE: The dates listed in these materials are not applicable to this RFP; please follow the dates listed in the calendar of events in this RFP.**
- [2022 AmeriCorps Application Instructions](#)
- [2022 Mandatory Supplemental Instructions](#)
- [2022 Performance Measures Instructions](#)

The full AmeriCorps regulations are available online at <http://www.ecfr.gov>

<b><u>Requirements in the AmeriCorps Regulations Topics</u></b>	<b><u>Citation in the AmeriCorps Regulations</u></b>
Member Service Activities	§2520.20 - §2520.55
Prohibited Activities	§2520.65
Tutoring Programs	§2522.900-2522.950
Matching Funds	§2521.35-2521.90
Member Benefits	§2522.240-2522.250
Calculating Cost Per Member Service Year (MSY)	§2522.485
Performance Measures	§2522.500-2522.650
Evaluation	§2522.500-2522.540 and §2522.700-2522.740
Selection Criteria and Selection Process	§2522.400-2522.475

## 1.1 Procurement Contact

All inquiries concerning this procurement must be addressed to the director of contracts in the Procurement Unit or their designee(s) at OCFS, via email (preferred) to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) or via hard copy mailed to:

Director of Contracts  
Questions for **RFP # 1071 NYS AmeriCorps 2022-2023 Competitive Pool**  
New York State Office of Children and Family Services  
52 Washington Street  
Room 202S – Procurement Unit  
Rensselaer, NY 12144

## 1.2 Calendar of Events

<b>RFP # 1071 NYS AmeriCorps 2022-2023 Competitive Pool</b>	
<b>EVENT</b>	<b>DATE</b>
Issuance of Request for Proposals	10/25/2021
Programmatic and Evidence Informational Meeting Session ( <i>optional</i> ) (see Section 1.3)	10/29/2021 at 1:00 p.m. Eastern Time
Technical Informational Meeting Session ( <i>optional</i> ) (see Section 1.3)	10/29/2021 at 3:00 p.m. Eastern Time
Recommended Date to Request to Submit Additional Projects (see Section 2.3)	11/3/2021 by 5:00 p.m. Eastern Time
<b>Deadline for Submission of Written Questions (see Section 1.4)</b>	<b>11/4/2021 by 11:59 p.m. Eastern Time</b>
Recommended Deadline to Prequalify in the Grants Gateway (see Section 3.2)	11/10/2021
Responses to Written Questions Posted	On or about 11/15/2021
<b>Deadline for Submission of Proposals in eGrants (see Section 5.5)</b>	<b>11/24/2021 by 4:59 p.m. Eastern Time</b>
<b>Deadline for Submission of New York State Supporting Documents (see Section 1.6)</b>	<b>11/24/2021 by 4:59 p.m. Eastern Time</b>
<b>Deadline for Proof of SAM registration (see Section 3.1)</b>	<b>12/31/2022 by 4:59 p.m. Eastern Time</b>
Anticipated Notification of Award (not earlier than)	No earlier than mid-May 2022
Anticipated Contract Start Date (not earlier than)	No earlier than 8/1/2022

### 1.3 Programmatic/Technical Informational Meeting Sessions

The Commission is committed to providing the most current application information available and relies primarily on the New Yorkers Volunteer website ([www.NewYorkersVolunteer.ny.gov](http://www.NewYorkersVolunteer.ny.gov)) to keep applicants abreast of changes. It is the applicant’s responsibility to monitor this website frequently for training and technical assistance resources, updates to the application process, and other information.

Additionally, two (2) optional informational sessions will be held on the dates and times specified in [Section 1.2 Calendar of Events](#), please use the following access information to participate:

To join for both video and audio conference		
Session	Access link	Password
Programmatic and Evidence Info Session	<a href="#">Link</a>	AmeriCorps2022
Technical Info Session	<a href="#">Link</a>	

To join for audio conference only		
Session	Call in Number	Participant Code
Programmatic and Evidence Info Session	(518) 549-0500	161 156 7780
Technical Info Session		161 309 2232

The **Programmatic and Evidence Informational Meeting Session** will cover general AmeriCorps and National Service Programmatic information along with Evidence Information.

Participants are encouraged to review the [2022 Mandatory Supplemental Guidance](#) section on Evidence Tiers, pp. 3 – 4, before attending this session. Participants are also strongly encouraged to participate in AmeriCorps **Technical Assistance Calls & Webinars: Best Practices in Demonstrating Evidence** ([Recording/Webinar](#)).

The **Technical Requirements Informational Meeting Session** will cover the details of the application process.

**Note:** Before these sessions, participants are strongly advised to read this RFP.

#### 1.4 Submission of Written Questions

All communications to report errors or omissions in the procurement process or to ask questions or to request clarification of this RFP should cite the particular RFP section and paragraph number, and must be submitted via email to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) no later than the deadline for submission of written questions specified in [Section 1.2 Calendar of Events](#). Questions received after the deadline for submission of written questions may not be answered. The comprehensive list of questions and responses will be posted in the solicitation announcement in the New York State Grants Gateway System (<https://grantsgateway.ny.gov>) (GGG or Grants Gateway), on the OCFS website (<https://ocfs.ny.gov/main/contracts/funding/>) the Contract Reporter website at (<https://www.nyscr.ny.gov/login.cfm>) and the Commission website at (<https://newyorkersvolunteer.ny.gov/>), on the date specified in [Section 1.2 Calendar of Events](#).

To view the comprehensive list of questions and responses that are posted to the New York State Grants Gateway, click the link under the grant opportunity announcement in the Grants Opportunity Portal.

**NOTE: Requests to submit additional projects (see Section 2.3) should be submitted by the recommended deadline date specified in [Section 1.2 Calendar of Events](#). The Commission must forward these types of requests to the Corporation, which has sole discretion to determine approval of these requests. The Commission cannot assure applicants that the Corporation will determine such requests before the Commission's deadline for submission of applications. The Commission will not publish responses to these requests but will notify applicants of the Corporation's determination.**

#### 1.5 Deadline for Prequalification in the Grants Gateway

Non-profit applicants are strongly encouraged to prequalify in the Grants Gateway by the date specified in the table in [Section 1.2 Calendar of Events](#), and **MUST** prequalify by the **deadline for submission of proposals in eGrants**. Please refer to [Section 3.0 MINIMUM QUALIFICATIONS TO PROPOSE AND PREQUALIFICATION PROCESS](#).

**Note:**

- Government entities are not required to prequalify in the Grants Gateway but **must register** in order to submit an application.
- Applicants submitting continuation requests are not required to be prequalified in the New York State Grants Gateway on the application deadline. However, prequalification will still be required at the time of contract. See [Section 3.2 Prequalification Process](#) for additional information.



## 1.6 Submission of Proposals

### eGrants

All proposals must be submitted electronically through the Corporation's web-based system, [eGrants](#). Applicants should draft the application as a Word document and copy and paste the document into the appropriate eGrants fields. The Commission recommends that applicants create an eGrants account and begin the application creation process as soon as possible.

### Evidence Studies and Evaluation Reports

In addition to the application submitted in eGrants, you may be required to provide, evaluation brief(s), report(s), study(ies). See the [2022 AmeriCorps State and National Grants Notice of Funding Opportunity \(NOFO\) Section E. Evaluation Plan](#), pp.27 for evaluation plan submission requirements and instructions. All documents **MUST** be emailed to [americorps.rfp@newyorkersvolunteer.ny.gov](mailto:americorps.rfp@newyorkersvolunteer.ny.gov).

Note: If the Commission recommends your application to the Corporation, you may be required to provide additional documents such as: 1) Labor union concurrence; 2) Federal debt delinquency; 3) Financial Management Survey (FMS); 4) [Diversity Questionnaire](#)<sup>2</sup>; and/or 5) other required documents.

All new and re-competing applications recommended to the Corporation by the Commission are required to complete and submit their Financial Management Survey. The Commission recommends that applicants begin working on their FMS in anticipation of being funded. Please see **p. 19 of the [2022 AmeriCorps State and National Grants Notice of Funding Opportunity \(NOFO\)](#)**. You will be provided with more detailed instructions by the Commission staff if your proposal is recommended to the Corporation for funding.

### New York State Supporting Documents

**You must submit with your application either 1) proof of registration with an active SAM registration, or 2) documentation (an electronic copy of a receipt, screen shot or other documentation) that your organization has applied for SAM registration before the due date for applications.**

**The following documents are required for new and re-compete applications.** Email the documents to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) by the date specified in [Section 1.2 Calendar of Events](#). These documents are considered part of your proposal, and failure to submit them by the specified date will disqualify your

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<sup>2</sup> On August 24, 2021, The Corporation for National and Community Service, operating as AmeriCorps, submitted a public information collection request (ICR) entitled AmeriCorps Diversity Questionnaire for review and approval in accordance with the Paperwork Reduction Act. The questionnaire is still in draft form.

application from further review. In the subject heading of the email, please write “**RFP # 1071 NYS AmeriCorps 2022 - 2023 Competitive Pool Required Bid Documents**” and please include your organization’s name and application number.

- A. [OCFS-2633, MacBride Fair Employment Principles Certification Form.](#)
- B. [OCFS-2634, Non-Collusive Bidding Certification](#) (Required by section 139d of the State Finance Law).
- C. [Attachment A-2, Federal Assurances and Certifications.](#)
- D. For complete proposal and contract requirements for the Minority- and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) requirements, refer to Section 7.10. The following are forms to be completed and submitted with your Administrative Proposal and can be found [here](#):
  - **OCFS-4629**, *Project Staffing Plan Form*
  - **OCFS-3460**, *Minority- and Women-Owned Business Enterprises (MWBE) Equal Employment Opportunity (EEO) Policy Statement.*
- E. [OCFS-2647, EO 177 Certification](#) (See Section 7.15 for more information).
- F. [OCFS-4821, CMS User Authorization](#) (Please note, the authorization form is not required at the time of application submission. However, the form is needed for contract development)
- G. [Attachment 1 – Statement on Sexual Harassment](#) (See Section 10 of this RFP).
- H. Proof of active registration or application in System for Award Management (SAM) (See Section 3.1).
- I. Confirmation of **completion** of the vendor responsibility process should be submitted with your proposal. This confirmation can take the form of registration in the VendRep System or by submitting your completed hardcopy questionnaire. To submit this confirmation with your application, go to the bottom of your certified questionnaire and click the button called, “Form Overview” (See section 3.3 for more information).

### **Proposal Due Date**

All proposals submitted in response to this RFP are due in the eGrants system by the date specified in [Section 1.2 Calendar of Events](#) of this RFP.

**Supporting documents must be emailed** to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) by the dates specified in [Section 1.2 Calendar of Events](#).

## **1.7 OCFS Reserved Rights**

OCFS reserves the right to

1. place a monetary cap on the funding amount made in each contract award;
2. change any of the schedule dates stated in this RFP before the due date for the submission of proposals;
3. reject any or all proposals received in response to the RFP;
4. withdraw the RFP at any time at the agency's sole discretion;
5. make an award under the RFP in whole or in part;
6. disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP;
7. reject any proposal if, in the sole discretion of OCFS, it determines the bidder is not a responsible vendor;
8. seek clarification and revisions of proposals. Request bidders to present supplemental information clarifying their proposals either in writing or by formal presentation. Other than the requested clarification and supplemental information, submission of new information is not permitted;
9. require that bidders demonstrate, to the satisfaction of OCFS, any feature(s) present as a part of their proposal, which may include an oral presentation of their proposal. Any such demonstration or presentation may be considered in the evaluation of the proposal;
10. amend any part of this RFP before opening of bids, with notification to all bidders, and direct all bidders to prepare modifications addressing RFP amendments, if necessary. Expenses incurred in the preparation of any proposals or modifications submitted in response to this RFP are the sole responsibility of the bidder or other party and will not be incurred or reimbursed by OCFS;
11. make funding decisions that maximize compliance with and address the outcomes identified in this RFP;

12. fund only one portion, or selected activities, of the selected bidder's proposal and/or adopt all or part of the selected bidder's proposal based on federal and state requirements;
13. eliminate any RFP requirements that cannot be met by all prospective bidders upon notice to all parties that submitted proposals;
14. waive procedural technicalities or modify minor irregularities in proposals received after notification to the bidder involved;
15. correct any arithmetic errors in any proposal or make typographical corrections to proposals with the concurrence of the bidder;
16. negotiate with the selected bidder(s) before contract award;
17. conduct contract negotiations or award a contract to the next highest bidder if contract negotiations with the selected bidder(s) cannot be accomplished within an acceptable time frame. No bidder will have any rights against OCFS arising from such actions;
18. award contracts to more than one bidder or to other than the lowest bidder;
19. require that all proposals be held valid for a minimum of 180 days from the closing date for receipt of proposals, unless otherwise expressly provided for in writing;
20. fund any or all of the proposals received in response to this RFP. However, issuance of this RFP does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted and reserves the right to withdraw or postpone this RFP without notice and without liability to any bidder or other party for expenses incurred in the preparation of any proposals submitted in response to this RFP and may exercise these rights at any time;
21. use the proposal submitted in response to this RFP as part of an approved contract. At the time of contract development, awardees may be requested to provide additional budget and program information for the final contract;
22. utilize any and all ideas submitted in the proposals received where an award is ultimately made;
23. 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 offerer's proposal and/or to determine an offerer's compliance with the requirements of the solicitation;

24. make additional awards based on the remaining proposals submitted in response to this RFP and/or provide additional funding to awardees if such funds become available;
25. make inquiries of third parties, including but not limited to, bidder's references, with regard to the applicants' experience or other matters deemed relevant to the proposal by OCFS. By submitting a proposal in response to this RFP, the applicant gives its consent to any inquiry made by OCFS;
26. 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 confidentiality of participants and recognize practical constraints of collecting this kind of information;
27. consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals;
28. rescind awards for failure of awardees to meet time frames that OCFS is required by statute to meet for contract development and approval;
29. cancel this RFP, in whole or in part, at any time and to reject any and all proposals when appropriate in the best interests of the state; and
30. make adjustments to the funding amount requested based on program need and based on the total dollar value of the applications submitted.
31. reject any extraneous terms, alternate activities/work to be performed, added conditions, or exceptions stated by applicants within their proposal(s). This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

Before the deadline for submission of proposals, any such clarifications or modifications as deemed necessary by OCFS will be posted in the [Grants Gateway](#), [the New York State Contract Reporter](#), the [OCFS website](#), and will be linked to the Commission's website, as described in [Section 1.4 Submission of Written Questions](#). Potential offerers that were sent the original bid notice via email will receive an email from the RFP unit regarding the clarifications or modifications. It is the potential applicants' responsibility to check the New York State Contract Reporter or the OCFS website for any changes and check the posted Q&As.

## 2.0 EXECUTIVE OVERVIEW

### 2.1 Introduction/Description of Program Objectives and Background

The Commission was established in 1993 by an executive order of Governor Mario Cuomo. The Commission administers the state's AmeriCorps national service portfolio, which seeks to improve lives, strengthen communities, and foster civic engagement through service and volunteerism in New York State. The Commission promotes volunteerism and community service as methods to solve local problems.

AmeriCorps is a federally funded service program that provides citizens the opportunity to engage in full- or part-time service to their communities. New York State AmeriCorps subgrants are awarded to public or private nonprofit organizations (including faith-based), other community organizations, Native American tribes, institutions of higher education, local governments, nonprofit organizations, state agencies or other non-federal governmental entities within states or territories (e.g., cities, counties), labor organizations, partnerships and consortia, and intermediaries that will operate solely in New York State and focus on one (1) or more of the six (6) focus areas identified by the Edward M. Kennedy Serve America Act. These focus areas are the following:

1. Disaster services
2. Economic opportunity
3. Education grants
4. Environmental stewardship
5. Healthy futures
6. Veteran and military family services

Each of the organizations and agencies, in turn, is expected to use AmeriCorps funding to recruit, place, and supervise AmeriCorps members who engage in intensive service to address pressing community problems. After successful completion of their terms of service, AmeriCorps members may earn a [Segal AmeriCorps Education Award](#) that may be used to pay for college or graduate school at Title IV eligible schools, or to repay [qualified student loans](#). Most AmeriCorps members receive a modest living allowance and health care benefits, and may be eligible for child care assistance during their terms of service.

### 2.2 OCFS Statewide Considerations

Not Applicable.

## **2.3 Purpose and Funding Availability**

The Commission anticipates that AmeriCorps will be highly selective in choosing the awardees for the 2022-2023 AmeriCorps Competitive funding. To maximize the impact of the public investment in national service, the Commission will recommend applications for funding that demonstrate community impact and the ability to solve community problems using an evidence-based or evidence-informed approach (e.g., performance data, research, Theory of Change).

Awards made under this RFP have two components:

1. Operating funds
2. AmeriCorps member positions

Pursuant to the [2022 AmeriCorps State and National Grants NOFO](#), p. 1, an AmeriCorps member is an individual who engages in community service through an approved national service position. AmeriCorps members will be recruited, trained, supervised, and managed by the funded organization. Award amounts vary both in the level of operating funds and in the type and amount of AmeriCorps member positions, as determined by the scope of the projects. Please see RFP [Section 5.1 Technical Proposal Content/Work Plan, 4. Member Experience](#) and [2022 AmeriCorps State and National Grants NOFO](#), p. 21 for additional information.

Applicants responding to the New York State RFP must adhere to the timeframes specified in [Section 1.2 Calendar of Events of this RFP](#).

AmeriCorps has certain responsibilities related to the federal awards they issue. Title 2 of the Code of Federal Regulations (CFR) §200.210 of the “Information Contained in a Federal Award” provides the federal award information that must be provided to each subrecipient of a federal award. Please note that the Commission and **OCFS have determined that awardees under this procurement are deemed *subrecipients* as described in 2 CFR §200.330 for the purpose of carrying out a portion of a federal award.** The Commission and OCFS will be providing this information to awardees in accordance with federal regulatory requirements and to assist awardees in meeting their federal regulatory requirements as subrecipients.

### **Operating Funds**

#### **New, Same or Additional Projects**

Current and previous grantees may not operate a new or more than one project without the prior written approval of AmeriCorps. Please see [2022 Mandatory Supplemental Guidance](#) “Same Project” on p. 8.

To request permission to apply for a new or more than one (1) project, the Commission recommends that applicants complete [this request form and email to AmeriCorps.RFP@newyorkersvolunteer.ny.gov](#) no later than the date specified in [Section 1.2 Calendar of Events](#). This request must be approved by AmeriCorps before the Commission can accept either a new application or more than one (1) proposal. The Commission can only pass on the request to AmeriCorps for consideration; all decisions on these requests are within the sole discretion of AmeriCorps.

## **2.4 Term of Contract**

Awards in response to this RFP for new or re-competing grants will result in multiyear contracts for a term of no more than thirty-nine (39) months from the contract start date, which consists of three (3) 15-month contract periods. Applicants who receive awards of federal funding under this RFP will be subject to all applicable state and federal laws, rules and regulations, to include AmeriCorps program regulations found under [45 CFR Part 2522](#), see [Section 5.4 Key Concepts](#).

The 15-month contract periods allow the contractor a covered period to recruit members and remain compliant with federal regulations, which provide full-time AmeriCorps members up to twelve (12) months to complete their terms of service, only AmeriCorps member costs can be paid in months 13-15 of each period. In addition, programs must budget money for National Service Criminal History Checks (NSCHCs) and may expend the NSCHC fund for staff or members recruited during the contract period. The contract start date must be in accordance with the anticipated contract start date stated in **Section 1.2 Calendar of Events**. The start date for the first 15-month contract period may be adjusted with the approval of the Corporation should a revised scope and Commission approved program plan deem it operationally justified. Expenses incurred in a 15-month contract period may only be reimbursed with funds granted for that same 15-month contract period.

In approving a multiyear project, the Corporation will approve initial funding for the first 15-month contract period. Continuation funding is not guaranteed. Applicants who are awarded a multiyear contract **must** reapply for funding for the second and third 15-month period, and are subject to the Corporation's approval process for each period. Contracts awarded from this RFP to applicants who do **NOT** reapply will be terminated at the end of their 15-month period. Factors considered in awarding continuation grants include satisfactory performance of the contractor.

All awards made as a result of this RFP are conditioned upon the continued availability of federal funds. The Commission and the Corporation reserve the right to adjust the amount of an award made under this RFP or elect not to continue funding for subsequent years.



**Note:** Contractors may not begin to provide services before the approved contract start date; OCFS has no obligation to pay for services rendered before that time. Payments cannot be made before the formal execution of a contract and approval by the New York State Office of the Attorney General (AG) and the New York State Office of the State Comptroller (OSC).

### 3.0 MINIMUM QUALIFICATIONS TO PROPOSE AND PREQUALIFICATION PROCESS

#### 3.1 Minimum Qualifications

- New York State AmeriCorps grants are awarded to public or private nonprofit organizations including, but not limited to, faith-based, other community organizations, institutions of higher education, state agencies or other non-federal governmental entities within states or territories (e.g., cities, counties), Native American tribes, labor organizations, partnerships and consortia, and intermediaries that will operate solely in New York State.
- AmeriCorps Competitive Pool contractors who have an existing multiyear contract with OCFS, and are in periods 1 or 2 of their contract term must submit continuation requests in eGrants for year 2 or 3 of their contract. Existing contractors will be sent instructions in separate correspondence provided by their AmeriCorps program administrators.
- New and re-competing applicants **must** be prequalified, if not exempt, in the New York State Grants Gateway on the application deadline. See Section **3.2 Prequalification Process** for additional information.

All applications at the time of application submission **must** include: 1) a DUNS number, 2) an Employer Identification Number **in their eGrants application**. Applicants can obtain a DUNS number at no cost, or applicants can obtain information regarding applying online by calling the request line at (866) 705-5711. The DUNS number does not replace an Employer Identification Number. **Failure to include a:** 1) a DUNS number, 2) an Employer Identification Number, at the time of application submission, will result in the disqualification of the application.

All applicants must apply with the System for Award Management (SAM) at [www.sam.gov/SAM/](http://www.sam.gov/SAM/) prior to submitting an application. You must submit with your Section 1.6, New York State Supporting Documents, by the date specified in Section 1.2 either 1) proof of registration with an active SAM registration, or 2) documentation (an electronic copy of a receipt, screen shot or other documentation) that your organization has applied for SAM

registration. Failure to submit this information at the time of application submission will result in the disqualification of the application.

### **3.2 Prequalification Process**

New York State has instituted key reform initiatives to the grant contract process that require non-profit organizations to complete the Vendor Prequalification process in order for proposals to be evaluated. Non-profit organizations must prequalify once every three (3) years, and are responsible for keeping their information current throughout the three-year period.

**Proposals received from non-profit applicants that are not prequalified in the Grants Gateway on the proposal due date and time listed in [Section 1.2 Calendar of Events](#) will be disqualified from further consideration.**

Note: Government entities are not required to prequalify in the Grants Gateway, but **must register** in order to submit an application.

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. [The Vendor Prequalification Manual](#) on the [Grants Reform website](#) details the requirements and an [online tutorial](#) is available to walk users through the process.

#### **3.2.1 Register for the Grants Gateway**

- On the Grants Reform website, download a copy of [the Registration Form for Administrator](#). A signed, notarized original form must be sent to the New York State 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, email [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov). If you do not know your password, click the [Forgot Password](#) link from the main log in page and follow the prompts.

#### **3.2.2 Complete Your Prequalification Application**

- Log into the [Grants Gateway](#). If this is your first time logging in, you will be prompted to change your password at the bottom of the “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

with which you have the most grant contracts. If you currently do not have any contracts with New York State, select OCFS. This page should be completed in its entirety before you click "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 RFP.
- Specific questions about the prequalification process should be directed to the agency contact listed in [Section 1.1 Procurement Contact](#) or to the Grants Gateway Team at [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov).

### 3.2.3 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 expedited review of your prequalification application is desired, please send an email request to the agency contact listed in [Section 1.1 Procurement Contact](#) and identify your organization by including your Grants Gateway Document Vault (GDV) number, organization name, and federal EIN or SFS Vendor ID. It is advised that you submit this request before, or as soon as possible after, the **Recommended Deadline to Prequalify in the Grants Gateway** noted in [Section 1.2 Calendar of Events](#).
- Your document vault will be assigned to a prequalification specialist for review. If your prequalification specialist has questions or requests modifications, you will receive an email notification from the GGS.
- Once your prequalification application has been approved, you will receive an GGS notification that you are now prequalified to do business with New York State.

**Vendors are strongly encouraged to begin this process as soon as possible and at the latest by the date specified in [Section 1.2 Calendar of Events](#) to participate in this opportunity.**

### **3.3 Vendor Responsibility Requirements**

In Section 163(9)(f) of the New York State Finance Law requires that a state agency make a determination 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, online, 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.

OCFS reserves the right to reject any proposal if, in its sole discretion, it determines the bidder is not a responsible vendor. All proposals are subject to a vendor responsibility determination before the award is made, and such determination can be revisited at any point up to the final approval of the contract by the OSC. Vendors must maintain their vendor responsibility throughout the duration of the contract.

Enrolling and completing the questionnaire online through the New York State VendRep System is the best method because both the questionnaire and answers are stored in the system. Thus, subsequent questionnaires in response to contracts or RFPs from any state agency would only need to be updated in the VendRep System.

To access or enroll in the VendRep System or update your existing online questionnaire, click [Online Questionnaire](#). Questionnaires in the VendRep System that have been completed in the last six months in response to contracts or bid announcements do not need to be updated. If the vendor is using the hard copy notarized questionnaire, then it also has to be current within six months of the due date of the proposal.

Vendors opting to complete a paper questionnaire can access the questionnaire by clicking the following link: [Paper Questionnaire](#). Please note that there are separate questionnaires depending on the contractor status. Non-profit vendors must use the *Vendor Responsibility Questionnaire Non-Profit Business Entity* form. For-profit vendors must use the *Vendor Responsibility Questionnaire For-Profit Business Entity* form.

Vendors are also encouraged to have subcontractors file the required *Vendor Responsibility Questionnaire* online through the New York State VendRep System. These subcontractors are required to submit a questionnaire when the value of the subcontract is \$100,000 or more.

Before executing a subcontract agreement, the contractor must provide the information required by OCFS to determine whether a proposed subcontractor is a responsible vendor.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor Identification Number or for direct VendRep System user assistance, the OSC Help Desk may be reached at 866-370-4672 or 518-408-4672, or by email at [ciohelpdesk@osc.state.ny.us](mailto:ciohelpdesk@osc.state.ny.us).

The New York State VendRep System offers the following benefits:

- Ease of completion, filing, access to and submission of the questionnaire; efficiencies are multiplied for vendors who bid and contract with the state frequently or with multiple state agencies.
- Questionnaire updates are easily filed by updating only those responses that require change from the previously saved questionnaire (as opposed to a paper copy where a new questionnaire is required each time there is a change).
- The stored questionnaire information eliminates the need to reenter data for each subsequent questionnaire submission.
- Reduction of costs associated with paper documents including copying, delivery, and filing
- Online questionnaire information is secure and accessible to authorized vendor users only. State agencies can only view certified and finalized questionnaires.
- VendRep question prompts ensure that the correct forms are completed.
- The VendRep Online System contains links to all definitions of the terms used in the questionnaire.

Note: The *Vendor Responsibility Questionnaire* must be dated within six months of the proposal due date. Any subcontractors under that proposed contract must also complete a *Vendor Responsibility Questionnaire* when the value of the subcontract is projected to be \$100,000 or more for the contract term.

Confirmation of **completion** of the vendor responsibility process should be submitted with your proposal. This confirmation can take the form of registration in the VendRep System or by submitting your completed hardcopy questionnaire. To submit this confirmation with your application, go to the bottom of your certified questionnaire and click the button called, "Form Overview." **Print this page and submit it as part of the New York State Supporting Documents according to the instruction provided in Section 1.6 of this RFP.**

## 4.0 PROGRAM REQUIREMENTS

### 4.1 Desired Outcomes and Program Requirements

#### A. Funding Priorities

AmeriCorps seeks to prioritize the investment of national service resources in the following areas:

- Efforts to help local communities respond to and recover from the COVID-19 pandemic. Applicants may propose programming to aid communities in their efforts to recover from the COVID-19 pandemic, including outcomes of COVID-19 on student subgroups described in the [Elementary and Secondary Education Act](#).
- Educational opportunity and economic mobility for communities experiencing persistent unemployment or underemployment, and students experiencing homelessness or those in foster care.
- Programs that prioritize civic engagement and social cohesion.
- Evidence-based interventions on the AmeriCorps Evidence Exchange that are assessed as having moderate or strong evidence. Please note that many of these interventions have demonstrated effectiveness in improving outcomes for individuals living in underserved communities and that the agency has committed resources to supporting grantees seeking to replicate and evaluate these interventions in similar communities.
- Veterans and military families, caregivers, and survivors – a program model that improves the quality of life of veterans and improves the well-being of military families, caregivers, and survivors.
- Rural intermediaries – organizations that demonstrate measurable impact and primarily serve rural communities with limited resources and organizational infrastructure.
- Environmental stewardship and climate change including renewable energy and energy efficiency, building community resilience, sustainable food systems and agriculture, and conservation and habitat preservation.
- Faith-based organizations.
- Economic Mobility Corps (See Attachment A of [2022 AmeriCorps State and National Grants NOFO](#).)

To receive priority consideration, applicants must show that the priority area is a significant part of the program focus and intended outcomes, and must include a high-quality program design.

Proposing programs that receive priority consideration does not guarantee funding.

## **B. Focus Areas**

**Applications must focus on one (1) or more of the six (6) focus areas identified by the Edward M. Kennedy Serve America Act. These focus areas are the following:**

1. Disaster services - Grants will support increased and improved disaster services for individuals and communities to prepare and adapt to disasters, including but not limited to climate change events. Activities will provide support to increase preparedness for disasters, improve readiness to respond to disasters, support recovery efforts from disasters, and/or assist in the implementation of pre-disaster mitigation and adaptation measures. Grants will support communities and individuals in planning for disasters, in particular engaging disadvantaged communities in the planning process.
2. Economic opportunity grants will provide support and/or facilitate access to services and resources that contribute to the improved economic well-being and security of economically disadvantaged people; help economically disadvantaged people to have improved access to services that enhance financial literacy; transition into or remain in safe, healthy, affordable housing; and/or have improved employability leading to increased success in becoming employed.
3. Education grants will provide support and/or facilitate access to services and resources that contribute to improved educational outcomes for economically disadvantaged children; improved school readiness for economically disadvantaged young children; improved educational and behavioral outcomes of students in low-achieving elementary, middle, and high schools; and/or support economically disadvantaged students' preparation for success in post-secondary educational institutions.
4. Environmental stewardship - Grants will support responsible stewardship of the environment while preparing communities for challenging climate and environmental circumstances and helping Americans respond to and recover from disruptive events: programs that conserve natural habitats; protect clean air and water; maintain public lands; support wildland fire mitigation and sustainable forest management; cultivate individual and community resilience; and provide reforestation services after floods or fires, such as nature based solutions.

5. Healthy futures - Grants will provide support for activities that will address the opioid crisis; increase seniors' ability to remain in their own homes with the same or improved quality of life for as long as possible; and/or increase physical activity and improve nutrition with the purpose of reducing obesity.
6. Veterans and military families - Grants will improve the quality of life of veterans and improve military family well-being; increase the number of veterans, wounded warriors, military service members and their caregivers, families, and survivors served by AmeriCorps programs; and/or increase the number of veterans and military family members engaged in service through AmeriCorps programs.

#### **4.2 Program Requirements Based on AmeriCorps Grant Award and Application Types**

##### **A. Type of Applicants**

##### **New Applicants**

The Commission encourages organizations that have never received AmeriCorps funding to apply for the AmeriCorps funding described in this RFP. AmeriCorps's general practice is to award no more than fifty (50) member positions (slots) to organizations receiving an AmeriCorps grant for the first time.

New applicants are eligible to apply for Cost Reimbursement and Education Award Program (EAP) grants but are NOT eligible to apply for Full-Cost Fixed Amount grants.

**The Commission has determined that an AmeriCorps program under this RFP must have a minimum of ten (10) Member Service Years (MSYs).** See [2022 Mandatory Supplemental Instructions](#) for the definition of Member Service Year (MSY).

**Note: New York State governmental entities approved for AmeriCorps funding will be compensated on a cost reimbursement basis only; please submit your budget accordingly.**

##### **New or Additional Proposal**

Current and previous grantees may not operate a new or more than one project without the prior written approval of AmeriCorps. Please see [2022 Mandatory Supplemental Instructions](#) "Same Project" on p. 8. To request permission to apply for a new or more than one (1) project, the Commission



recommends that applicants complete [this request form and](#) email to [AmeriCorps.RFP@newyorkersvolunteer.ny.gov](mailto:AmeriCorps.RFP@newyorkersvolunteer.ny.gov).

AmeriCorps requires applicants to request new projects “significantly in advance” of the application deadline date specified in [Section 1.2 Calendar of Events](#). Please submit your requests as early as possible.

The Commission must forward these types of requests to AmeriCorps, which has sole discretion to determine approval of these requests. The Commission cannot assure applicants that AmeriCorps will determine such requests before the Commission’s deadline for submission of applications as stated in the Calendar of Events. The Commission will not publish responses to these requests but will notify applicants of AmeriCorps’s determination.

### **Continuation Requests**

**This RFP is ONLY for new and recompeting** (in the final year of a competitive funding cycle and applying for a new grant cycle) **applicants**.

Programs that are currently in their first or second year of operation within a grant cycle are continuing applicants. These programs are considered current programs with AmeriCorps Competitive contract terms that will not end before December 31, 2023, if a continuation application is submitted.

**Commission AmeriCorps program administrators will send continuing programs the *AmeriCorps Competitive Continuation Instructions for 2022-2023*, under separate cover from this RFP, to be considered for continuation of funding for an additional period within their contract term.**

### **B. Type of Awards**

AmeriCorps Operating Grants: AmeriCorps may award a Cost Reimbursement or a Fixed Amount grant to any successful applicant, but the availability of a Full-Cost Fixed Amount grant is limited to certain applicants. Professional Corps are not eligible to apply for Cost Reimbursement grants. See 2022 AmeriCorps State and National Grants NOFO pp. 8 C.1. Eligible Applicants for more information. AmeriCorps will not provide both types of grants for the same program in any one (1) fiscal year.

Grant Types	Cost Reimbursement	Fixed Amount			
Available Subtypes	Traditional	Full-Cost	Education Award Program (EAP)	Professional Corps See Sec. D.6.a.2 for further requirements	No Cost Slots
Maximum Cost per MSY	\$21,600	\$21,600	\$800 or \$1,000*	\$1,000	\$0
Type of Slots in the National Service Trust	FT, TQT, HT, RHT, QT, MT, AT	FT, TQT, HT, RHT, QT, MT, AT	FT, TQT, HT, RHT, QT, MT, AT	FT Only	FT, TQT, HT, RHT, QT, MT, AT
Budget Submission Required	Yes	No		Yes, if requesting operating funds	No
Availability of Funds Linked to Enrollment and Retention of Awarded MSYs	No	Yes			No
Grant Types	Cost Reimbursement	Fixed Amount			
Special Requirements	N/A	N/A	Must place qualified professionals in communities with an inadequate number of such professionals. Member salaries and benefits must be paid entirely by organization where member serves and not included in budget.		N/A
Financial Reporting Requirements	Yes	No			
Available to new Applicants	Yes	No	Yes		

FT = Full-Time, TQT = Three-Quarter Time, HT= Half-Time, RHT = Reduced Half-Time, QT = Quarter Time, MT = Minimum Time, AT = Abbreviated Time

\*Per 42 U.S.C. § 12581a, AmeriCorps may provide the operational support under this section for a program in an amount that is not more than \$800 per individual enrolled in an approved national service position, or not more

than \$1,000 per such individual if at least 50% of the persons enrolled in the program are disadvantaged youth<sup>3</sup>.

### C. Member Living Allowance

**A living allowance is not considered a salary or a wage.** Funded organizations are responsible for withholding income tax and FICA. In accordance with the New York State Department of Labor’s memorandum issued in 1995, which clarified that service with AmeriCorps is not covered employment in New York State, funded organizations do not withhold unemployment insurance premiums for AmeriCorps members. See [2022 AmeriCorps State and National Grants NOFO pp. 15 D.6.a.1 Member Living Allowance](#) for more information.

Programs are not required to provide a living allowance for members serving in less than full-time terms of service. If a program chooses to provide a living allowance to a less than full-time member, it must comply with the maximum limits in the table below. For Cost Reimbursement grants, the amount must be included in the proposed budget as either AmeriCorps or grantee share. Exceptions are noted below.

While Fixed Amount grant applicants are not required to submit detailed budgets, they are still required to provide a living allowance to members that comply with the minimum and maximum requirements. Exceptions are noted below. Fixed Amount grant applicants should indicate that amount in the application.

Service Term	Minimum # of Hours	Minimum Living Allowance	Maximum Total Living Allowance
Full-Time	1,700	\$16,502	\$33,004
Three-Quarter Time	1,200	n/a	\$23,103
Half-Time	900	n/a	\$16,502
Reduced Half-Time	675	n/a	\$12,542
Quarter Time	450	n/a	\$8,581
Minimum Time	300	n/a	\$6,931
Abbreviated Time	100	n/a	\$1,980

### D. Maximum Cost per Member Service Year (MSY)

**The maximum cost per MSY is NOT to be confused with the maximum Member Living Allowance (see Section 4.2 C, above).**

<sup>3</sup> Disadvantaged youth: 42 U.S. Code § 12511 (13) SUBCHAPTER - NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM.

AmeriCorps cost per MSY is determined by dividing AmeriCorps share of budgeted grant costs by the number of MSYs requested; it does not include child care or the value of the education award a member may earn. The maximum amount an applicant may request from AmeriCorps per MSY is determined on an annual basis. The maximum costs per MSY for this funding opportunity are set forth in the [2022 AmeriCorps State and National Grants NOFO FEDERAL AWARD INFORMATION, Maximum Cost per Member Service Year, pp. 16.](#)

Grant Program	Maximum
Individual Competitive State/Territory Program (cost reimbursement)	\$21,600
Professional Corps Competitive Fixed Amount Applicants/Grantees	\$1,000*
Full-Cost Competitive Fixed Amount Grant	\$21,600
Education Award Program (EAP) Fixed Amount Grant (competitive and formula)	\$800 or \$1,000**

\*AmeriCorps requires **Professional Corps** programs to cover the operating expenses associated with the AmeriCorps program through non AmeriCorps resources. AmeriCorps will only consider operating funds of up to \$1,000 per MSY if an applicant is able to demonstrate significant organizational financial need.

\*\*Per 42 U.S.C. 12581a, AmeriCorps may provide the operational support under this section for a program in an amount that is not more than \$800 per individual enrolled in an approved national service position, or not more than \$1,000 per such individual if at least 50% of the persons enrolled in the program are disadvantaged youth.

New and recompeting subgrantees must not submit a budget that exceeds the maximum cost per MSY for their grant subtype. The per member, per year service cost for each member must be charged within the 15-month contract period that the member was appointed in.

**E. Segal AmeriCorps Education Award**

AmeriCorps members who successfully complete a term of service will be eligible for an Education Award from the National Service Trust. The amount of the Education Award is linked to the value of the Pell Grant. A member has up to seven (7) years after his or her term of service to use the Education Award. AmeriCorps will provide the updated education award amounts at the time of grant award.

## F. Cost Sharing or “Match” Requirements

### Fixed Amount Grants

There is no match requirement for Fixed Amount grants. AmeriCorps does not provide all the funds necessary to operate the program; therefore, organizations should raise the additional revenue required to operate the program.

New applicants are eligible to apply for Cost Reimbursement and the Education Award Program (EAP) grant but are not eligible to apply for Full-Cost Fixed Amount grants.

### Cost Reimbursement Grants

Applicants are required to match funds based on the chart below. The applicant’s match can be non-AmeriCorps cash and/or in-kind contributions. Applicants must indicate whether the match is proposed or secured. Applicants must demonstrate the ability to meet the match requirement at the time of application submission. See Section D.6. Funding Restrictions for more information.

A first-time successful applicant is required to match at 24% for the first three-year funding period. Starting with year four, the match requirement gradually increases every year to 50% by year 10, according to the minimum overall share chart found in 45 CFR 2521.60 and below.

AmeriCorps Funding Year	1, 2, 3	4	5	6	7	8	9	10+
Grantee Share Requirements	24%	26%	30%	34%	38%	42%	46%	50%

**Note:** Section 121(e)(5) of NCSA (42 U.S.C. 12571(e)) requires programs that use other federal funds as match for an AmeriCorps grant to report the amount and source of these funds to AmeriCorps. Awardees who use federal funds as match will also be required to submit documentation of approval from the other federal funding agency(ies) before reimbursement, and report the sources and amount on the expenditure claim(s). All New York State AmeriCorps grantees and subgrantees must report this match to the Commission on a schedule included in their OCFS contract.

The other federal agency must provide written permission to use its funds as program operating costs match on the AmeriCorps grant. All applications recommended to AmeriCorps, must provide proof of this in writing to OCFS and the Commission upon the Commission’s request.

### **Alternative Match**

Under certain circumstances, (See [2022 AmeriCorps State and National Grants NOFO FEDERAL AWARD INFORMATION, Cost Sharing or Matching, pp. 10 for qualifications](#)) applicants may qualify to meet alternative matching requirements that increase over the years to 35% instead of 50% as specified in the regulations at § 2521.60(b).

To qualify, applicants must demonstrate that the proposed program is either located in a rural county or in a severely economically distressed community as defined in the [2022 AmeriCorps Application Instructions](#). See page 33 for additional information.

**Applicants that qualify must email a request for Alternative Match along with their application** to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) by the application deadline specified in [Section 1.2 Calendar of Events](#).

### **G. Indirect Costs**

Applicants' budgets may include indirect costs. For definition and available options, please see **Attachment B. Section III. Administrative/Indirect Costs** [2022 AmeriCorps Application Instructions](#) on p. 22.

### **H. Performance Measures**

The Commission recommends that applicants use the National Performance Measures as part of their comprehensive performance measurement strategy if the National Performance Measures are part of the applicant's Theory of Change. All applicants should use both performance and evaluation data to learn from their work as well as make tactical and strategic adjustments to achieve their goals. For more information, please refer to the [2022 AmeriCorps State and National Grants NOFO, National Performance Measures, p. 6](#) and [Performance Measures Instructions](#).

All applications must include the following:

- At least one (1) aligned performance measure (output and outcome) that corresponds to the proposed primary intervention. This may be a National Performance Measure or an applicant-determined measure.

Additional performance measures, including output-only National Performance Measures, may be included if desired; however, all performance measures must be consistent with the program's Theory of

Change and represent significant program activities. AmeriCorps does not expect applicants to select performance measures to correspond to every potential member activity or community impact. AmeriCorps values the quality of performance measures over the quantity of performance measures.

**Important Notes:** AmeriCorps does not require applicants to use National Performance Measures but expects them to do so if National Performance Measures reflect key outputs and/or outcomes of the theory of change. Applicants may not create applicant determined outputs or outcomes that duplicate existing National Performance Measures.

All performance measures, including output-only measures, must be associated with one or more interventions (service activities). Applicants are expected to use the system-defined intervention categories if they appropriately represent the applicant's program activities. Applicants may not create user-defined intervention labels that duplicate existing intervention categories.

## **I. National Service Criminal History Check**

The National Service Criminal History Check (NSCHC) is a specific screening procedure established by law to protect the beneficiaries of national service. The law requires grantees, including any subgrantees funded through this RFP, to conduct and document NSCHCs on designated persons. The cost of conducting NSCHCs is an allowable expense under the award. It is recommended, although not required, that AmeriCorps programs utilize the two vendors AmeriCorps has engaged to conduct the required NSCHCs.

Information regarding use of these two vendors can be found at <https://www.nationalservice.gov/documents/2018/nschc-using-fieldprint-and-truescreen-manual>.

Failure to conduct compliant NSCHCs may result in significant disallowed costs.

**On February 24, 2021. AmeriCorps issued a new rule regarding NSCHC procedures. (See 45 CFR Parts 2522 and 2540 [here](#)), effective May 1, 2021.** All grants awarded through this RFP will begin subsequent to the effective date and therefore must follow the provisions of the new rule.

This guidance is effective on May 1, 2021, for the following individuals:

- Individuals who start service/work on NSCHC-required grants on May 1, 2021, or later

- Individuals who are serving/working on NSCHC-required grants as of May 1, 2021, and continue to serve/work on or after November 1, 2021

Any NSCHC noncompliance for individuals who are serving/working on NSCHC-required grants as of May 1, 2021, and exit service/work before November 1, 2021, or exited service/work before May 1, 2021, must refer to the July 1, 2019 *National Service Criminal History Check Guide to Enforcement Action* for enforcement action.

Further information will be distributed at the time of any award issued.

#### **4.3 Accessibility of Web-Based Information and Applications**

Any web-based intranet and internet information and applications development or programming delivered pursuant to this procurement must comply with New York State Enterprise IT Policy NYS-P08-005, *Accessibility Web-Based Information and Applications*, and the New York State Enterprise IT Standard NYS-S08-005, *Accessibility of Web-Based Information Applications*, as such policy or standard may be amended, modified, or superseded, which requires that state agency web-based intranet and internet information and applications are accessible to persons with disabilities. Web content must conform to New York State Enterprise IT Standards NYS-S08-005 as determined by quality assurance testing. OCFS will conduct such quality assurance testing, and the test results must be satisfactory to OCFS before web content will be considered a qualified deliverable under the contract or procurement.

### **5.0 PROPOSAL CONTENT AND SUBMISSION**

#### **5.1 Technical Proposal Content/Work Plan<sup>4</sup>**

Each applicant must describe a project that will deploy AmeriCorps members effectively to solve a significant community problem. Applicants are urged to submit high-quality applications that carefully follow the guidance in this RFP. The quality of an application will be an important factor in determining whether an organization will receive funding.

##### **A. Proposal Content**

- In [eGrants](#), AmeriCorps’s web-based management system applicants will enter the following components to ensure a complete application: See [2022 AmeriCorps State and National Grants NOFO, D. 7. a. Electronic Application Submission in eGrants pp. 17](#). Standard Form 424 (SF-424) Face Sheet, which is automatically

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<sup>4</sup> These terms correlate to the “Narrative” section of the eGrants application.



generated when applicants complete the data elements in the system:

- Narratives
- Executive Summary
- Program Design
- Organizational Capability
- Cost Effectiveness and Budget Adequacy
- Evaluation Plan (if applicable)
- Logic Model
- Standard Form 424 Budget
- Performance Measures
- Authorization, Assurances and Certification  
(<https://egrants.cns.gov/cnsmisc/ECERTS.HTM>), and  
(<https://egrants.cns.gov/cnsmisc/ECERTS.HTM>)

## B. Page Limits for Application Submissions

**Note: The length of a document in Word processing software may be different than what will print out in AmeriCorps’s web-based system. Submitted material that exceeds the page limits in the printed report will not be considered during proposal review. The system will not prevent an applicant from entering text that will exceed page limitations. This applies to both the Narrative page limit and the Logic Model page limit.**

When determining compliance for page limits, the Commission and AmeriCorps will only consider the number of pages printed out from the “Review” tab in AmeriCorps’s web-based grant management system (where you see the “View/Print Your Application” heading) for each section defined in the [2022 AmeriCorps State and National Grants NOFO Page Limits p. 12](#). AmeriCorps will not consider the results of any alternative printing methods in determining whether an application complies with the applicable page limits. The application page limit does not include the Budget, Narrative portion of the Evaluation Plan, the Logic Model, performance measures, or the supplementary materials, if applicable; however, the page limit does include the face page (please insert the form number here) which must be counted against the page limit (See “Narrative Page Limitations” below). The Narrative and Logic Model have individual page limitations.

**The Commission strongly encourages applicants to print out the sections of the application from the “Review” tab before submission to check that each individual section subject to page limitations does not exceed that section’s page limit.** Neither AmeriCorps nor the Commission will consider the results of printing using any alternative

formats when determining if application sections comply with the page limits. Reviewers will not consider material that is over the page limit, even if eGrants allows applicants to enter and submit additional text.

### **Narrative Page Limitations**

Applications must not exceed ten (10) double-spaced pages for the Narratives with the exception of twelve (12) pages for Intermediaries.

The application sections that count towards the narrative page limit are:

- SF-424 Face Sheet
- Executive Summary
- Program Design, Organizational Capability, and Cost-Effectiveness and Budget Adequacy narratives.

The application page limit does not include the Budget, Performance Measures, or any required additional documents.

### **Logic Model**

The Logic Model may not exceed three (3) pages when printed with the application from the “Review” tab in AmeriCorps’ web-based management system.

The length of the application as a Word processing document may differ from the length of the document printed out from eGrants. AmeriCorps and the Commission strongly encourage applicants to print out the application from the “Review and Submit” tab in eGrants before submission in order to confirm that the Logic Model does not exceed the page limit.

## **1. Criteria for Operating Grants (Traditional Cost-Reimbursement Grants and Fixed-Amount Grants)**

Each applicant must describe a project that will deploy AmeriCorps members effectively to solve a significant community problem. The Commission urges applicants to submit high quality applications that carefully follow the guidance in this RFP. The quality of an application will be an important factor in determining whether an organization will be recommended for funding.

Categories/Subcategories	Points
<b>Executive Summary</b>	<b>0</b>
<b>Program Design</b>	<b>50</b>
Theory of Change and Logic Model	24
Evidence Tier	12
Evidence Quality	8
Notice Priority	0
Member Experience	6
<b>Organizational Capability</b>	<b>25</b>
Organizational Background and Staffing	9
Compliance and Accountability	8
Culture That Values Learning	4
Member Supervision	4
<b>Cost Effectiveness &amp; Budget Adequacy</b>	<b>25</b>

#### **A. Executive Summary (Required - 0 points)**

Please fill in the blanks of these sentences to complete the Executive Summary. Do not deviate from the template below. This information must be provided in egrants or your application will not be able to be submitted.

The [Name of the organization] proposes to have [Number of] AmeriCorps members who will [service activities the members will be doing] in [the locations the AmeriCorps members will serve]. At the end of the first program year, the AmeriCorps members will be responsible for [anticipated outcome of project]. In addition, the AmeriCorps members will leverage [number of leveraged volunteers, if applicable] who will be engaged in [what the leveraged volunteers will be doing].

This program will focus on the AmeriCorps focus area(s) of [Focus Area(s)].\* The AmeriCorps investment of \$[amount of request<sup>5</sup>] will be matched with \$[amount of projected match], \$[amount of local, state, and federal funds] in public funding and \$[amount of non-governmental funds] in private funding.

\*If the program is not operating in an AmeriCorps focus area, omit this sentence. Fixed-Amount grant applicants (EAP, Full-Cost Fixed, No Cost Slots) should list their Other Revenue (see Mandatory Supplemental Information) because they are not required to provide a specific amount of match, but still raise significant additional resources to operate the program.

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<sup>5</sup> Do not include the value of Segal Education awards in this figure.

The Executive Summary is a required component of an AmeriCorps application and should not be left blank.

## **B. Program Design (50 points)**

Reviewers will consider the quality of the application's response to the criteria below. Do not assume all subcriteria are of equal value.

### **1. Theory of Change and Logic Model (24 points)**

The Theory of Change shall address the following:

- The problem is prevalent and severe in communities where the program plans to serve and has been documented with relevant data.
- The proposed intervention is responsive to the identified community problem.
- The applicant's proposed intervention is clearly articulated including the design, dosage, target population, and roles of AmeriCorps members and (if applicable) leveraged volunteers.
- The applicant's intervention is likely to lead to the outcomes identified in the applicant's Theory of Change.
- The expected outcomes articulated in the application narrative and logic model represent meaningful progress in addressing the community problem identified by the applicant.
- The rationale for utilizing AmeriCorps members to deliver the intervention(s) is reasonable.
- The service role of AmeriCorps members will produce significant contributions to existing efforts to address the stated problem.

The Logic Model shall depict the following:

- A summary of the community problem, including the role that current or historical inequities experienced by underserved communities may play in contributing to the problem.
- The inputs or resources that are necessary to deliver the intervention, including but not limited to:
  - Locations or sites in which members will provide services
  - Number of AmeriCorps members who will deliver the intervention
- The core activities that define the intervention or program model that members will implement or deliver, including:
  - The duration of the intervention (e.g., the total number of

- weeks, sessions, or months of the intervention)
  - The dosage of the intervention (e.g., the number of hours per session or sessions per week)
  - The target population for the intervention (e.g., disconnected youth, third graders at a certain reading proficiency level)
- The measurable outputs that result from delivering the intervention (i.e., number of beneficiaries served, types and number of activities conducted, equity gaps closed). If applicable, identify which National Performance Measures will be used as output indicators
- Outcomes that demonstrate changes in knowledge/skill, attitude, behavior, or condition that occur as a result of the intervention. If applicable, identify which National Performance Measures will be used as outcome indicators.

**Note:** The logic model is a visual representation of the applicant's Theory of Change. Programs should include short, medium, or long-term outcomes in the Logic Model. Applicants are not required to measure all components of their Theory of Change. The applicant's performance measures should be consistent with the program's Theory of Change and should represent significant program activities.

In the application narrative, applicants should discuss the community need as it relates to the CDC's Social Vulnerability Index: <https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>. Also in the application narrative, applicants should discuss their rationale for setting output and outcome targets for their performance measures.

Rationales and justifications should be informed by the organization's performance data (e.g., program data observed over time that suggests targets are reasonable), relevant research (e.g., targets documented by organizations running similar programs with similar populations), or prior program evaluation findings.

Applicants with multiple interventions should complete one Logic Model chart which incorporates each intervention. **Logic model content that exceeds three pages will not be reviewed.**

## ***2. Evidence Base (20 points)***

The assessment of an applicant's evidence base has two parts. First, the applicant will be assigned to an evidence tier (see the Mandatory Supplemental Information.) Second, the quality of the applicant's evidence and the degree to which it supports the proposed program

design, including program aligned with the priority areas identified above, will be assessed and scored.

*Evidence Tier (12 points):*

An evidence tier will be assessed for each applicant for the purpose of understanding the relative strength of each applicant's evidence base and the likelihood that the proposed intervention will lead to outcomes identified in the logic model.

In 2021, the evidence tiers of successful AmeriCorps State and National applicants that were competing were as follows: Strong 38%, Moderate 19%, Preliminary 16%, and Pre-Preliminary 26%. As these figures indicate, AmeriCorps values and funds programs at all points along the evidence continuum and expects programs to progress along the evidence continuum over time. Thus, do not be deterred from applying for funding due to your current evidence level.

Applicants who have outcome or impact evaluation reports of the same intervention described in the application (see Mandatory Supplemental Instructions for a definition of "same intervention") may submit up to two of those reports, plus (if applicable) the evaluation report from their last three-year grant cycle, to qualify for the Preliminary, Moderate, or Strong evidence tier. In order to qualify for consideration, the intervention evaluated in the submitted report(s) must match the intervention proposed by the applicant in the following areas, all of which must be clearly described in the Program Design and Logic Model sections of the application:

- Characteristics of the beneficiary population
- Characteristics of the population delivering the intervention
- Dosage (frequency, duration) and design of the intervention, including all key components and activities
- The context in which the intervention is delivered
- Outcomes of the intervention

Submitted reports that do not sufficiently match the intervention proposed by the applicant in all areas noted above will not be considered applicable and will not be reviewed or receive any points. Submission of additional documents that are not consistent with the guidance and requirements described in the Notice (e.g., advocacy pieces, policy briefs, other narratives that are not research studies or program evaluations) will not be reviewed.

In the Evidence Tier section of the application narrative, applicants must (1) summarize the study design and key findings of any

outcome or impact evaluation report(s) submitted and (2) describe any other evidence that supports their program, including past performance measure data and/or other research studies that inform their program design. Applicants who submit evaluation reports for consideration must describe in the Evidence Base section of the application narrative how the intervention described in the submitted reports is the same as the intervention described in the application (see [Mandatory Supplemental Instructions](#)).

Applicants should provide citations for the studies they describe, if applicable; however, reviewers will not review any documents external to the application other than evaluation report(s) submitted in accordance with the Notice instructions.

Applicants must meet all requirements of an evidence tier in order to be considered for that tier.

If the evaluation reports submitted by the applicant do not meet the definitions in the [Mandatory Supplemental Instructions](#), the applicant may be considered for a lower evidence tier.

#### *Evidence Quality (8 points)*

After the applicant's evidence tier has been assessed, the quality of the applicant's evidence and the extent to which it supports the proposed program design will be assessed and scored.

For applicants who are assessed as being in the Preliminary, Moderate, or Strong evidence tiers, reviewers will score the submitted evaluation reports using the following standards:

- The submitted reports are of satisfactory methodological quality and rigor for the type of evaluation conducted (e.g., adequate sample size and statistical power, internal and/or external validity, appropriate use of control or comparison groups, etc.)
- The submitted reports describe evaluations that were conducted relatively recently, preferably within the last six (6) years
- The submitted reports show a meaningful and significant positive effect on program beneficiaries in at least one (1) key outcome of interest

For applicants who are assessed as being in the Pre-Preliminary evidence tier, reviewers will score the narrative provided in the Evidence Base section of the application using the following standards:

- The applicant uses relevant evidence, including past performance measure data and/or cited research studies, to inform their proposed program design
- The described evidence is relatively recent, preferably from the last six years
- The evidence described by the applicant indicates a meaningful positive effect on program beneficiaries in at least one (1) key outcome of interest

All applicants, including new grantees, are required to provide additional information in the Evaluation Summary or Plan field of the application (see **Section E. Evaluation Plan**); however, information provided in the Evaluation Summary or Plan field will not be scored and will not be reviewed until after funding decisions have been made.

Applicants assessed in the Pre-Preliminary evidence tier who do not provide adequate responses to the Evidence Quality standards will not meet the threshold requirements for this Notice and will not be considered for funding.

- **Notice Priority (0 points)** - If the proposed program fits within one or more of the AmeriCorps funding priorities as outlined in the Funding Priorities section and more fully described in the Mandatory Supplemental Information and the proposed program meets all of the requirements detailed in the Funding Priorities section and in the Mandatory Supplemental Information, please enter that information here. If the proposed program does not meet one of the Funding Priorities, please enter “!” in this field. This field must be completed in order to submit your application.

#### **4. Member Experience (6 points)**

- AmeriCorps members as a result of their service will have opportunities to develop as leaders.
- AmeriCorps members will gain skills as a result of their training and service that can be utilized and will be valued by future employers after their service term is completed.
- The program has a well-defined plan to recruit AmeriCorps members from the geographic or demographic communities in which the programs operate.
- The applicant will foster an inclusive service culture where different backgrounds, talents, and capabilities are welcomed and leveraged for learning and effective service delivery.
- The applicant’s organization and/or program has a diversity, equity, and inclusion council that seeks to diversity its staff and board and



create a supportive and safe environment as well ensure that its programming is culturally and community appropriate.

### **C. Organizational Capability (25 points)**

Reviewers will consider the quality of the application's response to the following criteria below. Do not assume all sub-criteria are of equal value.

#### **1. Organizational Background and Staffing (9 points)**

- The organization details the roles, responsibilities, and structure of the staff that will be implementing the AmeriCorps program as well as providing oversight and monitoring for the program.
- The organization has facilitated, partnered, or participated in educational or workforce development programs (i.e., pre-apprenticeship/registered apprenticeship, work experience and job training programs, etc.).
- The organization has a stated commitment and plan to advance diversity, equality, and inclusion (DEI) throughout its mission, for example by using a DEI council or strategic plan.

#### **2. Compliance and Accountability (8 points)**

- The organization has a monitoring and oversight plan to prevent and detect non-compliance and enforce compliance with AmeriCorps rules and regulations including those related to prohibited and unallowable activities and criminal history checks at the grantee, subgrantee (if applicable), and service site locations.
- The organization has sufficient policies, procedures, and controls in place to prevent, detect, and mitigate the risk of fraud, waste, abuse, and mismanagement, such as appropriate segregation of duties, internal oversight activities, measures to prevent timekeeping fraud, etc.
- The organization has an effective mechanism in place to report, without delay, any suspected criminal activity, waste, fraud, and/or abuse to both the AmeriCorps Office of Inspector General and AmeriCorps, and a plan for training staff and participants on these reporting protocols.
- The AmeriCorps-required evaluation report meets AmeriCorps requirements (if applicable).
- The AmeriCorps-required evaluation report is of satisfactory quality (if applicable).

### **3. Culture That Values Learning (4 points)**

- The applicant's board, management, and staff collect and use information, including performance data, for learning and decision making.
- The applicant's board, management, and staff collect and use information to determine its programmatic effectiveness in serving in a community with members that are diverse.

### **4. Member Supervision (4 points)**

- AmeriCorps members will receive sufficient guidance and support from their supervisor to provide effective service.
- AmeriCorps supervisors will be adequately trained/prepared to follow AmeriCorps and program regulations, priorities, and expectations.

## **D. Cost Effectiveness and Budget Adequacy (25 points)**

Reviewers will assess the quality of the application's budget to the following criteria below. Do not assume all sub-criteria are of equal value. **Refer to [Section 5.3 Proposed Budget](#) for Instructions.**

**These criteria will be assessed based on the budget submitted. No narrative should be entered in the narrative box except for "See budget."**

### **1. Cost Effectiveness and Budget Adequacy (25 points)**

- Budget is submitted without mathematical errors.
- Proposed costs are allowable, reasonable, and allocable to the award.
- Budget is submitted with adequate information to assess how each line item is calculated.
- Budget complies with the budget instructions.
- Match is submitted with adequate information to support the amount written in the budget.
- The budgeted match is equal to or more than the required match for the given program year.
- The cost per MSY is equal to or less than the maximum cost per MSY.

Proposed budgets that contain MSY costs that exceed the maximum cost per MSY and/or less than required match will be considered unresponsive to the application criteria.

Applicants must complete the budget and ensure the following information is in the budget screens:

- Current indirect rate cost rate information if used to claim indirect/administrative costs
- Identify the non-AmeriCorps funding and resources necessary to support the project, including Fixed-Amount applicants.
- Indicate the amount of non-AmeriCorps resource commitments, type of commitments (in-kind and/or cash), the sources of these commitments, and if the commitments are proposed or secured.

**E. Evaluation Plan (Required for re-competing grantees - 0 points)**

If the applicant has previously received three or more years of competitive funding for the same project being proposed (see the Mandatory Supplemental Information for the AmeriCorps definition of “same project”), the applicant must submit an evaluation plan as an attachment (see the [Application Instructions](#), page 6, item C Evaluation Summary or Plan and VII.A Documents, page 7 for more information). If the applicant has previously received six or more years of competitive funding for the same project being proposed, the applicant must submit both an evaluation plan and an evaluation report as attachments.

Applicants should use the [evaluation plan template](#) available on the Notice webpage to craft their evaluation plans. The template document provides detailed information about the AmeriCorps evaluation requirements (45 CFR 2522.700-710) and specifies the information that must be provided for the evaluation plan to be approved by AmeriCorps. The evaluation plan will not be scored and will not be reviewed until after funding decisions have been made.

All applicants should enter “N/A” in the “Evaluation Summary or Plan” field of the Narrative. Any other text entered in this field will not be reviewed.

**F. Amendment Justification (0 points)**

Enter N/A. This field will be used if the applicant is awarded a grant and needs to amend it.

**G. Clarification Information (0 points)**

Please make a heading in the Clarification Section of your application, entitled “FY 2022 Match replacement.” If your agency is not able to meet its required match threshold, enter the dollar amount of federal dollars your program would like to designate as “match replacement.” The amount cannot result in your program being above the maximum cost per MSY. Should your application go to clarification, this field will also be used to enter information that requires clarification in the post-review period.

## H. Continuation Changes (0 points)

Enter N/A. This field will be used to enter changes in the narratives in continuation requests.

### 5.2 Bonus Points

Not applicable.

### 5.3 Proposed Budget

All New York State AmeriCorps programs are required to budget at least \$2,000 for travel to attend the annual New York State AmeriCorps Service Summit (location and date to be announced) and to work collaboratively with other national service programs in their region on national and New York State service days, including but not limited to: 1) National Day of Service and Remembrance (September 11); 2) Martin Luther King Day; and 3) "I Love My Park Day" (first Saturday in May of each year). The Commission may announce additional federal or state service days throughout the life of any grant awarded.

**Matching funds may be required based on the application type. For specific instructions and regulations on match requirement, please see the [2022 AmeriCorps State and National Grants NOFO](#), Cost Sharing or Matching, p. 6.**

**Please see [2022 AmeriCorps Application Instructions](#) for the budget instructions.** The attachments included in the instructions can be found on the pages referenced below.

Detailed Budget Instructions for Cost Reimbursement Grants, p. 20  
Budget Worksheet, p. 25  
Detailed Budget Instructions for Fixed-Amount Grants, p. 29  
Fixed-Amount Budget Worksheet, p. 30  
Budget Checklist, p. 31

These attachments to the 2022 application instructions are worksheets only. All information must be entered in eGrants.

### **Non-Allowable Costs**

The following items cannot be included as OCFS-funded costs within the project budget:

- Major capital expenditures such as acquisition, construction, or structural renovation of facilities
- Interest costs, including costs incurred to borrow funds

- Costs for preparation of continuation agreements and other proposal development costs
- Costs of organized fundraising
- Entertainment costs, including social activities for program and staff, unless directly associated with the project

**NOTE: New York State governmental entities, not including local governmental entities, applying for AmeriCorps funding may not budget for personal service costs.**

### **Local Match**

Note: AmeriCorps requires that 2022 AmeriCorps applicants submit their applications with the required match and any alternate match schedule.

- There is a required local share match of the grant award for cost reimbursement grants, per [Section 4.1 Desired Outcomes and Program Requirements](#).
- AmeriCorps legislation permits the use of non-AmeriCorps federal funds as match for the applicant share of the budget. Please discuss your intention of using federal funds to match an AmeriCorps grant with the other agency before submitting your application. Section 121(e)(5) of the National Community Service Act requires that awardees who use other federal funds as match for an AmeriCorps grant report the amount and source of these funds to AmeriCorps. If you use other federal funds as match, you must ensure you can meet the requirement and purpose of both grants. Awardees who use federal funds as match will be required to submit documentation of approval from the other federal funding agency(ies) before reimbursement and report the sources and amount on the expenditure claim.
- The applicant must report the use of these funds to AmeriCorps in accordance with 42 U.S.C. 12571(e).
- The local share match may be reflected in any budget category. It does not need to be in the same category as the required AmeriCorps funds.
- The local match can be cash or in-kind.

### **Indirect Costs**

Application budgets may include indirect costs. Based on qualifying factors, applicants may either use a Federally-approved indirect cost rate, a 10 percent de minimis rate of modified total direct costs, or may claim certain costs directly, as outlined in 2 CFR 200.413. States, local governments, and Indian Tribes may use previously approved indirect cost allocation plans. All methods must be applied consistently across all Federal awards. Applicants that have a Federal negotiated indirect cost rate or that will be using the 10 percent de minimis rate must enter that information in the Organization section in eGrants.

However, under section 121(d) of the NCSA and AmeriCorps' regulations at 45 CFR 2521.95 and 2540.110, no more than five percent of award funds may be used to recover indirect costs on AmeriCorps State and National grants.

Please note: To request a Federally negotiated indirect cost rate agreement, when AmeriCorps is the applicable cognizant agency for an organization's indirect costs, the applicant must submit a request to [IndirectCostRate@cns.gov](mailto:IndirectCostRate@cns.gov). The applicant may also obtain instructions and additional information by contacting the email address above.

## **5.4 Key Concepts**

See Section 1.0

## **5.5 Proposal Submittal Process**

### **How to Submit a Proposal**

**NOTE:** Before submitting a new or recomplete proposal, non-profit organizations must prequalify in the Grants Gateway per [Section 3.2 Prequalification Process](#). If you are not already registered, register with the Grants Gateway at <http://grantsreform.ny.gov>.

Some helpful links for questions of a technical nature are below. Questions regarding specific opportunities or proposals should be directed to the OCFS contact listed in [Section 1.1 Procurement Contact](#) on page one of this RFP.

Grants Reform Videos (includes a document vault tutorial and an application tutorial) are available on YouTube:

<http://www.youtube.com/channel/UCYnWskVc7B3ajjOVfOHL6UA>

Grants Gateway Help Desk: 518-474-5595

Grants Team Email: [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov)  
(Proposal completion, policy, and registration questions)  
<https://grantsgateway.ny.gov>

### **Proposals must be submitted online via the eGrants website**

(<https://egrants.cns.gov/espan/main/login.jsp>) by the deadline for submission of proposals posted in RFP [Section 1.2 Calendar of Events](#).

### **All supporting documents must be submitted via email**

Submit supporting documents to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) by the dates specified in RFP [Section 1.2 Calendar of Events](#). See RFP [Section 1.6 Submission of Proposals](#) for additional information.

Proposals will not be accepted outside of eGrants except under the circumstances noted below.

### **Submission of Proposals Outside of eGrants**

The Commission will only accept the submission of proposals outside of eGrants for the following circumstances:

**eGrants Technical Issues:** All applicants are required to submit their proposals electronically utilizing eGrants; however, the Commission recognizes that technical issues may arise. In order for the Commission to accept your application outside of eGrants, applicants must first make at least one attempt to submit via eGrants. If a technical issue with the eGrants system is discovered on or before the proposal due date, the applicant must immediately contact the National Service Hotline at 800-942-2677 or <https://questions.nationalservice.gov/app/ask> to secure a Ticket Number (National Service Hotline hours can be found at the link above). Be prepared to provide the Application ID, organization's name, and the NOFA (Part I: Section 2) to which your organization is applying.

If the issue cannot be resolved after contacting the National Service Hotline, the following materials must be sent by email to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) and arrive at the email address no later than the deadline for submission of proposals posted in [Section 1.2 Calendar of Events](#). The following must be included with your submission: (1) the National Service Hotline Ticket Number and a brief paragraph explaining the technical issues that prevented submission of your application in eGrants by the deadline for submission of proposals; (2) a complete copy of the applicant's 2021-22 State AmeriCorps Application including all Application Components and Required Application Forms. Due to file size limitations, it may be necessary to email a compressed zip file or utilize multiple emails, all of which must be received by the deadline for submission.

You will be required to enter your exact application in eGrants after the technical issues are resolved.

You must retain proof of application submission outside of eGrants via email to [AmeriCorpsRFP@ocfs.ny.gov](mailto:AmeriCorpsRFP@ocfs.ny.gov) in the form of a time-stamped delivery confirmation receipt.

All applications must arrive no later than the deadline for submission of proposals posted in [Section 1.2 Calendar of Events](#).

## **6.0 MINIMUM CRITERIA/REVIEW PROCESS**

### **6.1 Minimum Criteria (Pass/Fail Review Criteria)**

Bidders must meet the minimum qualifications to submit a proposal in accordance with [Section 3.1 Minimum Qualifications](#) and [Section 3.2 Prequalification Process](#). Bidders not meeting these requirements will be disqualified from further consideration.

### **6.2 Review Process**

The Commission will use the following procedures to select applications for recommendation to AmeriCorps for Competitive AmeriCorps funding:

1. If a proposal meets the minimum qualifications to propose, it will be reviewed and scored by two (2) independent reviewers selected by the Commission. The two (2) reviewers will review the proposal as a team and will be asked to agree on a consensus score sheet that will be used to rank proposals. The score sheet will align with the outline and points values specified in this RFP. If, and only if, the reviewers cannot come to a consensus, an additional reader may be asked to review the proposal and to work with the original readers to submit a consensus score sheet.
2. The role of the Commission staff is to facilitate the best possible review by the reviewers through training, technical assistance, and support. Commission staff will be available to the reviewers for such support throughout the review process.
3. At the conclusion of the review process, the reviewers will submit their consensus score sheets for each application to the Commission and the applications will be ranked according to score from highest to lowest.

#### **Post-Review Procedure:**

1. The Commission will consider and act upon which applications to recommend to the Corporation for funding. Decisions will be based upon an applicant's score. Applications that receive a total score of 90 or above will automatically be recommended for funding. Applications that receive a total score between 70 and 89 may, within the discretion of the Commission, be recommended for funding. Applications scoring below a total of 70 points will not be recommended for funding.<sup>6</sup>
2. The Commission reserves the right to make adjustments to the funding amount requested based on program need and the total dollar value of the applications submitted.

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<sup>6</sup> The AmeriCorps national competitive review process is described in the NOFO at E.2 et al.



3. If your proposal is selected for recommendation, you may be asked to work with Commission staff to make technical and other minor changes to your proposal so that it adheres to all applicable laws, rules, and regulations, including AmeriCorps statutes and regulations. You may be asked to clarify areas of the proposal that are vague or confusing. No changes made during this period will affect the Commission's previously determined recommendations. You will be asked to enter any changes to your proposal into eGrants by a date specified by the Commission.

You may also be required to provide additional documents such as: 1) Labor union concurrence; 2) Federal debt delinquency; 3) Financial Management Survey (FMS); 4) [Diversity Questionnaire](#)<sup>7</sup>; and/or 5) other required documents. All new and re-competing applications recommended to AmeriCorps by the Commission are required to complete and submit their Financial Management Survey directly to AmeriCorps. The Commission recommends that applicants start working on their FMS in anticipation of being funded. Please see p. 19 of the [2022 AmeriCorps State and National Grants NOFO](#). You will be provided with more detailed instructions by the Commission staff if your proposal is recommended to AmeriCorps for funding.

4. The Commission will determine, within its discretion, the number of proposals it will recommend to AmeriCorps, the amount of funding requested in total and for any one (1) proposal it recommends, and any technical or other minor changes it determines are necessary before a proposal is recommended to AmeriCorps. After the Commission determines its recommendations, the Commission staff will notify applicants via email if their applications will be forwarded to AmeriCorps.
5. The Commission will not submit to AmeriCorps for review an application for funding if the applicant does not have an active SAM registration and does not submit the required FMS by the date listed in [Section 1.2 Calendar of Events](#).
6. If your proposal is accepted by AmeriCorps for funding, you will receive an award letter from OCFS and be contacted by the Commission to begin contract development. All final grant determinations are subject to the issuance of a final award letter by AmeriCorps.
7. If an applicant is awarded a grant, it must maintain an active SAM registration throughout the life of the award. Please note SAM.gov has a new login process. Please go to the General Services Administration (GSA) SAM Update page for more information: <https://www.sam.gov/SAM/>

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<sup>7</sup> On August 24, 2021, The Corporation for National and Community Service, operating as AmeriCorps, submitted a public information collection request (ICR) entitled AmeriCorps Diversity Questionnaire for review and approval in accordance with the Paperwork Reduction Act. The questionnaire is still in draft form.

8. AmeriCorps has no process for appeals of its funding decisions.
9. AmeriCorps is expected to announce its final Competitive grant selections no earlier than the date specified in [Section 1.2 Calendar of Events](#).

### **6.3 OCFS Procedure for Handling Debriefing Requests**

#### **Debriefing Request**

In accordance with Section 163(9)(c) of the New York State Finance Law, OCFS must, upon request, provide a debriefing to any unsuccessful offerer that responded to the RFP regarding the reasons that the proposal or bid submitted by the unsuccessful offerer was not selected for an award.

1. OCFS will provide notice in writing or electronically to all unsuccessful offerers that the offerer will not receive a funded award under the RFP. The Corporation does not allow for an appeal of the denial of an award. An unsuccessful offerer wanting a debriefing must request a debriefing in writing, within 15 calendar days of receipt of the notice from OCFS that the offerer's proposal did not result in an award. There are no appeal rights with respect to the decisions to deny funding made by the Corporation.
2. OCFS, upon receipt of a timely written request from the unsuccessful offerer, will schedule the debriefing to occur within a reasonable period of time following the receipt of such request. Debriefings will be conducted in-person, unless OCFS and the offerer mutually agree to utilize other means, including, but not limited to, telephone, video-conferencing, or other types of electronic communications.
3. Such debriefing will include: (a) the reasons that the proposal, bid time frame or offer submitted by the unsuccessful offerer was not selected for an award; (b) the qualitative and quantitative analysis employed by OCFS in assessing the relative merits of the proposals, bids or offers; (c) the application of the selection criteria to the unsuccessful offerer's proposal; and (d) when the debriefing is held after the final award, the reasons for the selection of the winning proposal, bid or offer. The debriefing will also provide, to the extent practicable, general advice and guidance to the unsuccessful offerer concerning potential ways that their future proposals, bids or offers could be more responsive.
4. Any further inquiries regarding award determinations of the National Corporation must be directed to the National Corporation.

## 7.0 MANDATORY CONTRACTING REQUIREMENTS (Post Award)

### 7.1 Contract Readiness

New York State's Prompt Contracting laws require all state agencies to complete contract development and the signatory process within statutorily prescribed time frames. Awardees must be available and prepared to respond within the required time frames. If selected, awardees may be required to travel to Rensselaer, New York, for contract development and will be expected to cover the costs of that travel. OCFS may rescind the awards of awardees who cannot satisfactorily complete the contracting process in order to commence services by the anticipated contract start date. Please see section 2.4 for discussion of the start date.

### 7.2 Standard Contract Language

The terms and conditions for all funded projects are specified in a detailed contract that must be signed by OCFS and approved by the New York State Office of the Attorney General (OAG) and the OSC before payments may be made. Contractor obligations or expenditures before the contract start date shall not be reimbursed. This RFP includes all relevant contract terms and conditions, which can be found in [Section 8: CONTRACT DOCUMENTS](#). Upon contract award and completion of negotiations, OCFS will send successful awardees the complete contract for development and signature before submitting it to the AG and to OSC for approval.

### 7.3 Workers' Compensation Insurance and Disability Benefits Coverage

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 RFP, 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.

**Please note: The ACCORD form is not acceptable proof of Workers' Compensation or Disability Insurance coverage.**

#### **A. Proof of Workers' Compensation Coverage**

To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage

to the state contracting entity issuing the contract. To prove the awardee has appropriate workers' compensation insurance coverage, submit ONE of the following four forms:

<http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>

- **Form C-105.2** - *Certificate of Workers' Compensation Insurance* issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund<sup>3</sup>; or
- **Form SI-12<sup>4</sup>** - *Certificate of Workers' Compensation Self-Insurance*; or **Form GSI-105.2<sup>5</sup>** *Certificate of Participation in Workers' Compensation Group Self-Insurance*; or
- **CE-200<sup>6</sup>** - *Certificate of Attestation of Exemption* from New York State Workers' Compensation and/or Disability Benefits Coverage.

## **B. Proof of Disability Benefits Coverage**

To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate disability benefits insurance coverage, submit ONE of these three forms:

<http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>

- **Form DB-120.1<sup>3</sup>** - *Certificate of Disability Benefits Insurance*; or
- **Form DB-120.2** – *Certificate of Participation in Disability Benefits Group Insurance*; or
- **Form DB-155<sup>7</sup>** - *Certificate of Disability Benefits Self-Insurance*; or
- **CE-200<sup>6</sup>** - *Certificate of Attestation of Exemption* from New York State Workers' Compensation and/or Disability Benefits Coverage.

## **7.4 Confidentiality and Awardee, Contractor, Employee and Volunteer Background Checks**

OCFS is responsible for maintaining the safety of the youth served by OCFS programs.

- 7.4.1 **Confidentiality** - New York State law requires that any client identifiable information be kept confidential. Any awardee, or contractor, employee or volunteer of the awardee, who will be provided with confidential information of recipients served by the awardee must complete and sign form OCFS-4715, *Confidentiality Non-Disclosure Agreement*. This form must be completed before the start date of the contract and before any such awardee, contractor, employee or volunteer is permitted access to youth served by an awardee or to any

financial or client identifiable information concerning such youth. For additional information see Attachment A-1, **Section 7 Confidentiality and Protection of Human Subjects**, located at the link to a standard contract listed in section 7.2 above.

7.4.2 **Criminal History Background Checks** - Any awardee, or contractor, employee or volunteer of the awardee, who will have the potential for regular and substantial contact with youth in care or receiving residential services must be subject to background screening before hire or utilization in a position paid through this award. The screening must include a review of individuals' backgrounds through the following three (3) services: New York State Justice Center for the Protection of Persons with Special Needs Staff Exclusion List (SEL), New York Statewide Central Register of Child Abuse and Maltreatment (SCR), and a criminal history background check via a vendor that will submit information to both the New York State Division of Criminal Justice Services and the Federal Bureau of Investigation. Additional information regarding all three (3) services will be provided upon the grant of an award. Please note that the grant of an award may be negatively impacted if background checks reveal that an individual proposed to provide services is on the SEL, is the subject of any indicated reports of child abuse and maltreatment, or has convictions for one or more prior criminal offenses. Awardees are responsible for notifying OCFS if a background check reveals that a contractor, employee or volunteer of the awardee proposed to provide services has a criminal history. Any criminal history revealed as a result of such screening will be evaluated by OCFS pursuant to Correction Law Article 23-A, section 752, on a case-by-case basis taking into consideration the duties of the position and those factors set forth in Correction Law Article 23-A, section 753. OCFS will evaluate the results of the screening in accordance with Correction Law Article 23-A and notify the awardee of its determination. The awardee shall be responsible for the cost associated with any required background screens of the individuals identified in this section.

## **7.5 Charities Registration (non-profit corporations only)**

Non-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 charities registration information, contact:

[https://www.charitiesnys.com/RegistrySearch/search\\_charities.jsp](https://www.charitiesnys.com/RegistrySearch/search_charities.jsp).

## **7.6 Federal Requirements (if federally funded)**

See Attachment A-2, *Federal Assurances and Certifications*, which is in the Master Contract for Grants and is referenced in [Section 8.0 CONTRACT DOCUMENTS](#).

## **7.7 Required Electronic Payments and Substitute Form W-9**

The Governor's Office of Taxpayer Accountability has issued a directive that all state agency and state authority contracts, grants, and purchase orders executed after February 28, 2010, shall require vendors, contractors, and grantees to accept electronic payment (epay).

As New York State proceeds with implementing the new Statewide Financial System (SFS), the OSC is preparing a centralized vendor file. To assist the OSC in this project, vendors are directed to provide a *Substitute Form W-9*, which includes the taxpayer identification number, business name, and business contact person. This data is critical to ensure that the vendor file contains the information state agencies need to contract with and pay vendors.

Please note that the contractor payee name and address provided to OSC for the epay program must match exactly the contractor name and address contained in the contractor's contract with OCFS. If these do not match, then a check is printed and mailed to the payee. Note that limited exemptions may be granted for extenuating circumstances.

Vendors should file a *Substitute Form W-9* with their *Electronic Payment Authorization* form.

Further information concerning these requirements, including forms and contacts for questions, can be found at the following links:

<http://osc.state.ny.us/vendors/epayments.htm>

<http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>

(Guide to Financial Operations)

## **7.8 Iran Divestment Act**

By submitting a bid 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.

During the term of the contract, should OCFS receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, OCFS will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased engagement in the investment activity that is in violation of the Act within 90 days after the determination of such violation, then OCFS shall take such action as may be appropriate and provided for by law, rule, or contract including, but not limited to, seeking compliance, recovering damages, terminating the contract, and/or declaring the contractor in default.

OCFS reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the “Prohibited Entities List” before the award, assignment, renewal, or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the “Prohibited Entities List” after contract award.

#### **7.9 Statewide Financial System**

Recipients of grant awards must also be registered in the New York Statewide Financial System (SFS) Central Vendor Registry File and provide their identification number at the time of contracting. To register and for additional information on the vendor file, visit: [http://www.osc.state.ny.us/vendor\\_management/index.htm](http://www.osc.state.ny.us/vendor_management/index.htm).

#### **7.10 Minority- and Women-Owned Business Enterprises (MWBE) – Equal Employment Opportunity (EEO) - Requirements and Procedures**

This section outlines contractor requirements and procedures for business participation opportunities for New York State-certified Minority- and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunities (EEO) for minority group members and women. All forms can be found [here](#).



### **7.10.1 New York State Executive Law (Article 15-A)**

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.

### **7.10.2 MWBE Business Participation Opportunities – OCFS Established Goals**

For purposes of this solicitation, OCFS hereby establishes an overall goal of **0** percent 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 MWBE as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFP, the respondent agrees that OCFS may withhold payment pursuant to any Contract awarded as a result of this RFP pending receipt of the required MWBE documentation. The directory of MWBE can be viewed at: <https://ny.newnycontracts.com>. For guidance on how OCFS will evaluate a contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBE for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied toward the achievement of the applicable MWBE participation goal. 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.

### **7.10.3 Contract Compliance**

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 OCFS 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 MWBE had the



contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBE 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 OCFS.

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

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

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

- B. If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the OCFS a written remedy in response to the notice of deficiency to [contractcompliance@ocfs.ny.gov](mailto:contractcompliance@ocfs.ny.gov). If the written remedy that is submitted is not timely or is found by OCFS to be inadequate, OCFS 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.

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

- a) If a respondent fails to submit an MWBE Utilization Plan
- b) If a respondent fails to submit a written remedy to a notice of deficiency
- c) If a respondent fails to submit a request for waiver
- d) If OCFS 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 OCFS, but must be made no later than before 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 and Payment Report to OCFS by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

#### **7.10.4 Equal Employment Opportunity (EEO) Requirements**

By submission of a bid or proposal in response to this solicitation, the respondent agrees with all of the terms and conditions of Appendix A – Standard Clauses for All New York State Contracts, including Clause 12 - Equal Employment Opportunities for Minorities and Women. The respondent is required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements 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, as referenced in [Section 1.6 Submission of Proposals](#), to OCFS with its bid or proposal.

If awarded a Contract, the respondent shall submit a Workforce Utilization Report and shall require each of its subcontractors to submit a Workforce Utilization Report, in such format as shall be required by OCFS on a quarterly basis during the term of the Contract.

Pursuant to Executive Order #162, non-grant contractors and subcontractors will also be required to report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the Workforce Utilization Report on a quarterly basis.

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 subcontractors will not discriminate against any employee or applicant for employment because of race, creed, 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.**

#### **7.11 Service-Disabled Veteran-Owned Business (SDVOB)**

[The Service-Disabled Veteran-Owned Business Act](#), signed into law by Governor Andrew M. Cuomo on May 12, 2014, allows eligible veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB) in order to increase the participation of such businesses in New York State's contracting opportunities. The SDVOB Act, which is codified under Article 17-B of the Executive Law, acknowledges that SDVOBs strongly contribute to the economies of the state and the nation. Therefore, and consistent with its Master Goal Plan, OCFS strongly encourages vendors who contract with OCFS to consider the utilization of certified SDVOBs that are responsible and responsive for at least **six (6) percent** of discretionary non-personnel service spending in the fulfillment of the requirements of their contracts with OCFS. Such partnering may include utilizing certified SDVOBs as subcontractors, suppliers, protégés, or in other supporting roles to the maximum extent practical, and consistent with the legal requirements of the State Finance Law and the Executive Law. Certified SDVOBs may be readily identified through the: [directory of certified businesses](#).

#### **7.12 Omnibus Procurement Act**

The Omnibus Procurement Act of 1992 requires that by signing a bid proposal, contractors certify that whenever the total bid amount is greater than \$1 million

1. the contractor has made reasonable efforts to encourage the participation of New York State business enterprises as suppliers and subcontractors on this project, and has retained the documentation of

these efforts to be provided upon request to the State of New York; and has

2. documented their efforts to encourage the participation of New York State business enterprises as suppliers and subcontractors by showing that they have done the following:
  - Solicited bids, in a timely and adequate manner, from ESD business enterprises, including certified minority/women-owned businesses; or
  - Contacted ESD to obtain listings of New York State business enterprises and MWBE; or
  - Placed notices for subcontractors and suppliers in newspapers, journals or other trade publications distributed in New York State; or
  - Participated in bidder outreach conferences; and
  - Provided a statement indicating the method by which they determined that New York State business enterprises are not available to participate on the contract as subcontractors or suppliers, *if the contractor has determined such*; and
  - Provided a statement verifying no intention of using subcontractors, *if the contractor has no such intention*.
3. The contractor has complied with the federal Equal Opportunity Act of 1972 (P.L. 92-961), as amended.
4. The contractor will be required to notify New York State residents of employment opportunities by listing any such positions with the Community Services Division of the New York State Department of Labor, providing for such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The agency agrees to document these efforts and to provide said documentation to OCFS upon request.
5. Bidders located in a foreign country are notified that the state may assign or otherwise transfer offset credits to third parties located in New York State, and the bidders shall be obligated to cooperate with the state in any and all respects in making such assignment or transfer, including, but not limited to, executing any and all documents deemed by the state to be necessary or desirable to effectuate such assignment or transfer, and using their best efforts to obtain the recognition and accession to such assignment or transfer by any applicable foreign government.
6. Bidders are hereby notified that state agencies and authorities are prohibited from entering into contracts with businesses whose principle

place of business is located in a “discriminatory jurisdiction.” Discriminatory jurisdiction is defined as a state or political subdivision that employs a preference or price distorting mechanism to the detriment of or otherwise discriminates against a New York State business enterprise in the procurement of commodities and services by the same or a nongovernmental entity influenced by the same. A list of discriminatory jurisdictions is maintained by the commissioner of the New York State Empire State Development Corporation.

### **7.13 Executive Order Number 38**

On January 18, 2012 Governor Andrew M. Cuomo issued Executive Order No. 38 “Limits on State-Funded Administrative Costs and Executive Compensation,” which requires that state agencies establish limits on state reimbursement of administrative and executive compensation costs for contracts and programs that provide direct services to clients. Contracts, payment requests, and reporting must comply with this Executive Order. The Executive Order can be found at the following website address: <http://executiveorder38.ny.gov/>

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 No. 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 Executive Order 38 website for updates regarding any changes to this notice.

### **7.14 Executive Order Number 175 (If Applicable)**

In accordance with the requirements of Executive Order No. 175, contractor will be expected to adhere to net neutrality principles in the provision of internet services under any Contract entered into as a result of this RFP, regardless of delivery method unless the director of contracts, or his/her designee as noted in [Section 1.1 Procurement Contact](#), determines that adherence to net neutrality principles for a particular purpose is not in the best interests of the state. Nothing in this provision supersedes any obligation or authorization a provider of broadband internet access service may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities, consistent with or as permitted by applicable law, or limits the provider's ability to do so. As

used herein, “net neutrality” means that a contractor will not block, throttle, or prioritize internet content or applications or require that end users pay different or higher rates to access specific types of content or application. For the purposes of this contract, the prohibition against blocking or throttling of internet content or applications does not apply to reasonable network management practices.

#### **7.15 Executive Order Number 177**

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.

#### **7.16 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>

#### **7.17 Other Requirements**

Not Applicable.

## 8.0 CONTRACT DOCUMENTS

The contract documents consist of the documents listed below.

1. Face Page
2. Signatory Page
3. New York State Standard Terms and Conditions (State of New York Master Contract for Grants)
4. Master Contract Attachment A-1: *Agency-Specific Terms and Conditions*
5. Master Contract Attachment A-2: *Federal Assurances and Certifications*
6. Master Contract Attachment B: *Budget and Instructions*
7. Master Contract Attachment C: *Work Plan*
8. Master Contract Attachment D: *Payment and Reporting Schedule*
9. Master Contract Attachment E: *Federal Fund Vendor Determination*
10. Attachment MWBE: *Minority- and Women-Owned Business Enterprises*

New York State Standard Terms and Conditions (State of New York Master Contract for Grants) is located in the **New York State Grants Gateway System (GGS)** at the following link:

<https://grantsmanagement.ny.gov/system/files/documents/2018/09/sample-complete-nys-mcq.pdf>

**Required with bid submission (Please click the links below to download the required forms.):**

- A. [OCFS-2633, \*MacBride Fair Employment Principles Certification Form\*](#)
- B. [OCFS-2634, \*Non-Collusive Bidding Certification\*](#) (Required by Section 139d of the State Finance Law)
- C. [Attachment A-2, \*Federal Assurances and Certifications\*](#)
- D. For complete proposal and contract requirements for the Minority- and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) requirements, refer to [Attachment MWBE](#) that is referenced in Section 7.10. The following are forms to be completed and submitted with your Administrative Proposal:
  - [OCFS-4629, \*Project Staffing Plan Form\*](#)
  - [OCFS-3460, \*Minority- and Women-Owned Business Enterprises \(MWBE\) Equal Employment Opportunity \(EEO\) Policy Statement\*](#)
- E. [OCFS-2647, \*EO 177 Certification\*](#) (See Section 7.15 for more information.)



- F. [OCFS-4821, CMS User Authorization](#) (Please note, the authorization form is not required at the time of application submission. However, the form is needed for contract development)
- G. **Attachment 1 – Statement on Sexual Harassment** (See Section 10.)

## 9.0 GLOSSARY OF OUTCOME-BASED CONTRACTING TERMS<sup>8</sup>

**Fiscal Documentation:** Documentation necessary for payment.

**Grants Gateway:** The New York State Grants Gateway went into operation on May 15, 2013, and serves as the primary outlet for state agencies to post upcoming and available funding opportunities.

**Guide to Financial Operations (GFO):** This website was created as the central storehouse of OSC policies and is intended to replace individual OSC bulletins. The GFO can be found at <http://www.osc.state.ny.us/agencies/guide/MyWebHelp>.

**Legal Documents:** Legally required application/contract components.

**Organizational Qualifications:** The organizational characteristics and capacity (e.g., agency mission, past accomplishments/experience in serving the target population or in providing similar services to a different population, experience in collaborating with community agencies needed for program success, key people, and fiscal capability) that are likely to result in successful performance target attainment.

**Baseline Estimate:** The projected status of the target population without the proposed intervention. A baseline is the best estimate, using prior program experience, collected data, and/or research results of what would happen to the target population without the program's intervention and its benefits. Projection should be numerical (a number or a percentage). A baseline estimate is required for each performance target.

**Outcomes:** The desired benefits or changes for the target population following their interaction with a program. These are the expected results of program intervention. Outcomes may relate to knowledge, skills, attitudes, behaviors, or conditions. Either the investor or provider may set them. (They are broader and more general than performance targets. They do not require numerical projection.) In some instances, the outcome may be a system change rather than an individual behavior change.

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<sup>8</sup> For the purposes of this RFP, these standard contracting terms should not be substituted for definitions contained elsewhere in this RFP, the [2022 Notice of Funding Opportunity, 2022 AmeriCorps and National Mandatory Supplemental Guidance](#), and [2022 APPLICATION INSTRUCTIONS](#).



**Performance Targets:** Performance targets are the *measurable* verifiable improvements in the condition or behavior of program recipients that the provider expects to achieve *by the end of the contract period*. Targets are quantifiable and verifiable indicators of program performance. They contribute to the attainment of the desired outcomes for the target population. Attainment of several performance targets may be needed to indicate the achievement of a single outcome. Performance targets must include a description of the methods that will be used to verify target achievement.

**Milestones:** Measurable interim changes in the condition or behavior of the target population used to track whether the program is on course to achieve its performance targets. These are critical points of change or target population achievement that must occur to progress towards the performance targets. You must include a description of the methods that will be used to verify milestone achievement.

**Program Budget:** Definition of program expenditures and funding sources.

**Program Description:** Detailed explanation of the means (service model, plan or approach) the provider will use to achieve its performance targets and outcomes. This should include a description of the program's core features (i.e., the kinds of services provided, their intensity and duration, the essential elements, theoretical approach, delivery strategies, involvement of target population in planning, etc.).

**Project Work Plan:** Steps necessary to implement a program.

**Staffing Pattern:** Please identify the staff assigned to a program, regardless of whether it is paid through OCFS funds.

**Target Population:** Please describe the specific group of people (individuals, families, community members, or in certain instances, the specified personnel or entity/entities) that are the focus of change, and who will directly interact with the program. In certain instances where the desired outcome is systemic change, an agency as a whole may be considered the target population.

**Verification:** Statement of methods used to verify performance target and milestone attainment and/or submission of actual documentation.

**Vendor Responsibility:** Compliance with New York State Finance Law and guideline provisions related to vendor integrity providing reasonable assurance that the potential contractor has the capacity to perform the requirement of the contract. This includes authority to do business in the state, capacity and performance, in addition to the aforementioned integrity.

**Vision:** OCFS program area statement of ideal end-state sought for a population (e.g., prevention of child abuse and neglect).

## **10.0 PROGRAM-SPECIFIC REQUIREMENTS AND FORMS**

The following attachments can be found on subsequent pages of this RFP.

**Attachment 1 – *Statement on Sexual Harassment***

**Attachment 1 – Statement on Sexual Harassment**

I certify under penalty of perjury that, by submission of this proposal, each bidder and each person signing on behalf of any bidder, and in the case of a joint bid each party thereto as to its own organization, 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, and that such policy does, at a minimum, meet the requirements of section two hundred one-g of the labor law.

I understand that a bid will not be considered for award nor will any award be made to a bidder who is not able to make this certification in compliance with State Finance Law section 139-I; provided, however, that if the bidder cannot make the foregoing certification, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therein.

By signing below, I agree that I have express authority to sign this certification and bind the proposer and that the statements made above are complete, true, and accurate.

Proposer: \_\_\_\_\_

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

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

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

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