

RFP 16-025

NYS 21st Century Community Learning Centers (21st CCLC) Technical Assistance Resource Centers

Questions and Answers Summary

PLEASE NOTE: The following language, which previously appeared on page 16 of the RFP, has been removed from the RFP and will not appear in the contract resulting from this RFP:

At the end of any contract term otherwise provided for herein, if a replacement contract has not yet been approved in accordance with State law, any contract awarded hereunder may be extended unilaterally by the State, upon notice to the contractor, at the same terms and conditions, including all contract pricing, for a period of one month. Additionally, this extension may be for a period of up to three months with the concurrence of the contractor. However, any extension will terminate immediately upon approval of the replacement contract except where a period for transition of contractors has been previously provided for.

In addition, see answer #22 for a correction to the language related to the subcontracting limit.

Eligibility

1. Are current 21st CCLC grantees eligible to apply for the Technical Assistance Resource Centers grant? The following statement from the guidance does not make this clear: *Bidders or subcontractors that are affiliated with, or perform other work for, 21st CCLC grantees must have clear and separate governance and oversight structures in place to prevent any conflict of interest or the appearance of a conflict of interest.*

Answer: Current grantees are eligible only if they have clear and separate governance and oversight structures in place to prevent any conflict of interest or the appearance of a conflict of interest.

In order to be eligible, any bidder that is currently involved with the 21st Century Community Learning Centers program (as a grantee, evaluator, provider of professional development, or in a similar capacity) must have clear and separate governance and oversight structures in place to prevent any conflict of interest or the appearance of a conflict of interest between their current responsibilities and those of the Technical Assistance Resource Center. This includes staff specifically dedicated to the resource center, as well as policies and procedures that eliminate any potential conflicts of interest or the appearance thereof. If applicable, the proposal should detail the bidder's plans to eliminate or mitigate any potential conflict of interest.

2. Given the role of statewide afterschool networks as advisors to the 21st Century program, and given that several states also contract with their statewide afterschool network as their 21st Century Technical Assistance Resource Center, is New York's statewide afterschool network eligible to serve as a Technical Assistance Resource Center in New York?

Answer: A statewide afterschool network could be eligible to serve as a Technical Assistance Resource Center in New York provided that there are clear and separate governance and oversight structures in place to prevent any conflict of interest or the appearance of a conflict of interest. This should include having staff specifically dedicated to the resource center and the contract deliverables. See the answer to #1 above.

Submission

3. We plan to hand-deliver our application. Can you provide a contact name and phone number to give to the security guard at the entrance to your building?

Answer: NYSED strongly prefers that applications be submitted by mail. If hand-delivering, please contact Jessica Hartjen at (518) 474-9834 to arrange delivery. Hand-delivered applications must be received by 3:00 pm on the date of the application deadline (May 11, 2016). Applications that are received after this time will not be accepted.

4. On page 21 of the RFP, the project submission directions indicate we should submit a CD with MS Word files. We typically do SED project budgets in Excel. Would an Excel file be okay to submit for the budget pieces? If not, should we copy and paste an image of the budget into a Word file?

Answer: Budget documents should be prepared using the Excel workbook posted with the RFP and may be submitted as an Excel file.

5. For the electronic submission, is okay required for everything to be submitted in Word or can we submit in PDF? For instance, any submission documents and W/MBE forms that required signatures?

Answer: NYSED strongly prefers that the technical proposal be submitted in Word, but submission documents and forms requiring signature may be submitted in PDF. Budget documents should be prepared using the Excel workbook posted with the RFP and may be submitted as an Excel file.

6. Pages 3 and 21 indicate that we are to submit our application in a CD Format. Would a USB flash drive suffice or do we need to meet the requirement of the CD format?

Answer: NYSED requests that the electronic copy of the proposal be submitted on a CD. If this is not feasible for your organization, a USB will be accepted.

7. Can a USB be used in lieu of a CD-ROM?

Answer: NYSED requests that the electronic copy of the proposal be submitted on a CD. If this is not feasible for your organization, a USB will be accepted.

8. Is there a page limit for the application?

Answer: No, there is no page limit for the application.

9. Are there any required fonts or font sizes?

Answer: No, there is no required font or font size.

10. Are there any formatting requirements (one-inch margins or double-spacing, for example)?

Answer: No, there are no formatting requirements.

11. Are there any requirements or limitations regarding font, spacing, margins, or length of proposal?

Answer: No, there are no requirements or limitations regarding font, spacing, margins, or length of proposal. However, proposals should be prepared simply and economically, avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete presentation.

Programmatic

12. Concerning the term and condition regarding ownership of materials produced under a contract listed on page 16:

Ownership

New York State Education Department shall own all materials, processes, and products (software, code, documentation and other written materials) developed under this contract. Materials prepared under this contract shall be in a form that will be ready for copyright in the name of the New York State Education Department. Any sub-contractor is also bound by these terms.

In submitting a bid, does that mean the bidder is committing to that term, or, is this a negotiable item during a contract negotiation. If the latter, should the bidder provide notification in the proposals that the bidder takes exception to this term, and any others, and reserves the right to negotiate the contract?

Answer: This is a non-negotiable term of this contract.

13. Are there any regulations regarding the design of the Resource Centers' Website by the RoS Resource Center? Sometimes there are State requirements and/or restrictions to NY State supported websites.

Answer: Per pages 15-16 of the RFP, Any web-based information and applications development, or programming delivered pursuant to the contract or procurement, will comply with New York State Enterprise IT Policy NYS-P08-005, as such policy may be amended, modified or superseded, which requires that state agency web-based information and applications are accessible to persons with disabilities. Web-based information and applications must conform to New York State Enterprise IT Policy NYS-P08-005 (see https://www.its.ny.gov/sites/default/files/documents/nys_p08-005_memo_09102010.pdf) as determined by quality assurance testing. Such quality assurance testing will be conducted by the contractor, and the results of such testing must be satisfactory to NYSED before web-based information and applications will be considered a qualified deliverable under the contract or procurement.

14. Must the website held by a TARC (as defined on pg. 11, Part B. 1) be only for the use of 21st Century Grantees, or can the website include all of the required components required of a TARC and also include additional components for the benefit of grantees and the rest of the field?

Answer: The website must be a statewide web-based support system that includes up-to-date research-based resources and information on effective practices in expanded learning opportunity programming to build the capacity of grantees to provide effective programs for the participating students and their families. Further detail is included on page 11 of the RFP. Additional content would be subject to preapproval by NYSED.

15. May professional development provided by a TARC or its contractors (as defined on pg. 11, Part B. 3) as part of this grant also be utilized by non-21st Century grantees? For example, may a webinar offered to grantees be recorded and posted online where non-grantees may be able to review such recording?

Answer: Content developed expressly for 21st CCLC grantees may be shared on the TARC website where the public may access it; however, 21st CCLC funds may only be used to provide professional development to 21st CCLC grantees.

16. May an applicant propose to hire new staff members to fill the role of the RC Director and/or RC professional program staff, or must proposed staff already work for the applicant? If it is acceptable to propose to hire new staff, how will staff qualifications be evaluated?

Answer: Yes, an applicant may propose to hire new staff members to fill the role of the RC Director and/or RC professional program staff. Staff qualifications will be evaluated based on the applicant's written plan to staff the Center per page 22 of the RFP.

17. May RC staff travel out-of-state without the approval of the NYSED program contract manager (as referenced on pg. 15 number 5) if non-grant funds are used to cover such travel?

Answer: RC staff traveling for 21st CCLC-related work would still need NYSED approval even if non-grant funds are used to cover such travel.

18. Page 7 of the RFP states that the RCs will: "Incorporate continuing evaluation, identification, and implementation of improvement strategies for the work of the center;" However, non-allowable costs on page 15 include external evaluation services. Are the RCs being asked to perform self-evaluation in order to meet the requirement to incorporate continuing evaluation since external evaluation is not an allowable cost?

Answer: Yes, the RCs must perform ongoing self-evaluation. A separate contract for a 21st CCLC statewide evaluator will provide external evaluation of the RCs and State Education Department's administration of the grant.

Fiscal

19. Our company has an indirect rate that was calculated by NSF, we don't have one from NY. We have thought about applying for one, but never figured out how to do that. Can any of these be entered as purchased services in the budget documents: (1) monthly support from our IT company; (2) Telephones (both mobile and landlines); and, (3) cost of a leased photocopier? If all of those can go into purchased services, our rent (the only overhead left) then works out at 6% of our direct costs. Is there somewhere to put office rental or can we ask to be allowed to use the 6% for that?

Answer: Agencies (other than school districts and BOCES) that have a restricted indirect cost rate established by their federal cognizant agency should use that rate when preparing their cost proposals. Please refer to RFP pages 14-15 and the cost proposal forms for guidance on what costs are appropriate for each category. As indicated in the RFP, indirect costs include "central administrative costs and certain other organization-wide costs that are incurred in connection with a project but that cannot readily be identified with the project."

20. I couldn't find an amount in the RFP in terms of the amount of funding available to a center, per year. More specifically, what is the maximum for a center in total and by year?

Answer: NYSED is not providing a maximum budget figure for this work. Please keep in mind that budgets will be scored on a "best value" basis, meaning the budget that represents the overall lowest cost will receive the highest score of 30 points.

21. Page 26 of the RFP states that: "The financial portion of the proposal represents thirty (30%) percent of the overall score and will awarded points pursuant to a formula. This calculation will be computed by the Contract and Administration Unit upon completion of the technical scoring by the technical review panel." In addition, "The submitted budget will be awarded points pursuant to a formula which awards the highest score of thirty (30) points to the budget that reflects the lowest overall cost. The remaining budgets will be awarded points based on a calculation that computes the relative

difference of each proposal against the lowest budget submitted. The resulting percentage is then applied to the maximum point value of thirty (30) points.” Can you define the formula more clearly, include examples of two different overall budgets, and show how they would be scored?

Answer: As described in the RFP, the bidder proposing the lowest cost will receive the maximum value of 30 points. The remaining budgets will be awarding points based on the relative difference. Cost scores will be calculated by dividing the lowest proposed cost by each proposed cost and multiplying the result by 30. For example, Bidder A is the lowest cost at \$1,000,000 and receives 30 points for the cost score [$\$1,000,000 / \$1,000,000 = 1 \times 30 = 30$]. Bidder B is twice the cost at \$2,000,000 and will receive 15 points [$\$1,000,000 / \$2,000,000 = 0.5 \times 30 = 15$].

22. Page 2 of the RFP states: “Subcontracting will be limited to thirty percent (30%) of the annual contract budget. Subcontracting is defined as nonemployee direct personal services and related expenses, including travel.” Please define nonemployee direct personal services.

Answer: For purposes of this RFP, nonemployee direct personal services encompass all services performed by individuals who are not legally employed by the prime contractor, where the prime contractor is purchasing the time and effort of an individual or individuals, as opposed to purchasing a product. The definition of subcontracting used in this RFP includes consultants and consulting-type services. **Please note** that the subcontracting limit of 30% is applied to the total contract budget, not the annual budget. The references to the annual budget on pages 2 and 17 were incorrect and have been corrected.

23. Would purchasing equipment and/or software from a vendor be counted towards the 30% subcontracting limit?

Answer: No. Subcontracting is defined as nonemployee direct personal services and related expenses, including travel.

24. Non-profit organizations are not eligible for M/WBE status. If the proposal utilizes non-profit partners, will this count toward the 30% subcontracting limit?

Answer: Non-profit partners will count toward the 30% subcontracting limit if they fall under the definition of subcontracting described in the RFP and above.

M/WBE

25. If the M/WBE participation goals are 17% minority owned business and 13% women owned business, does this mean that subcontracting is only limited to M/WBE vendors?

Answer: No, this does not mean subcontracting is limited to M/WBE vendors. M/WBE participation may be included in the purchase of services, materials and supplies, or travel budget line items. Only M/WBE firms used to provide services are considered subcontractors. M/WBE firms from which materials and/or supplies are purchased are not considered subcontractors.

26. Notice of Intent to Participate – Would an electronic copy be sufficient given the signature of the subcontractor is required?

Answer: The Notice of Intent to Participate may be submitted electronically, but please print a copy to include with the hard copy of the M/WBE documents.

27. Would we meet the M/WBE requirement if we partner with an organization that is in the process of getting certified but has not yet received the designation by the time the proposal is submitted?

Answer: The MWBE Coordinator is available throughout the application and procurement process and can be reached at MWBE@nysed.gov for further guidance.

28. Is an organization that is certified nationally acceptable? Are the national and New York state registries different?

Answer: In order to receive credit towards M/WBE Participation Goals a firm must be certified by New York State. A listing of New York State firms can be found at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?XID=4636&TN=ny>.

29. Per the staffing plan instructions in the submission documents M/WBE Requirements, there is a section titled “5 NYCRR 142.8 Contractor’s Good Faith Efforts” that lists 6 minimum requirements to document Good Faith Effort.

a. Question: Is it the intent for all of these 6 requirements to be met or as many as possible in order to discern Good Faith Effort? Some of them (such as number 5) indicate that they may not be applicable and therefore could not be submitted.

Answer: The minimum requirements listed are ways to demonstrate an applicant’s Good Faith Effort. If some of those items are not applicable, please indicate not applicable (N/A). The Good Faith Documentation will be reviewed, and the M/WBE Coordinator will be in contact should additional information be needed.

30. In the Requirements and Document Submission Instructions within the M/WBE Documents, when completing the Request for Waiver Form it states that Copies of 10 listed items and all relevant supporting documentation must be submitted.

a. Question: Some of the documentation that is required with the Request for Waiver form is similar to the requirements for the Good Faith Effort. Do these documents need to be duplicated for each form, or will one copy suffice for both forms?

Answer: Please furnish copies of all required forms, however if you have supporting documentation for the Good Faiths Efforts, only one copy is needed.

b. Question: What information is required to be submitted to Empire State Development in order to fulfill the Copy of Notice of Application receipt issued by Empire State Development?

Answer: Once a firm submits their application for M/WBE certification, they will receive an email indicating that their application was received and providing the firm with an application number. A copy of this email will serve as a notice of application receipt issued by Empire State Development.