



Responses to Inquiries for SDMC RFP 2015

- 1. Page 2, #3 refers to Funding for the contract's first twelve month term (November 1, 2015 – October 31, 2016) will be \$40,000. Will the amount change after the first twelve months? If so, why and how much will be allocated?**

It is anticipated that funding amounts will not change after the first twelve months. However, as in previous years funding is subject to amounts enacted in the annual state budget.

- 2. The RFP requires submission of our Annual Report for the previous year (page 10, II E). We have the audit, but no Annual Report. Is submission of the audit sufficient to meet this requirement, and, if not, what should be submitted in lieu of an annual report?**

If a bidder does not have Annual Report, an audit will suffice.

- 3. The RFP requires submission of a Vendor Responsibility Questionnaire. If this is available and current on the OSC website, can we simply submit proof that it has been certified within the past six months online?**

Yes.

- 4. There is a difference in the due date as identified in the RFP (August 17) and the NYS Contract Reporter (August 13). Which is the correct date?**

The due date is August 17 as identified in the RFP.

- 5. Is the budget "flat" for each contract year?**

It is anticipated that funding amounts will not change after the first twelve months. However, as in previous years funding is subject to amounts enacted in the annual state budget.

- 6. With regard to allowable categories in the budget lines, are there non-allowable reimbursables?**

Applicants are instructed to complete budgets utilizing the categories listed in the Attachment B.

7. May letters of support be submitted along with the application?

Letters of support are not required; however, they may be submitted.

8. Is Attachment A intended to be made a part and attached to the RFP?

Yes.

9. Can you clarify the number of copies of the RFP requested—is it an original and 3 copies, or, a total of four, or one original and two copies, for a total of 3?

One original and two copies are required, for a total of three.

10. Section I, Page 3, Funding/Payment

- a. **RFP TEXT:** “Payment will be fixed annual amounts, paid in four installments each contract year. Payments will be made within 30 days upon review and approval of the submitted report, as described below. The contractor will submit a report listing the cases that were processed during the previous period.”
- b. **QUESTION:** Previously, the contract was paid based on the number of cases processed, on a per-case basis. The above language seems to indicate a flat quarterly payment, but then also mentions a report listing cases processed. Will the new contract be paid as a flat dollar amount quarterly, or per-case? Is there a minimum number of cases that must be processed in order to receive the payment? This is further complicated by text in Section IV, Page 7, Item 4, **AGENCY BACKGROUND AND CAPACITY:** “The ability of the applicant to describe its experience with programs operated and *reimbursed on a case-specific basis...*” (emphasis added).

Regional funding amounts were estimated based on historical program data for the past five years and a \$470 per case rate. However, the new contract will be paid as a flat dollar amount in four installments each year. Contractors will be required to submit reports detailing cases processed in order to track program outcomes. There is no minimum number of cases that must be processed in order to receive the payment.

11. Application Outline, II: Applicant Background, Item C: Major Accomplishments

- a. **RFP TEXT:** “C. Major Accomplishments”
- b. **QUESTION:** Please provide some guidance as to which accomplishments should be included. For instance, should these accomplishments be limited to those of the agency’s SDMC program? Should the focus be on formal awards and recognition?

Since SDMC may receive RFP applications from agencies that do not yet have experience with the SDMC program, the response should include a list of overall

agency accomplishments and awards, including but not limited to program performance related to the SDMC Program.

12. Attachment A, Program Coordinator Responsibilities, Other Responsibilities, Item 1

- a. **RFP TEXT: “Maintain accurate listing of panel members...”**
- b. **QUESTION: Will this take the place of the central register of volunteers currently maintained by the Justice Center?**

The SDMC Program will continue to maintain a central register of volunteers and provide updates according to an established schedule. The obligation of the local contractor will be to utilize the most recent list of volunteers provided by the SDMC Program and to alert the SDMC Program of changes in volunteer contact information that is ascertained while working to establish a SDMC hearing panel.

13. Attachment A, Program Coordinator Responsibilities, Other Responsibilities, Item 4

- a. **RFP TEXT: “Assist in recruitment of new panel members...”**
- b. **QUESTION: To what extent will local coordinators have responsibility for (and control of) recruitment, as opposed to the Justice Center?**

Local coordinators shall have the ability to share information about the SDMC Program with potential panel members and they should refer interested parties to the Justice Center SDMC Program staff. Sharing recruitment information through the contract agency’s usual outreach efforts is helpful. The local coordinator will also share information about where panelists are needed, for example specific counties and, what panel positions (advocate, attorney, family, medical) should be recruited to fulfill specific needs. Any formal announcements regarding the need for volunteers by the local coordinator must be pre-approved by the Justice Center. Recruitment efforts and the establishment of training dates will be established by the Justice Center SDMC Program. MHL 80.05 (e) specifically states that the Justice Center may not delegate the responsibility for the recruitment and training of panel members.

14. Attachment A, Program Coordinator Responsibilities, Other Responsibilities, Item 4

- a. **RFP TEXT: “...panel and provider training...”**
- b. **QUESTION: Will training be *provided* by the local coordinator, or by the Justice Center? If the former, how will standards be set, and materials created, for such a training? If the latter, to what extent will local coordinators play a role? Will there be a minimum recruitment target, and if so, what would that be?**

Formal panel and provider training will remain the responsibility of the Justice Center SDMC Program. The local coordinator is expected to provide administrative support to each panel and in that role will have limited responsibility reinforcing training

standards including those related to the rules and regulations that govern the SDMC Program. Based on the hearing experience, the local coordinator shall refer the names of agencies that could benefit from additional training to the Justice Center SDMC Program staff. The Justice Center SDMC Program is available to assist in this regard and individual local coordinators are encouraged to call SDMC Program staff for additional support in these matters as required.

15. Attachment B, Budget Form, Personal (sic) Services

a. RFP TEXT: “SDMC Assistance”

b. QUESTION: What costs and services can be assigned under this line? For example, could a staff member who provides reception/admin/filing services have a portion of their salary assigned here, and if so, is there a minimum or maximum percentage of their salary that can be allocated to SDMC?

Any portion or full salary of any staff member who will provide support services to SDMC program can be included under the SDMC Assistance line.

16. Attachment B, Budget Form, Personal (sic) Services

a. RFP TEXT: “Fringe ____%”

b. QUESTION: Please clarify which costs can be properly assigned to this category. For example, would contributions to a Health Saving Account appear here?

Fringe benefit include costs to the employer for Retirement plans, Social Security, Health Insurance, Dental Insurance, Worker's Compensation, Survivor's Benefits, Unemployment Insurance, etc. Contributions to a Health Saving Account would be included.

17. Attachment B, Budget Form, Non-Personal (sic) Services

a. RFP TEXT: “Reimbursements”

b. QUESTION: What costs and services can be assigned under this line? For example, we assume that coordinator mileage, as well as parking and tolls for both volunteers and staff would appear here; is that correct? Further, would expenses for training provided by the agency (travel, hotel, materials, food, etc.) appear here?

Yes, reimbursements for coordinator and volunteer mileage as well as parking tolls, for both – volunteers and staff, can be included under the reimbursements line. Expenses for training provided by the Justice Center SDMC Program (travel, hotels, materials and food) may be included but shall require the prior approval of the Justice Center SDMC Program. Reimbursements will occur consistent with guidelines issued by the New York Office of the State Comptroller.

18. The funding for the first 12 months of the contract is specified for each region. However, there are no limits or service maximums outlined in the RFP. The current contracts have caseload maximums. May a bidder specify a maximum number of cases it would administer based upon the specified funding amount?

No.

19. The funding for the first 12 months of the contract is specified for each region. However, cost of living increases are not built into the contract. Does this mean that the funding will remain the same for each subsequent year? What is the mechanism for requesting increased funding based upon cost of living and/or higher than anticipated referrals?

It is anticipated that the funding will remain the same for each contract year. There is no mechanism for requesting increased funding based upon cost of living and/or higher than anticipated referrals. Please refer to answers to questions 1, 2, 5, 10 and 18 for more details on funding.

20. J.7 on page 6 indicates that post selection negotiations shall include termination rights in the event of unsatisfactory or inadequate service based on the contractual agreement. Will the successful bidder also have the opportunity to negotiate termination rights due to unsatisfactory funding should regulations or eligibility requirements expand resulting in higher than anticipated referrals? Or for reasons such as insufficient number of trained volunteers in a particular region in order to meet the number of referrals?

Contract negotiations will commence *after* the selection is made. However, changes to termination provisions are generally not considered.

21. RFP Specifications A. Scope number 2 on page 6: our agency has the capacity to send encrypted email. Is the use of encrypted email an option that the successful bidder can exercise to fulfill the requirement of transmitting materials to panel members and other interested parties?

Yes, encrypted email may be used to transmit materials to panel members and other interested parties, provided that an admission of receipt is obtained in writing or consent to receipt of the declaration in this matter was obtained, and the individual obtaining such consent documents the date and time of consent, means of transmission or delivery and the consenting individual in the panel's record of the proceeding. (See NYCRR 710.04 (a) (1)). Panel members without email access or who cannot open the encrypted message should continue to receive information by mail or fax as agreed to by the panel member and local coordinator.

22. RFP Specifications A. Scope number 11 on page 7: we would like more detail regarding the requirement “promoting public awareness of the SDMC program”. What sort of outreach is required and how much time does the Justice Center anticipate the successful bidder will spend on outreach and volunteer recruitment?

The successful bidder will provide “informal” public outreach by promoting the SDMC Program during the normal course of the agency’s daily activities. Formal public outreach such as inclusion of SDMC in agency newsletter, public announcements for new volunteers etc. will be subject to the review and approval of the Justice Center SDMC Program.

23. We are concerned that the responsibilities for RFP Specifications A. Scope number 11 on page 7 and B. Bid Specification number 3 are potentially disconnected. For example, we are concerned about performing volunteer recruitment functions if responsibility for the training and the timing of the scheduling of training of potential volunteers is not within the control of the successful bidder. We would like some clarification on how the Justice Center sees these responsibilities as potentially overlapping and how communication regarding the successful bidders need for volunteers and the Justice Center’s availability for training will be handled.

Local coordinators will have the ability to share information about the SDMC Program with potential panel members and they should refer interested parties to the Justice Center SDMC Program staff. Sharing recruitment information through the contract agency’s usual outreach efforts is helpful. The local coordinator will also share information about where panelists are needed, for example specific counties and, what panel positions (advocate, attorney, family, medical) should be recruited to fulfill specific needs. Any formal announcements regarding the need for volunteers by the local coordinator must be pre-approved by the Justice Center. Recruitment efforts and the establishment of training dates will be established by the Justice Center SDMC Program. MHL 80.05 (e) specifically states that the Justice Center may not delegate the responsibility for the recruitment and training of panel members.

24. Attachment A Hearings Administered by Panel Chairperson “Establish and maintain phone presence with hearing participants”: does this mean that in-person attendance at hearings by program staff is not necessary?

Panel chairperson run hearings will be the exception rather than the rule and require the specific pre-authorization of the Justice Center SDMC Program staff. It is expected that the local coordinator be present at hearings to provide administrative support to the panel unless extenuating circumstances exist.

25. Attachment A Post-Hearing: the third bullet requires that the successful bidder maintain one full package for each case on file for a period determined by the Justice Center. May compliance with this requirement be achieved by electronic record retention rather than maintenance of a paper file?

Yes, maintaining an electronic file is permissible.

26. Program Coordinator responsibilities are outlined in Attachment A. Are you looking for something other than or in addition to these responsibilities in the answer to III. Funding Proposal A. on the Application Outline which describes the tasks to be performed by the Program Coordinator?

Section III of the RFP and Attachment A both define the responsibilities to be performed by the Program Coordinator. Attachment A lists specific tasks which need to be performed by the coordinator to fulfill program expectations.