

**Title: Opportunity # 1076
New York State Child Care Support Services**

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

Contract Number: TBD

Contract term: January 1, 2023 – December 31, 2027

Date of issue: 12/16/2021

Due date/time: 1/14/2022 by 4:00 PM Eastern Time

Location: Statewide

Counties: Statewide

Background

The New York State Office of Children & Family Services (OCFS) announces an opportunity for qualified entities that will provide New York State (NYS) Quality Child Care Support Services for high quality training and technical assistance to NYS Child Care Resource and Referral (CCRR) agencies; to regional Infant/Toddler Training and Technical Assistance Centers (ITTACs); and to directors of child day care centers and school-age child care programs. Child care is a critical need in order for the NYS economy to flourish. The ongoing COVID-19 pandemic has served to highlight the importance of this need for children and families across NYS. Qualified entities responding to this Letter of Interest must be not-for-profit organizations with a proven track record of working with organizations on a statewide basis. Qualified entities must have a thorough familiarity with New York State's Child Care Program. CCRRs represent a critical link between OCFS's efforts to oversee and strengthen the child care system and provide quality child care services to New York's children and families.

This advertisement is public notice that OCFS is seeking Vendors interested in contracting with OCFS to provide a series of deliverables, including, but not limited to: developing and providing a minimum of one (1) annual on-site technical assistance/training opportunity on child care topics to maintain quality programs as requested by each CCRR and OCFS; delivering a minimum of one (1) training or technical assistance opportunity annually for each CCRR and 1 for each group as follows; health care consultants, data specialists, infant/toddler specialists or other targeted audiences throughout the state; coordinating, planning and implementing selected activities with the New York Association for the Education of Young Children (NYAEYC) for each of the seven (7) OCFS Division of Child Care Services (DCCS) Regional Offices on a quarterly basis; coordinating orientation of all new CCRR Directors, Infant/Toddler Specialists, Infant/Toddler Mental Health Specialists and data administrators; the coordination of and publicizing of CCRR quality initiatives to parents, providers and communities statewide, on a quarterly basis; collecting and analyzing quarterly data reports from CCRRs and producing summarized data reports for child care informational purposes, including

working with OCFS to produce and draft a mandated CCRR biennial report that OCFS will review and submit to the NYS Governor and Legislature; providing workshops, seminars, trainings and other activities designed to increase knowledge and skills to improve the management practices of child day care centers, school-age child care programs and improve quality infant/toddler care; leading infant/toddler mental health initiatives, technical assistance and trainings that support New York's network of Infant/Toddler Specialists and CCRRs and identifying and implementing the best tools and systems available to track and document the needs and improvements made in Infant/Toddler mental health across New York State.

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

To be considered responsive to this opportunity, respondent's LOI must be a not-for-profit organization that has at least five (5) years of experience in providing training and support services to the child care industry, including CCRRs. Respondents must have the capacity to serve the entirety of New York State and the 35 CCRRs, along with approximately 17,000 licensed and regulated child care providers across the state.

Funding Details

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

OCFS anticipates making one (1) award to administer this project. The total anticipated 5-year funding is approximately \$14,069,520, with an average annual amount of \$2,813,904 over a 5-year timeframe.

Quarterly reporting of deliverables accomplished will be required. OCFS will conduct a minimum of one (1) annual audit over the course of the contract.

How to Submit Your LOI

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

Interested parties should complete and provide the following documents:

- **Attachment 1 – Letter of Interest**

Supporting documentation that may be requested by OCFS following receipt and review of the LOI:

- Organizational Chart
- Board of Directors Profile-OCFS 4552
- Most recent IRS 990 or statement documenting the date the organization was established and date first filing is due or proof of exemption.
- Most recent CPA Review, Independent Audit or A133 Audit and any material findings. If none of these exist, submit a document with its budgets for the current and most recent fiscal year.
- Most recent Annual Filing for Charitable Organizations (CHAR500) or Exemption Documentation from the NYS Charities Bureau. If the organization has not yet filed its first CHAR500, please submit the Registration Statement for Charitable Organizations (CHAR410).
- Documentation demonstrating 5 years of experience in providing training and support to the child care industry.

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

Please enter “LOI # 1076 New York State Quality Child Care Support Services” in the subject line of the email submission of your application and identify the name of the applicant in the body of the email and in the filenames of attached documents to ensure your submission is processed efficiently. **Early submissions are encouraged as late responses may be subject to rejection.**

Please limit your Letter of Interest to a maximum of five (5) page(s), Arial 12-point font, single line spacing and one-inch margins. Please see the **Attachment 1 – Sample Letter of Interest** provided for your reference. If applicable, Letters of Interest should attempt to conform to the guidance outlined in **Attachment 2 – Guidelines for Preparing Letters of Interest.**

Cost of Preparing Documents

OCFS will not be liable for any costs incurred by the applicant in the preparation of documents submitted in response to this Solicitation.

Questions

Questions must be submitted via e-mail to RFP@ocfs.ny.gov before the due date and time of this announcement. Please submit your question with adequate time for response; OCFS recommends allowing at least five business days. Be sure to put “LOI # 1076 New York State Quality Child Care Support Services” in the subject line. **Late questions may not be addressed.**

Evaluation Process

An internal review by OCFS will evaluate LOIs submitted in response to this announcement. This announcement is not a guarantee or promise of funding. OCFS may require additional information from an organization before deciding whether the interested organization is responsive to this LOI. If OCFS requests additional information, it should be provided within five (5) business days from request. OCFS intends to use the results of this announcement to determine interest in this opportunity.

OCFS Reserved Rights

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

- place a monetary cap on the funding amount made in each contract award;
- change any of the schedule dates stated in the LOI;
- make an award under the LOI in whole or in part;
- disqualify any applicant whose conduct and/or response fails to conform to the requirements of the LOI;
- reject any LOI if, in the sole discretion of OCFS, it determines the applicant is not a responsible vendor;
- request all bidders who submitted proposals to present supplemental information clarifying their proposals either in writing or by formal presentation;
- direct all organizations who submitted LOIs to prepare modifications addressing announcement amendments;
- make funding decisions that maximize compliance with and address the outcomes identified in this announcement;
- fund only one portion, or selected activities, of the selected applicant's response and/or adopt all or part of the selected applicant's response based on federal and state requirements;
- eliminate any LOI requirements unmet by all applicants, upon notice to all parties that submitted LOIs;
- waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the applicant involved;
- correct any arithmetic errors in any proposal, or make typographical corrections to proposals, with the concurrence of the applicant;
- negotiate with the eligible applicant(s) prior to contract award;
- require that all proposals be held valid for a minimum of 180 days from the closing date for receipt of applications, unless otherwise expressly provided for in writing;
- fund any or all of the proposals received in response to this announcement. However, issuance of this announcement does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted;
- use the LOI submitted in response to this announcement as part of an approved contract. At the time of contract development, awardees may be asked to provide additional budget and program information for the final contract;

- make inquiries of third parties, including but not limited to applicant's references, regarding the applicant's experience or other matters deemed relevant by OCFS. By submitting an LOI in response to this announcement, the applicant gives its consent to any inquiry made by OCFS;
- where applicable, require contractors to participate in a formal evaluation of the program to be developed by OCFS. Contractors may be required to collect data for these purposes. The evaluation design will maintain participants' confidentiality and recognize practical constraints of collecting this kind of information;
- when applicable consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals; and
- reject any extraneous terms, alternate activities/work to be performed, added conditions, or exceptions stated by applicants within their response. This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

Contract Documents

Interested parties should review the contract terms and conditions of the contract template provided below.

All organizations who wish to enter into a contract with OCFS must agree to all of the provisions in Appendix A. It is imperative your organization read, understand, and are willing to accept all provisions of Appendix A – Standard Clauses for NYS Contracts. Appendix A contains important information related to the contract to be entered into as a result of this LOI and will be incorporated, without change or amendment, into the contract entered into between OCFS and the selected organization(s). By submitting a response to the LOI, your organization agrees to comply with all the provisions of Appendix A. Please review the sample non-grant contract template, which includes Appendix A, available at:

<https://ocfs.ny.gov/main/contracts/docs/Non-Grant-Contract-Template.pdf>.

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

- [Vendor Responsibility Questionnaire](#) (if applicable)
- [Proof of Workers' Compensation Insurance](#) (if applicable)
- [Proof of Disability Benefits Coverage](#) (if applicable)
- [Attachment A-2, Federal Assurance and Certifications](#) (if applicable)
- [OCFS-4631, MWBE Utilization Plan Form](#) (if applicable)
- [OCFS-4629, Project Staffing Plan Form](#)
- [OCFS-3460, Equal Employment Opportunity \(EEO\) Policy Statement](#)
- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)

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

New York State Finance Law §139-I, effective January 1, 2019, requires, in relevant part, that "[e]very bid . . . made to the state or any public department or agency thereof, where competitive bidding is required by statute, rule or regulation, for work or services

performed or to be performed or goods sold or to be sold, shall contain [a] statement subscribed by the bidder and affirmed by such bidder as true under the penalty of perjury. . . [that] '[b]y submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.'" The contractor must provide the foregoing certification before any award being made by OCFS. For additional guidance on drafting an appropriate sexual harassment policy and developing appropriate training please refer to State Finance Law §139-l and <https://www.ny.gov/combating-sexual-harassment-workplace/employers#top>

Other Contracting Requirements

1. If applicable, not-for-profit organizations must be registered in the NYS Grants Gateway and complete the Vendor Prequalification process before contract execution per [New York State Division of Budget Bulletin H-1032 Revised](#), dated July 16, 2014.
2. Executive Order 177, signed on February 3, 2018, by Governor Andrew M. Cuomo, directs New York State agencies and authorities not to enter into any contracts with entities that have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected basis. The contractor must provide the [EO 177 certification statement](#) before any award being made by OCFS.
3. Sections 57 and 220 of the Workers' Compensation Law (WCL) and section 142 of the State Finance Law require that businesses contracting with New York State have and maintain and [provide evidence of appropriate workers' compensation and disability benefits insurance coverage](#). If an award is made from this announcement, updated proof of coverage must be provided during contract development. Failure to submit the proof will delay the contract development process and may result in the award being rescinded. Municipalities are not required to show proof of coverage.
4. Section 163(9)(f) of the NY State Finance Law requires that a state agency determine that a bidder is responsible before awarding that bidder a state contract. Vendor responsibility will be determined based on the information provided by the bidder, 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.
5. By submitting an LOI in response to this solicitation or by assuming the responsibility of a contract awarded hereunder, bidder/contractor (or any assignee) certifies that it is not on the "Prohibited Entities List," as defined by the *Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012* (the Act), which is posted on the OGS website at <http://www.ogs.ny.gov/about/regq/docs/ListofEntities.pdf> and further certifies that it

will not utilize on such contract any subcontractor that is identified on the “Prohibited Entities List.” Bidder/contractor is advised that should it seek to renew or extend a contract awarded in response to the solicitation, it must provide the same certification at the time the contract is renewed or extended.

6. All offerers and their employees must be aware of and comply with the requirements of the New York State Public Officers Law, and all other appropriate provisions of New York State law and all resultant codes, rules and regulations from state laws establishing the standards for business and professional activities of state employees and governing the conduct of employees of firms, associations and corporations in business with the state. In signing the proposal, each offerer guarantees knowledge and full compliance with those provisions for any dealings, transactions, sales, contracts, services, offers, relationships, etc. involving the state and/or state employees. Failure to comply with those provisions may result in disqualification from the bidding process and in other civil or criminal proceedings as required by law: <https://www.nysenate.gov/legislation/laws/PBO>
7. Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations, OCFS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises (MWBE) and the employment of minority group members and women in the performance of OCFS contracts. If applicable, a contractor on any contract resulting from this procurement must document its good faith efforts to provide meaningful participation by MWBE as subcontractors and suppliers in the performance of the contract. To that end, by submitting a response to this opportunity, the respondent agrees that OCFS may withhold payment pursuant to any contract awarded as a result of this announcement pending receipt of the required MWBE documentation. The directory of MWBE can be viewed at: <https://ny.newnycontracts.com>. OCFS will request any necessary completed MWBE documents from the contractor during the contract development process.
8. If applicable, not-for-profit vendors must be registered with the New York State Office of the Attorney General as a charitable organization, and the registration must be up-to-date at the time of contracting. Vendors must be sure all their documents are up-to-date and comply with the vendor responsibility requirements as outlined below. To determine the status of your charity’s registration information, contact: https://www.charitiesnys.com/RegistrySearch/search_charities.jsp

Contact Information

Primary contact:

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

Submit to contact:

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

Attachments

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

Attachment 1 – Sample Letter of Interest*

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

* Attachments marked with an asterisk should be completed and submitted by the due date and time listed in this opportunity to confirm your agency's interest in this opportunity.