



Michael R. Bloomberg
Mayor

New York City Department of Youth and Community Development



Jeanne B. Mullgrav
Commissioner

TECHNICAL ASSISTANCE REQUEST FOR PROPOSALS (RFP)

PIN: 260090TASRFP

RFP RELEASE DATE: Wednesday May 14, 2008

DEADLINE FOR PROPOSALS: Wednesday June 11, 2008

RETURN TO: Office of Contract Procurement
Department of Youth and Community Development
156 William Street, 2nd Floor
New York, New York 10038

ATTENTION: Daniel Symon
Agency Chief Contracting Officer

PRE-PROPOSAL CONFERENCE: Wednesday May 28, 2008

**PRE-PROPOSAL CONFERENCE
LOCATION:** 10:00am
Department of Youth and Community Development
Junius A. Kellogg Auditorium
156 William Street, 2nd Floor
New York, New York 10038

This Request for Proposals (RFP) must be obtained directly from the Department of Youth and Community Development (DYCD) in person or by downloading it from DYCD's Web site, www.nyc.gov/dycd. If you obtained a copy of this RFP from any other source, you are not registered as a potential proposer and will not receive addenda DYCD may issue after release of this RFP, which may affect the requirements and/or terms of the RFP.



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**THE CITY OF NEW YORK
DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT**

**TECHNICAL ASSISTANCE
PIN: 260090TASRFP**

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AUTHORIZED AGENCY CONTACT PERSONS

The authorized agency contact persons for all matters concerning this RFP are:

Procurement:

Daniel Symon
Agency Chief Contracting Officer
Department of Youth and Community Development
156 William Street, 2nd Floor
New York, New York 10038
Telephone: 212-442-5982
Facsimile: 212-676-8129
E-mail: RFPquestions@dycd.nyc.gov

RFP Content:

Cressida Wasserman
Senior Planner
Planning, Research & Program Development
Department of Youth and Community Development
156 William Street, 2nd Floor
New York, New York 10038
Telephone: (212) 676-8109
Facsimile: (212) 676-8160
E-mail: RFPquestions@dycd.nyc.gov

NOTE ON E-MAIL INQUIRIES: Proposers must enter “Technical Assistance – PIN 26009TARFP” in the subject line of their email message.

The Department of Youth and Community Development (DYCD) cannot guarantee a timely response to phoned-in and written questions regarding this RFP that are received less than one week prior to the RFP due date.

Proposers should note that any telephone or written response that may constitute a change to the RFP will not be binding unless DYCD subsequently issues such a change as a written addendum to the RFP.

SECTION I - TIMETABLE

A. Release Date: Wednesday May 14, 2008

B. Pre-proposal Conference:

Date: Wednesday May 28, 2008

Time: 10:00 am

Location: 156 William Street, 2nd Floor, New York, New York 10038

Attendance by proposers is optional but recommended by DYCD.

C. Proposal Due Date, Time, and Location:

Date: **Wednesday June 11, 2008**

Time: **2:00 pm**

Location: Hand-deliver proposals to: Office of Contract Procurement
Attention: Daniel Symon
Agency Chief Contracting Officer
156 William Street, 2nd Floor
New York, New York 10038

E-mailed or faxed proposals will not be accepted by DYCD.

Proposals received at this Location after the Proposal Due Date and Time are late and shall not be accepted by DYCD, except as provided under the New York City Procurement Policy Board Rules.

DYCD will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless DYCD issues a written addendum to this RFP which extends the Proposal Due Date and Time for all proposers, the Proposal Due Date and Time prescribed above shall remain in effect.

D. Anticipated Contract Start Date: September 1, 2008

SECTION II - SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of the RFP

Through this RFP, DYCD is seeking appropriately qualified vendors to provide technical assistance (TA) to DYCD contractors providing services in the following areas: after-school programs, family-focused programs, youth workforce development programs, programs for youth with special needs, and discretionary programs.

DYCD recognizes the important contribution that direct service providers make to the social, cultural, and economic vitality of communities across New York City (City). Through its Capacity Building Division, DYCD fosters ongoing development among emerging community-based organizations as well as experienced DYCD contractors, helping to build their organizational infrastructure and capacity so that they can become more effective service providers and achieve their goals and those of DYCD. The fundamental purpose in providing TA is to raise and sustain program quality for the benefit of program participants.

DYCD's approach to TA is comprehensive, seeking to address general organizational development as well as specific programmatic issues.¹ The aim is to increase program quality by building knowledge and skills among front-line staff and also by improving the capacity of organizational systems and leadership to implement high-quality programming. Accordingly, DYCD will encourage TA tailored, as much as possible, to the needs of individual contractors through TA modalities and components that include on-site consultations, train-the-trainer and line-staff sequential workshops, peer exchange networks, and follow-up services and support.

An essential element of DYCD's approach is the articulation of both short- and long-term outcomes and associated measures for each TA intervention. These measures will enable the vendor and DYCD to monitor and assess the impact of the TA intervention. Given the large volume of DYCD-funded programs that would qualify for TA, DYCD will identify priorities and select TA interventions that maximize impact with the limited available funding. DYCD anticipates funding fewer, more intensive interventions with higher outcome expectations.

In all its efforts, DYCD embraces a strength-based, capacity-building approach in which the vendor and the recipients of DYCD-funded TA services form a community of learners based on trust, flexibility, and mutual commitment and support. Thus, organizations awarded TA contracts will be expected to operate collaboratively with DYCD to build DYCD's network of contractors and enhance delivery systems for a wide range of services for youth, families, and communities.

B. TA Service Options

This RFP comprises five separate service options, listed below. (Please note that TA services for DYCD's Literacy, Out-of-School-Time, and Service Learning programs are separately funded and are not part of this RFP.) A detailed description of each service option is provided in the Scope of Services, Section III of the RFP.

¹ TA in the area of fiscal management will be covered under general organizational TA available in each service option. In addition, DYCD will provide assistance directly and through its dedicated helpline on issues relating to fiscal management.

TA Service Options

1. After-School Services
2. Family-Focused Social Services
3. Youth Workforce Development Services
4. Youth with Special Needs
5. Discretionary Programs²

Proposers may propose to serve more than one service option. However, a separate and complete proposal must be submitted for each service option being proposed. If a proposer submits multiple proposals and becomes eligible for more than one award, DYCD reserves the right to determine how many and for which service option(s) contracts will be awarded based on the proposer's demonstrated organizational capability and the best interests of the City.

C. Contract Term

It is anticipated that the term of the contracts awarded from this RFP will be three years, from September 1, 2008 to August 31, 2011, with an option for DYCD to renew for up to three (3) additional years.

D. Anticipated Annual Funding

It is anticipated that the total annual funding for contracts awarded from this RFP will be \$800,000, distributed as indicated in the chart below.

Service Option	Annual Allocation Amount	Anticipated Number of Contracts
After-School Services	\$ 250,000	1
Family-Focused Social Services	\$ 125,000	1
Youth Workforce Development Services	\$ 225,000	1
Youth with Special Needs	\$ 100,000	1
Discretionary Programs	\$ 100,000	1
TOTAL	\$ 800,000	5

E. Anticipated Payment Structure

The anticipated payment structure for contracts awarded from this RFP will be based on a Full Day Expense (FDE) rate representing seven hours of consulting time. All expenses related to the delivery of TA services would be covered by FDEs. The FDE should account for equipment and training materials, travel, space costs, pre-service assessments, preparation for training or consulting sessions, conducting consultations and workshops, and follow-up activities.

In all competitions, the maximum FDE rate that DYCD will pay is \$1,300.

Payments will be linked to specific deliverables and short-term outcomes.

² In this service option, TA services will be provided to DYCD contractors that are only designated for funding by City Council officials.

Vendors will be responsible for certifying that the work has been completed in accordance with work plans and that the short-term outcomes have been achieved. (See Section III – Scope of Services.)

F. Subcontractors and Consultants

Subcontracting is allowed, subject to the following conditions:

- Subcontractors would have proven track records as providers of TA in the relevant service option area, as well as *current capacity* to deliver such services in all the modalities for which they will be engaged. They will also have demonstrated experience and ability to undertake pre-service organizational assessments and to define and track outcomes in TA services.
- All subcontractors and subcontracts would be subject to DYCD approval before work plans are finalized.
- A vendor may not subcontract more than 50 percent of its DYCD contract value nor allow TA services to be performed by entities with which there is no DYCD-approved subcontract.

Consultants may be used, subject to the following conditions:

- Consultants would have relevant experience as providers of the TA services for which they are hired.
- All consultants would be subject to DYCD approval before work plans are finalized.

SECTION III - SCOPE OF SERVICES³

A. Goals for this RFP

DYCD's goals for this RFP are:

- To increase the capacity of contractors to achieve positive outcomes for youth, families, and communities;
- To increase program quality by building knowledge and skills among front-line and supervisory staff;⁴
- To increase the use of effective management practices;
- To increase the effectiveness of service quality and delivery through improvement of organizational infrastructure; and
- To foster the adoption of data-driven decision making as the basis for continuous quality improvement.

B. Assumptions Regarding Organizational Capability

The vendor would be fiscally sound and capable of managing the proposed program.

C. Assumptions Regarding Vendor Approach

DYCD's assumptions regarding which approach will most likely achieve the goals and objectives set out above are:

1. Vendor/Staff Qualifications⁵

- The vendor would have as its primary mission the delivery of TA in the service option area in which it is applying **OR** have an existing TA unit within its organization that provides TA in the service option area.
- The vendor for Youth Workforce Development Services TA would be familiar with the Workforce Investment Act of 1998.⁶
- The vendor would have an effective client and project management process.
- Staff assigned to the contract, whether employees or consultants of the vendor or any subcontractor, would have demonstrated expertise in delivery of TA in the relevant service option.

³ Unless otherwise noted, the goals and assumptions outlined below apply to all service options.

⁴ DYCD is developing a set of core competencies and corresponding indicators for youth workers, to serve as a guide and standard reference for hiring and training quality youth workers in DYCD-funded programs.

⁵ The term "vendor" should be understood to include, if applicable, any proposed subcontractor.

⁶ The Workforce Investment Act of 1998 is codified as 29 USCS § 2801 *et seq.* It can be found at <http://www.doleta.gov/usworkforce/wia/wialarge.htm>.

- The vendor and key staff (including consultants) assigned to the contract would have five years of demonstrated successful experience as a provider of TA to nonprofit organizations in the relevant service option.

2. Training Facility and Equipment

- The vendor would provide a training facility, as necessary, that is adequate in size and design.
- The vendor would have site control of a training facility by the contract start date and for the duration of the contract term.
- The vendor would have adequate and appropriate technology and equipment to conduct trainings and presentations and to disseminate information, as necessary.
- The training facility would be easily accessible by public transportation and people with disabilities. The facility would comply with the requirements of the Americans with Disabilities Act (ADA).

3. Service Options

All Service Options

It is the expectation that TA services will be comprehensive, foster continuous quality improvement,⁷ and address organizational and managerial challenges as well as issues relating to program implementation. Accordingly, vendors would be expected to use strategies tailored to the chosen modalities, monitor progress towards short-term goals, and adjust to changing needs. DYCD will assess longer-term outcomes through periodic site visits and evaluations. Where a single organization has multiple DYCD contracts and common problems are identified across programs, the vendor would work both with individual program directors and senior management of the contractor to reach broader organizational solutions.

TA challenges at the organizational level are broadly similar across service options and include areas such as strategies for supporting program implementation, fiscal management, leadership development, data-driven quality improvement, and developing effective staffing systems. Except for the service option “Discretionary Programs,” the detailed descriptions below emphasize distinctive TA challenges at the programmatic level.

Service Option 1: After-School Services (maximum total funding \$250,000)

TA in this service option would be designed to assist a wide range of contractors serving children and youth from different communities, cultures, and socio-economic backgrounds. Recipients of TA in this

⁷ There is an emerging consensus as to how programs can best manage continuous quality improvements. See Wilson-Ahlstrom, A., Yohalem, N., and Pittman, K.: *Building Quality Improvement Systems: Lessons from Three Emerging Efforts in the Youth-Serving Sector*, <http://www.forumfyi.org/qc/resources>, Forum for Youth Investment, March 2007. For a recent example on after-school programming, see Sheldon, J. and Hopkins, L.: *Supporting Success: Why and How to Improve Quality in After-School Programs*, http://www.ppv.org/ppv/youth/youth_initiatives.asp?section_id=8, Public/Private Ventures, February 2008.

area will include providers of the Beacon Community Centers and Neighborhood Development Area (NDA) youth programs. (DYCD's Out-of-School Time programs have access to TA services that are separately funded.)

TA would build the capacity of contractors as non-profit service providers, focusing on common challenges such as staff recruitment, retention, professional development, and supervision; recruitment, engagement and retention of diverse groups of youth; implementation of best practices in youth development and educational programming; effective management of participant behavior; cultural competency; sensitivity to issues of sexual orientation and gender; and compliance with health, safety, and ADA requirements.

Service Option 2: Family-Focused Social Services (maximum total funding: \$125,000)

TA in this service option would be designed to raise the quality of programs where case management is a critical component. Examples include programs for runaway and homeless youth, immigrants, and family-focused NDA and fatherhood programs. In addition to general capacity-building, TA would address areas such as needs assessments, crisis intervention, development of individualized service plans, coordination with other agencies, keeping appropriate case-notes and case monitoring, and provision of follow-up services and support.

Service Option 3: Youth Workforce Development Services (maximum total funding: \$225,000)

TA in this service option would seek to build organizational capacity to ensure effective program implementation among contractors providing workforce development services for both in-school youth and out-of-school youth.

In this area, DYCD-funded programs include the following basic components: individual service plans, job readiness preparation, work experience, and education to improve literacy skills. These programs typically have time-sensitive mandates related to data collection, program milestones, performance measures, and reporting. TA would address the challenges experienced by contractors in meeting such mandates and in managing a performance-based contract. These challenges include engaging and retaining participants and developing strong relationships with employers.

Service Option 4: Youth with Special Needs (maximum total funding: \$100,000)

TA in this service option would be designed, primarily, to help contractors integrate youth with special needs into their programs. It would cover areas such as staff screening, recruitment, training and supervision as well as best practices relating to youth with special needs. TA would help contractors recognize and respond appropriately to the wide variety of physical and emotional special needs they might encounter among participants. In particular, it would provide assistance in situations where behavioral problems are related to emotional needs.

Service Option 5: Discretionary Programs (maximum total funding: \$100,000)

TA services in this service option would be designed for contractors who receive through DYCD only City Council funded contracts. TA would increase the capacity of these contractors to successfully serve communities in high-need neighborhoods. The focus would be the development of viable non-profit organizations by building capacity to deliver higher quality programs and fulfill contractual obligations. Services would target basic organizational and managerial challenges that are common among smaller non-profit organizations. The areas covered would include, but not be limited to, sound

corporate governance; compliance with legal requirements; establishing systems of internal monitoring and control; building an active board of directors and identifying their roles; effective management practices; and the development of a diverse financial base.

4. TA Design

Target Customers

Vendors would provide TA to DYCD contractors and DYCD staff.

TA Modalities

In accordance with DYCD's aim to tailor TA to the diverse needs of individual contractors, vendors would be expected to have current capacity as well as relevant experience to deliver TA in all the modalities described below.

DYCD anticipates that a minimum of ten percent (10%) of the contract value would be devoted to modalities other than organizational consultations: that is, train-the-trainer workshops, other workshops, and peer exchanges. In all cases, vendors would be prepared to assist contractors with organizational-level as well as program-level challenges. DYCD would review all requests for TA and determine priorities based on challenges facing contractors identified by DYCD and assessments conducted by the TA vendor.

a. Organizational Consultations

Organizational consultations are TA services provided to an individual contractor. While contractors may be able to request this form of assistance, priority would be given to contractors referred by DYCD staff, including referrals related to corrective action.⁸

Organizational consultations would respond to presenting issues and, as necessary, any underlying challenges facing the contractor. Such consultations would vary in duration and scope according to need and available resources. As part of the consultation, the vendor would conduct a "pre-service assessment" of one half-day to one full day. This would comprise a general organizational assessment and a more detailed assessment tailored to the type of programs provided by the contractor. On the basis of the pre-service assessment, the vendor would create a work plan (described below). Proposals submitted in response to the RFP are expected to include an outline of the assessment process and copies of any assessment tools to be used. (See RFP Section IV- Format and Content.)

Organizational consultations would encompass on-site and off-site meetings, telephone communications, training on specific topics, on-the-job coaching, and other direct services provided by the vendor. On-the-job coaching would entail relationship-building designed to enhance contractor knowledge, skills, and experience. It would support professional and organizational development and incorporate goal-setting, observation, modeling, and positive strategic feedback.

Following the consultation, the vendor and the contractor would sign a statement confirming

⁸ A corrective action is a specific action to be taken by a contractor to remedy a contractual or programmatic deficiency identified by DYCD.

that the work was satisfactorily completed and verify short-term outcomes achieved in accordance with the work plan.

b. Train-the-Trainer Workshops

A train-the-trainer workshop is an interactive, group session *for contractor staff who will train other staff in their agencies*. The train-the-trainer workshops would be designed to help organizations develop effective in-house staff training systems and sound supervision structures, promote best practices, raise program standards, and influence organizational habits and culture. These workshops would typically be sequenced: that is, individual sessions would form part of a series that together covered a topic. Individual workshops would comprise half-day or full-day presentations. They would allow trainees to demonstrate the knowledge and practice newly-acquired training skills in a safe environment and include follow-up monitoring and support. The size of train-the-trainer workshops would vary according to the circumstances, including the identified needs of the contractors to be addressed and desired outcomes.

At the conclusion of each workshop session, the vendor would assess the knowledge and skills learned by participants. Follow-up services would include telephone assistance and visits and an assessment of the extent to which the train-the-trainer sequenced workshops enabled participants to effectively train staff in their agencies.

c. Other Workshops

A workshop is an interactive, group session for organizational and programmatic staff of contractors. Vendors would offer single or multiple-session workshops on a topic as appropriate. DYCD anticipates that each workshop would be attended by approximately 20 participants. Multiple-session workshops would be sequenced: that is, individual sessions would form part of a series designed to cover an entire topic. Individual workshops would comprise half-day or full day presentations. The vendor would assess the extent of knowledge and skills learned at the conclusion of each session.

For all workshops, the vendor would provide follow-up services for a period of three to six months (for example, a helpline) to answer questions and assess the extent to which sequenced workshops have enabled participants to effectively implement best practices.

d. Peer Networking and Exchange

These meetings would include half-day or full-day presentations and/or panel discussions that enable contractor representatives to build self-sustaining support networks, share experiences and best practices in programmatic and organizational development, and discuss how they have successfully overcome implementation challenges.

Work Plans

The following process would be used to determine the TA interventions and modalities to be provided under the TA contract:

- DYCD would discuss the needs of its direct service providers with the vendor. Thereafter, within a time-frame specified by DYCD, the vendor would present a work plan for approval

prior to the start of any TA intervention. The work plan, informed by an assessment, would also specify and justify the modality/modalities chosen to address identified organizational or programmatic challenges for a specific TA intervention.

- In all cases, the work plan would also
 - Articulate measurable short-term and long-term outcomes to be achieved through the proposed TA;
 - Describe the TA activities to be undertaken, including the number and sequencing of sessions, meetings, and location(s);
 - Delineate responsibilities between the contractor and the vendor in relation to specified outcomes;
 - Identify the level(s) or type(s) of contractor staff targeted (*e.g.*, line staff, program directors, executive directors);
 - State the names and qualifications of staff to be assigned to carry out the work;
 - Describe follow-up activities, including the anticipated start and end dates of such activities;
 - Describe tools to be used to assess the impact of the TA services in each proposed modality; and
 - Provide a budget with the projected number of FDEs.
- Upon approval of a work plan by DYCD, the vendor would be responsible for delivery of TA and follow-up services described in the work plan, whether employees, consultants, or subcontractors undertake the work. The vendor would monitor the results of services being provided under the work plan and submit any proposed revisions for approval to DYCD.
- The vendor may propose revisions to approved work plans, as necessary, to respond to changing TA needs and fulfill specified goals and objectives. All revisions of the original work plan would require approval by DYCD.

Assessing Outcomes and Reporting to DYCD

- Upon completion of a TA intervention, the vendor would use appropriate tools to assess the impact of the TA and the extent to which short-term outcomes specified in the work plan were achieved. The vendor would also administer a DYCD survey to determine customer satisfaction.
- The vendor would prepare a monthly report of all activities undertaken for each TA intervention. The monthly report would include details such as outcomes achieved and documentation related to assessment, service delivery, and evaluation
- Upon completion of all follow-up services the vendor would submit a final report on each TA intervention to DYCD.

D. Participation by Minority Owned and Women Owned Business Enterprises in City Procurement

The contract resulting from this Request for Proposals will be subject to Local Law 129 of 2005, the Minority-Owned and Women-Owned Business Enterprise (M/WBE) program. Please refer to Attachments 4 and 5 for information on the M/WBE requirements established for this solicitation and

instructions on how to complete the required forms. **Please note that the M/WBE requirement does not apply to proposals submitted by certified not-for-profit organizations.** Therefore, certified not-for-profit organizations are not required to submit a completed "Subcontractor Utilization Plan" nor the request form for a Pre-Award Waiver of the DYCD's established Target Subcontracting Percentage for this procurement, all of which is included in the attached Schedule B. Please be aware that the proposer must still comply with any and all additional City, State, and Federal Laws and Regulations applicable to this procurement.

Note: If you are not a certified not-for-profit organization, as fully explained in the Notice to Prospective Contractors -- part of Attachment 4 -- and you intend to file a waiver of the Target Subcontracting Percentage, the waiver must be submitted to the Agency at least seven days prior to the proposal due date and time in order to be timely considered.

E. Compliance with Local Law 34

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the City" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, **vendors responding to this solicitation should complete the Doing Business Data Form (see Attachment 2) and return it with this proposal.** The submission of a Doing Business Data Form that is not accurate and complete may result in appropriate sanctions.

SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL

Instructions: Proposers should provide all information required in the format below. The proposal should be typed on both sides of 8 ½" X 11" paper. The City of New York requests that all proposals be submitted on paper with no less than 30% postconsumer material content, *i.e.*, the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <http://www.epa.gov/cpg/products/printing.htm>). Pages should be paginated. The proposal will be evaluated on the basis of its content, not length. Failure to comply with any of these instructions will not make the proposal non-responsive.

A. Proposal Format

1. Proposal Summary

The Proposal Summary form (Attachment 1) transmits the Proposal Package to DYCD. It should be completed, signed, and dated by an authorized representative of the proposer. Completing this form fully and accurately assists DYCD in the evaluation of proposals.

2. Technical Assistance Proposal

The Proposal is a clear, concise narrative. It will set forth the experience, capability, and service approach of the proposer and should include the following:

a. Experience (Preferable page limit: 8 pages, excluding requested attachments)

Describe and demonstrate the successful relevant experience of the proposer, each proposed subcontractor (if any), and the proposed key staff (whether employees, consultants, or subcontractor employees) in providing the work described in Section III of this RFP.

Specifically demonstrate the successful relevant experience of the organization relating to:

- Providing services to nonprofit organizations in the relevant service option and delivering TA services in each of the TA modalities referred to in the RFP: organizational consultations, train-the-trainer workshops, other workshops, and peer networking and exchange. Include the rationale for choosing to use the given modality, a description of the assessment tools, and a description of how the impact of the TA intervention was measured. Also, provide findings from external evaluations of program effectiveness, if available.
- The hiring, management, and evaluation of individual consultants.
- The experience of staff who would be assigned to provide the services under the contract.

In addition:

- Describe how the mission of the proposer (and any proposed subcontractor) relates to delivery of TA services for the selected service option. Indicate whether it is the organization's primary mission or the mission of a unit within the organization.

- Attach resumes for staff who will be assigned to the contract, whether they are employees, consultants, or subcontractor employees. Where staff has not yet been identified, describe the staff position(s) and confirm that resumes will be provided to DYCD prior to the conclusion of contract negotiations.

b. Organizational Capability (Preferable page limit: 5 pages, excluding requested attachments)

Demonstrate the proposer's organizational, managerial, and financial capability to carry out the services described above in Section III – Scope of Services. Specifically address the following:

- Provide the name, address, and contact information for all proposed subcontractors, if applicable.
- Demonstrate successful joint efforts with other organizations and agencies in providing TA services and other related services.
- Demonstrate the proposer's capacity to integrate the proposed TA into its existing operation. Attach an organizational chart indicating how staff delivering the proposed TA service relate to the overall organization.
- Describe the proposer's internal monitoring system and demonstrate its effectiveness in identifying program, personnel, and fiscal issues, and the organization's corrective action procedures.
- Describe the proposer's client management and quality assurance processes. Include a description of how staff/consultants are selected for projects, client complaints are handled, and service delivery is monitored.
- Describe the professional development provided to staff/consultants to promote high quality services.
- Describe how the organization leverages resources or uses existing relationships within the TA field and specialization area to enhance service delivery.
- Attach a list of at least two relevant funding references, including the name of the funding organization; the name, title, and telephone number of a contact person at the funding organization; and a brief description of the service provided. If there are no funding sources other than DYCD, other references may be listed.
- Describe the number of administrative, program, and consultant staff to be assigned to the contract and their job titles. If the organization will be recruiting new staff, describe the proposed recruitment strategies that will ensure they are appropriately qualified.
- If the proposer is required to file with the federal Office of Management and Budget pursuant to Circular A-133, attach a hard copy of the latest report filed with that office, indicating the period covered. If not, provide as a hard-copy attachment the most recent audit or audited financial statement of the organization conducted by a Certified Public Accountant, indicating the period covered, OR, if no audit has been performed, the most recent financial statement indicating the period covered AND an explanation of why no audited financial statement is available.

- State whether the proposer has submitted more than one proposal in response to this RFP and, if so, demonstrate the proposer’s organizational capability to successfully provide services simultaneously in all the areas proposed.

c. Proposed Approach (Preferable page limit: 10 pages, excluding requested attachments)

Describe in detail how the proposer will provide the work described in Section III of this RFP and demonstrate that the proposer’s approach will fulfill DYCD’s goals and objectives. Specifically address the following:

- Provide a brief summary of the proposed approach and how it will achieve DYCD’s goals and objectives (Preferred page limit: ½ page).

ii. Staffing

- Describe all salaried and non-salaried staff positions (if any) to be used to provide the proposed TA services and demonstrate that such staffing is sufficient to provide the services outlined in Section III – Scope of Services.
- Demonstrate that all individuals to be assigned to the contract will be sensitive to the characteristics and needs of the contractors and staff who will receive the TA.

iii. Assessment

- Provide an outline and description of a pre-service organizational assessment of TA needs.
- Attach a copy of the assessment tool(s) to be used in the pre-service organizational assessment.

iv. Training Facility

- Describe the proposed training facility, including conference and/or workshop rooms, and demonstrate that it will be adequate in size and design to accommodate vendor’s staff, TA participants, and TA activities.
- Describe the technology and equipment that will be used to conduct trainings and presentations and to disseminate information.
- Attach a lease or other document that demonstrates availability of the facility for use by the vendor by the contract start date and for the duration of the contract term.
- Demonstrate that the facility will be easily accessible to public transportation and people with disabilities, and that the facility meets all Americans with Disabilities Act (ADA) requirements.

DYCD’s assumptions regarding vendor approach represent what DYCD believes to be most likely to achieve its goals and objectives. However, proposers are encouraged to propose an

approach that they believe will most likely achieve DYCD's goals and objectives. Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section IV of this RFP.

v. TA Approach Exercise

This exercise is requested for the sole purpose of evaluating proposals and does not represent a commitment by DYCD to incorporate any proposer's exercise in any contract award.

Provide a brief narrative that clearly shows the proposer's design and approach to two different TA interventions. For each TA intervention, the TA topic, targeted level (programmatic or organizational), and the FDEs (ten) are specified below. Proposers must incorporate these specifications in their design and approach.

The TA topic for each of the two TA interventions varies by service option as set forth in the listing below.

After-School Services

Programmatic topic: Behavior Management

To ensure that group leaders or other line staff increase their ability to effectively implement innovative curricula and manage safe and stimulating classrooms.

Organizational topic: Continuous Quality Improvement

To develop data collection and evaluation systems that promote improvements in service delivery, program quality, and management.

Family-Focused Social Services

Programmatic topic: Case Management

To ensure that personnel responsible for case management implement effective client engagement and documentation strategies and utilize appropriate resource linkages to promote positive outcomes for individuals, communities, and families.

Organizational topic: Human Resource Management

To ensure that contractors recruit, train, supervise, and retain staff in line with relevant personnel and organizational competencies key to the social service field.

Youth Workforce Development Services

Programmatic topic: Job Placement

To ensure that contractors have the capacity to develop and maintain an appropriate mix of public and private employment opportunities for their participants.

Organizational topic: Management of Performance-based Contracts

To ensure that personnel responsible for oversight of finance and programs develop an integrated approach to planning for and monitoring performance-based contracts.

Youth with Special Needs

Programmatic topic: Program Planning

To ensure that contractors have the ability to modify activities to better integrate youth with special needs into their programming.

Organizational topic: Financial Management

To ensure that contractors seeking to integrate youth with special needs have the ability to project costs and develop a funding model for programs.

Discretionary Programs

Organizational topic #1: Fundraising

To ensure that contractors receiving discretionary awards develop the ability to secure funding and resources from diverse sources such as government, foundations, and private donations.

Organizational topic #2: Board Governance

To ensure that boards of directors understand and exert programmatic and fiduciary oversight that promotes community accountability and legal compliance with regulations related to not-for-profit organizations.

Each TA intervention narrative must address each of the following points:

- Measurable outcomes to be achieved;
- TA activities to be undertaken, the modalities to be employed, and justifications for the chosen activities and modalities;
- Responsibilities of the contractor and vendors in relation to specified outcomes;
- Level(s) or type(s) of contractor staff targeted (*e.g.*, line staff, program directors, executive directors);
- Qualifications and experience of staff to be assigned;
- Follow-up activities;
- Tools to be used to assess the impact of the TA services; and
- FDE rate.

Reproduce the following information as a header to each TA intervention narrative.

TA Intervention #1: (Preferable page limit: 2 pages)

Service Option: _____ Topic: _____ FDEs: 10

TA Intervention #2: (Preferable page limit: 2 pages)

Service Option: _____ Topic: _____ FDEs: 10

3. Price Proposal

The Price Proposal should include each of the following for providing the Scope of Services described in Section III of this RFP:

a. Prepare and submit a one-page budget that includes the following information:

- The total DYCD funding request;
- The proposed rate per FDE (= 7 hours of consulting time);
- The proposed total number of FDEs;
- If subcontractors are proposed, the estimated share of total FDEs to be provided by subcontractors and the TA services to be assigned to each subcontractor; and
- If consultants are proposed, the estimated share of total FDEs to be provided by consultants and the TA services assigned to be assigned to each consultants.

b. **Budget Justification Narrative:** Demonstrate that the proposed FDE is comparable to FDEs which the proposer previously charged other public entities for comparable services. If the rate being proposed is not comparable to previously charged FDEs, justify the proposed difference. In addition, provide the following information on organizations for which the proposer provided comparable services: name of the organization(s), contact person name(s), and telephone number(s).

4. Other Required Documents

Complete and submit the Doing Business Data form (Attachment 2).

5. Acknowledgement of Addenda

The Acknowledgement of Addenda form (Attachment 3) serves as the proposer's acknowledgement of the receipt of addenda to this RFP that may have been issued by DYCD prior to the Proposal Due Date and Time. The proposer should complete this acknowledgement as instructed on the form.

B. Proposal Package Contents (“Checklist”)

The Proposal Package should contain the following materials. Proposers should utilize this section as a “checklist” to assure completeness prior to submitting their proposal to DYCD.

1. A sealed inner envelope labeled “Proposal,” containing one original set and four (4) duplicate sets of the documents listed below in the following order:
 - **Proposal Summary Form (Attachment 1)**
 - **Technical Assistance Proposal**
 - a. Narrative
 - b. References for the proposer
 - c. List of subcontractors, if applicable
 - d. Job descriptions/qualifications/organizational chart for staff positions, and resumes, as appropriate
 - e. Organizational assessment tool(s)
 - f. Audit Report or Certified Financial Statement or a statement as to why no report or statement is available
 - g. Lease or other document demonstrating vendor’s access to training facility
 - h. Acknowledgement of Addenda (Attachment 3)
 - **Price Proposal**
 - a. One-page Budget
 - b. Budget Justification Narrative
2. A sealed inner envelope labeled “Doing Business Data Form,” containing one original set and four (4) duplicate sets of the completed Doing Business Data Form (Attachment 2).
3. **For organizations who are not certified not-for-profits only.**

A sealed inner envelope labeled “M/WBE Documents,” containing one original set and four (4) duplicate sets of the required documentation related to M/WBE (see Attachments 4 and 5).

For each proposal submitted, enclose the documents listed above in a sealed envelope and hand deliver to Daniel Symon, Agency Chief Contracting Officer, Office of Procurement. Label the envelope with the proposer’s name and address, “TA” and “PIN 260090TASRFP,” the service option being proposed, and the name and telephone number of the proposer’s contact person.

SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures

All proposals accepted by DYCD will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that DYCD determines to be non-responsive will not be further considered. DYCD's Evaluation Committee will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. DYCD reserves the right to make site visits, conduct interviews, or request that proposers make presentations as DYCD deems applicable and appropriate. Although DYCD may conduct discussions with proposers submitting acceptable proposals, it reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer's initial proposal should contain its best technical and price terms.

B. Evaluation Criteria

- Demonstrated quantity and quality of successful relevant experience 40%
- Demonstrated level of organizational capability 30%
- Quality of proposed approach 30%

C. Basis for Contract Award

Award selection will be based on the best technically rated proposal whose price does not exceed the maximum FDE rate set forth in the RFP. DYCD will award contracts to the responsible proposers whose proposals are determined to be the most advantageous to the City, taking into consideration the price and other factors or criteria set forth in this RFP. In the case that a proposer is eligible for award to provide TA in more than one service option, DYCD reserves the right to determine, based on the proposer's demonstrated organizational capability and the best interests of the City, respectively, for how many and which service option(s) the proposer will be awarded a contract(s).

Contract award shall be subject to timely completion of contract negotiations between DYCD and the selected proposer(s). DYCD reserves the right to award less than the full amount of the funding requested by proposers, and to modify the allocation of funds among the service options in the best interests of the City.

SECTION VI - GENERAL INFORMATION TO PROPOSERS

- A. Complaints.** The New York City Comptroller is charged with the audit of contracts in New York City. Any proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 835, New York, NY 10007; the telephone number is (212) 669-3000. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.
- B. Applicable Laws.** This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-7820.
- C. General Contract Provisions.** Contracts shall be subject to New York City’s general contract provisions, in substantially the form that they appear in “Appendix A—General Provisions Governing Contracts for Consultants, Professional and Technical Services” or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency’s general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.
- D. Contract Award.** Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.
- E. Proposer Appeal Rights.** Pursuant to New York City’s Procurement Policy Board Rules, proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency’s determination regarding the solicitation or award of a contract.
- F. Multi-Year Contracts.** Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor’s performance is not satisfactory. The Agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.
- G. Prompt Payment Policy.** Pursuant to the New York City’s Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.
- H. Prices Irrevocable.** Prices proposed by the proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.
- I. Confidential, Proprietary Information or Trade Secrets.** Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.
- J. RFP Postponement/Cancellation.** The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.
- K. Proposer Costs.** Proposers will not be reimbursed for any costs incurred to prepare proposals.
- L. Charter Section 312(a) Certification.**

The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not directly result in the displacement of any New York City employee.



Agency Chief Contracting Officer

5.7.08

Date

Message from the New York City Vendor Enrollment Center
Get on mailing lists for New York City contract opportunities!
Submit a NYC-FMS Vendor Application - Call 212/857-1680

DYCD-FUNDED PROGRAM AREAS**Community Development**

- Youth Educational Support
- Youth Leadership and Community Service
- Youth Employment
- Young Parent Education and Family Support
- Youth Violence Intervention and Prevention
- Domestic Violence Program
- Adult Health Awareness and Prevention
- Substance Abuse Education and Prevention
- HIV/AIDS Support Services
- Parent Education and Family Support
- Older Adult Program
- Adult Literacy
- Adult Employment
- Immigrant/Refugee Assistance
- Housing Assistance and Advocacy
- Economic Development

Youth Development

- Creative Arts
- Education
- Employment
- Sports and Recreation
- Substance/Alcohol Abuse Prevention
- Young Parent Education and Family Support
- Youth Leadership
- Youth with Disabilities
- Health-Related Services
- Runaway and Homeless Youth

Youth Workforce Development Programs

- In-school Youth Programs
- Out-of-school Youth Programs
- Summer Youth Employment

Immigration

- Immigrant Women Services
- Immigrant Youth Services
- Immigration Training and Resources
- Immigration/Refugee Assistance

Proposal Summary Form

RFP TITLE: Technical Assistance

PIN: 260090TASRFP

Organization: _____ EIN: _____

Address: _____

_____ City State Zip Code

Contact Name: _____ Title: _____

Contact Email: _____

Telephone: _____ Fax: _____

Authorized Representative: _____ Title: _____

Signature: _____ Date: _____

Proposed Service Option (Check one)	
<input type="checkbox"/>	Service Option 1 After-School Services
<input type="checkbox"/>	Service Option 2 Family-Focused Social Services
<input type="checkbox"/>	Service Option 3 Youth Workforce Development Services
<input type="checkbox"/>	Service Option 4 Youth with Special Needs
<input type="checkbox"/>	Service Option 5 Discretionary Programs

DYCD Annual Funding Request: \$ _____ Full Day Equivalent Rate \$ _____

Training Site: _____

Address: _____

_____ City State Zip Code

Proposer submitted additional proposals in response to this RFP? Yes No



ATTACHMENT 2

For City Agency Use
Agency: _____
PIN/Contract ID/PO#: _____

Spring 2008

Doing Business Data Form - Proposers

Transaction type: **Contract** **Franchise/Concession**

A Doing Business Data Form is to be completed by any vendor that submits a proposal for a contract, franchise or concession (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink. For all submissions, please be sure to sign the last page and return the completed Data Form, in a separate envelope, to the contracting agency along with your proposal. **The submission of a Data Form that is not accurate and complete may result in appropriate sanctions.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's VENDEX requirements.**

General Instructions for Sections 2, 3, and 4:

Office Title: The actual office title held by the officer, owner or manager.
Employer (if not vendor): If the individual is not employed by the vendor, list his/her employer's name.

Certification:

Fill out the certification box on the last page completely and return the completed Data Form, in a separate envelope, to the contracting agency along with your proposal. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions. Thank you for your cooperation.

Section 1: Vendor Information

Vendor Name: _____

Vendor EIN/TIN: _____

<p>Vendor Filing Status (select one):</p> <p><input type="checkbox"/> Vendor has never completed a Doing Business Data Form. <i>Fill out the entire form.</i></p> <p><input type="checkbox"/> Change from previous Data Form dated _____. <i>Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the vendor.</i></p> <p><input type="checkbox"/> No Change from previous Data Form dated _____. <i>Skip to the bottom of the last page.</i></p>

Vendor Type: Corporation (any type) Partnership (any type) Sole Proprietor Joint Venture
 Other (specify): _____

Vendor Address: _____

City: _____ State: _____ ZIP: _____

Vendor Phone #: _____ Vendor is a Non-Profit: Yes No

Vendor E-mail: _____

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the vendor has no such officer or its equivalent, please check the "Position does not exist" box. If the vendor is filing a Change Data Form and the person listed is replacing someone who was previously disclosed, please check the "This person replaced" box and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

 This person replaced former CEO: _____ on date: _____**Chief Financial Officer (CFO) or equivalent officer** This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

 This person replaced former CFO: _____ on date: _____**Chief Operating Officer (COO) or equivalent officer** This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

 This person replaced former COO: _____ on date: _____

Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means, **own or control 10% or more of the vendor**. If no individual owners exist, please check the appropriate box below to indicate why and skip to the next page. If the vendor is owned by other companies, those companies do not need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the vendor is filing a Change Data Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit There are no individual owners No individual owner holds 10% or more shares in the entity
 Other (explain): _____

Principal Owners (who own or control 10% or more of the vendor):

First Name: _____ MI: _____ Last: _____
 Office Title: _____
 Employer (if not vendor): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

First Name: _____ MI: _____ Last: _____
 Office Title: _____
 Employer (if not vendor): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

First Name: _____ MI: _____ Last: _____
 Office Title: _____
 Employer (if not vendor): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

Remove the following previously-reported Principal Owners:

Name: _____ Removal Date: _____
 Name: _____ Removal Date: _____
 Name: _____ Removal Date: _____

Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the vendor's contracts (if this is a contract proposal) or franchises and concessions (if this is a franchise or concession proposal) with the City. Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, franchise or concession with the City. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the vendor is filing a Change Data Form, list any individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers:

First Name: _____ MI: _____ Last: _____
 Office Title: _____ Employer (if not vendor): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

First Name: _____ MI: _____ Last: _____
 Office Title: _____ Employer (if not vendor): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

First Name: _____ MI: _____ Last: _____
 Office Title: _____ Employer (if not vendor): _____
 Birth Date (mm/dd/yy): _____ Home Phone #: _____
 Home Address: _____

Remove the following previously-reported Senior Managers:

Name: _____ Removal Date: _____
 Name: _____ Removal Date: _____
 Name: _____ Removal Date: _____

Vendor Certification

I certify that the information submitted on these four pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the vendor being found non-responsible and therefore denied future City awards.

Name: _____
 Signature: _____ Date: _____
 Vendor Name: _____
 Title: _____ Work Phone #: _____

Return the completed Data Form to the contracting agency along with your proposal.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.



ATTACHMENT 3

ACKNOWLEDGEMENT OF ADDENDA

Proposer: _____ PIN: **260090TASRFP**

COMPLETE PART I OR PART II, WHICHEVER IS APPLICABLE.

PART I: Listed below are the dates of issuance for **each addendum received** in connection with this RFP:

ADDENDUM #1 DATED: _____, 2005

ADDENDUM #2 DATED: _____, 2005

ADDENDUM #3 DATED: _____, 2005

ADDENDUM #4 DATED: _____, 2005

ADDENDUM #5 DATED: _____, 2005

ADDENDUM #6 DATED: _____, 2005

ADDENDUM #7 DATED: _____, 2005

ADDENDUM #8 DATED: _____, 2005

PART II: _____ NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS RFP.

DATE ____/____/____

PROPOSER (NAME): _____

PROPOSER (SIGNATURE): _____

NOTICE TO ALL PROSPECTIVE CONTRACTORS

**PARTICIPATION BY MINORITY-OWNED AND WOMEN-OWNED BUSINESS
ENTERPRISES IN CITY PROCUREMENT**

ARTICLE I. M/WBE PROGRAM

Local Law No. 129 of 2005 added Section 6-129 to the Administrative Code of the City of New York. The local law creates a program for participation by minority-owned and women-owned business enterprises (MBEs and WBEs) in City procurement. As stated in the Section 6-129, the intent of the program is to address the impact of discrimination on the City's procurement process, and to promote the public interest in avoiding fraud and favoritism in the procurement process, increasing competition for City business, and lowering contract costs. The contract provisions contained herein are made pursuant to Local Law 129, and the rules of the Department of Small Business Services ("DSBS") promulgated thereunder.

If this Contract is subject to the Minority-Owned and Women-Owned Business Enterprise ("M/WBE") program created by Local Law 129, the specific requirements of M/WBE participation for this Contract are set forth in Schedule B of the Contract (entitled the "Subcontractor Utilization Plan"), and are detailed below.

The Contractor must comply with all applicable M/WBE requirements for this Contract.

Article I, Part A, below, sets forth provisions related to the participation goals for construction and professional services contracts.

Article I, Part B, below, sets forth miscellaneous provisions related to the M/WBE program.

PART A

PARTICIPATION GOALS FOR CONSTRUCTION AND PROFESSIONAL SERVICES CONTRACTS

1. The **Target Subcontracting Percentage** applicable to this Contract is set forth on Schedule B, Part I to this Contract (see Page 1, line (1)).

The “**Target Subcontracting Percentage**” is the percentage of the total Contract which Agency anticipates that the prime contractor for this Contract would in the normal course of business award to one or more subcontractors for amounts under \$1 million for construction and professional services.

A prospective contractor may seek a full or partial pre-award waiver of the **Target Subcontracting Percentage** in accordance with Local Law 129 and Part A, Section 10 below. To apply for the a full or partial waiver of the **Target Subcontracting Percentage**, a prospective contractor must complete Part III (Page 4) of Schedule B, and must submit such request no later than seven (7) days prior to the date and time the bids or proposals are due, in writing to the Agency by e-mail at _____ or via facsimile at (____) _____. Bidders/proposers who have submitted requests will receive a response by no later than two (2) calendar days prior to the date bids or proposals are due, provided, however, that if that date would fall on a weekend or holiday, a response will be provided by close-of-business on the business day before such weekend or holiday date.

2. The **Subcontractor Participation Goals** established for this Contract are set forth on Schedule B, Part I to this Contract (see Page 1, line (2) and/or line (3)).

The **Subcontractor Participation Goals** represent a percentage of the total dollar value of all construction and/or professional services subcontracts under this Agreement for amounts under \$1 million.

3. If **Subcontractor Participation Goals** have been established for this Contract, Contractor agrees or shall agree as a material term of the Agreement that, with respect to the total amount of the Agreement to be awarded to one or more subcontractors pursuant to subcontracts for amounts under \$1 million, Contractor shall be subject to the **Subcontractor Participation Goals**, unless the goals are modified by Agency in accordance with Local Law 129 and Part A, Section 11 below.

4. If **Subcontractor Participation Goals** have been established for this Contract, a prospective contractor shall be required to submit with its bid or proposal, as applicable, a completed Schedule B, Part II Subcontractor Utilization Plan (see Page 2-3) indicating: (a) the percentage of work it intends to subcontract; (b) the percentage of work it intends to award to subcontractors for amounts under \$1 million; (c) in cases where the prospective contractor intends to award subcontracts for amounts under \$1 million, a description of the type and dollar value of work designated for participation by MBEs and/or WBEs; and (d) the general time frames in which such work by MBEs and/or WBEs is scheduled to occur. In the event that this

Subcontractor Utilization Plan indicates that the bidder or proposer, as applicable, does not intend to award the **Target Subcontracting Percentage**, the bid or proposal, as applicable, shall be deemed non-responsive, unless Agency has granted the bidder or proposer, as applicable, a pre-award waiver of the **Target Subcontracting Percentage** in accordance with Local Law 129 and Part A, Section 10 below.

THE BIDDER/PROPOSER MUST FULLY COMPLETE THE SUBCONTRACTOR UTILIZATION PLAN INCLUDED HEREIN (SCHEDULE B, PART II). BIDS/PROPOSALS WHICH DO NOT INCLUDE A COMPLETED SUBCONTRACTOR UTILIZATION PLAN WILL BE DEEMED TO BE NON-RESPONSIVE, UNLESS A FULL WAIVER OF THE TARGET SUBCONTRACTING PERCENTAGE IS GRANTED (SCHEDULE B, PART III). IN THE EVENT THAT THE SUBCONTRACTOR UTILIZATION PLAN (SCHEDULE B, PART II) INDICATES THAT THE BIDDER/PROPOSER DOES NOT INTEND TO AWARD THE TARGET SUBCONTRACTING PERCENTAGE, THE BID/PROPOSAL WILL BE DEEMED TO BE NON-RESPONSIVE, UNLESS THE AGENCY HAS GRANTED A WAIVER OF THE TARGET SUBCONTRACTING PERCENTAGE (SCHEDULE B, PART III).

5. Where a Subcontractor Utilization Plan has been submitted, the Contractor shall, within 30 days of issuance by Agency of a notice to proceed, submit a list of proposed persons or entities to which it intends to award subcontracts within the subsequent 12 months. In the case of multi-year contracts, such list shall also be submitted every year thereafter. In the event that the Contractor's selection of a subcontractor is disapproved, the Contractor shall have a reasonable time to propose alternate subcontractors.

6. M/WBE firms must be certified by DSBS in order for the Contractor to credit such firms' participation toward the attainment of the M/WBE participation goals. Such certification must occur prior to the firms' commencement of work as subcontractors. A list of M/WBE firms may be obtained from the DSBS website at www.nyc.gov/getcertified, by emailing DSBS at MWBE@sbs.nyc.gov, by calling the DSBS certification hotline at (212) 513-6311, or by visiting or writing DSBS at 110 William St., New York, New York, 10038, 7th floor. Eligible firms that have not yet been certified may contact DSBS (as indicated above) in order to seek certification.

7. Where a Subcontractor Utilization Plan has been submitted, the Contractor shall, with each voucher for payment, and/or periodically as Agency may require, submit statements, certified under penalty of perjury, which shall include, but not be limited to, the total amount paid to subcontractors (including subcontractors that are not MBEs or WBEs); the names, addresses and contact numbers of each MBE or WBE hired as a subcontractor pursuant to such plan as well as the dates and amounts paid to each MBE or WBE. The Contractor shall also submit, along with its voucher for final payment, the total amount paid to subcontractors (including subcontractors that are not MBEs or WBEs); and a final list, certified under penalty of perjury, which shall include the name, address and contact information of each subcontractor that is an MBE or WBE hired pursuant to such plan, the work performed by, and the dates and amounts paid to each.

8. If payments made to, or work performed by, MBEs or WBEs are less than the amount specified in the Contractor's Subcontractor Utilization Plan, Agency shall take appropriate action, in accordance with Local Law 129 and Article II below, unless the Contractor has

obtained a modification of its Subcontractor Utilization Plan in accordance with Local Law 129 and Part A, Section 11 below.

9. Where a Subcontractor Utilization Plan has been submitted, and the Contractor requests a change order the value of which exceeds 10 percent of the Agreement, Agency shall establish participation goals for the work to be performed pursuant to the change order.

10. Pre-award waiver of **Target Subcontracting Percentage**. Agency may grant a full or partial waiver of the **Target Subcontracting Percentage** to a bidder or proposer, as applicable, who demonstrates—before submission of the bid or proposal—that it has legitimate business reasons for proposing the level of subcontracting in its Subcontractor Utilization Plan. In making its determination, Agency shall consider factors that shall include, but not be limited to, whether the bidder or proposer, as applicable, has the capacity and the bona fide intention to perform the Contract without any subcontracting, or to perform the Contract without awarding the amount of subcontracts for under one million dollars represented by the **Target Subcontracting Percentage**. In making such determination, Agency may consider whether the Subcontractor Utilization Plan is consistent with past subcontracting practices of the bidder or proposer, as applicable, and whether the bidder or proposer, as applicable, has made good faith efforts to identify portions of the Contract that it intends to subcontract.

11. Modification of Subcontractor Utilization Plan. A Contractor may request a modification of its Subcontractor Utilization Plan (**Subcontractor Participation Goals**) after award of this Contract. The Agency may grant such request if it determines that the Contractor has established, with appropriate documentary and other evidence, that it made reasonable, good faith efforts to meet the **Subcontractor Participation Goals**. In making such determination, Agency shall consider evidence of the following efforts, as applicable, along with any other relevant factors:

(a) The Contractor advertised opportunities to participate in the Contract, where appropriate, in general circulation media, trade and professional association publications and small business media, and publications of minority and women's business organizations;

(b) The Contractor provided notice of specific opportunities to participate in the Contract, in a timely manner, to minority and women's business organizations;

(c) The Contractor sent written notices, by certified mail or facsimile, in a timely manner, to advise MBEs and WBEs that their interest in the Contract was solicited;

(d) The Contractor made efforts to identify portions of the work that could be substituted for portions originally designated for participation by MBEs and/or WBEs in the Subcontractor Utilization Plan, and for which the Contractor claims an inability to retain MBEs or WBEs;

(e) The Contractor held meetings with MBEs and/or WBEs prior to the date their bids or proposals were due, for the purpose of explaining in detail the scope and requirements of the work for which their bids or proposals were solicited;

(f) The Contractor made efforts to negotiate with MBEs and/or WBEs as relevant to perform specific subcontracts;

(g) Timely written requests for assistance made by the Contractor to Agency's M/WBE liaison officer and to DSBS;

(h) Description of how recommendations made by DSBS and Agency were acted upon and an explanation of why action upon such recommendations did not lead to the desired level of participation of MBEs and/or WBEs.

Agency's M/WBE officer shall provide written notice to the Contractor of the determination.

12. If **Subcontractor Participation Goals** have been established for this Contract, Agency shall evaluate and assess the Contractor's performance in meeting those goals, and such evaluation and assessment shall become part of the Contractor's overall contract performance evaluation.

PART B

MISCELLANEOUS

1. The Contractor shall take notice that, if this solicitation requires the establishment of a Subcontractor Utilization Plan, the resulting contract may be audited by DSBS to determine compliance with Section 6-129. See 6-129(e)(10). Furthermore, such resulting contract may also be examined by the City's Comptroller to assess compliance with the Subcontractor Utilization Plan.

2. Pursuant to DSBS rules, construction contracts that include a requirement for a Subcontractor Utilization Plan shall not be subject to the law governing Locally Based Enterprises set forth in Administrative Code Section 6-108.1.

3. DSBS is available to assist contractors and potential contractors in determining the availability of MBEs and WBEs to participate as subcontractors, and in identifying opportunities that are appropriate for participation by MBEs and WBEs in contracts.

4. Prospective contractors are encouraged to enter into joint ventures with MBEs and WBEs.

5. By submitting a bid or proposal the Contractor hereby acknowledges its understanding of the M/WBE requirements set forth herein and the pertinent provisions of Local Law 129 of 2005, and any rules promulgated thereunder, and if awarded this Contract, the Contractor hereby agrees to comply with the M/WBE requirements of this Contract and pertinent provisions of Local Law 129 of 2005, and any rules promulgated thereunder, all of which shall be deemed to

be material terms of this Contract. The Contractor hereby agrees to make all reasonable, good faith efforts to solicit and obtain the participation of M/WBE's to meet the required **Subcontractor Participation Goals**.

ARTICLE II. ENFORCEMENT

1. If Agency determines that a bidder or proposer, as applicable, has, in relation to this procurement, violated Section 6-129 or the DSBS rules promulgated pursuant to Section 6-129, Agency may disqualify such bidder or proposer, as applicable, from competing for this Contract and the Agency may revoke such bidder's or proposer's prequalification status, if applicable.

2. Whenever Agency believes that the Contractor or a subcontractor is not in compliance with Section 6-129 or the DSBS rules promulgated pursuant to Section 6-129, or any provision of this Contract that implements Section 6-129, including, but not limited to any Subcontractor Utilization Plan, Agency shall send a written notice to the Contractor describing the alleged noncompliance and offering an opportunity to be heard. Agency shall then conduct an investigation to determine whether such Contractor or subcontractor is in compliance.

3. In the event that the Contractor has been found to have violated Section 6-129, the DSBS rules promulgated pursuant to Section 6-129, or any provision of this Contract that implements this Section 6-129, including, but not limited any Subcontractor Utilization Plan, Agency may determine that one of the following actions should be taken:

(a) entering into an agreement with the Contractor allowing the Contractor to cure the violation;

(b) revoking the Contractor's pre-qualification to bid or make proposals for future contracts;

(c) making a finding that the Contractor is in default of the Contract;

(d) terminating the Contract;

(e) declaring the Contractor to be in breach of Contract;

(f) withholding payment or reimbursement;

(g) determining not to renew the Contract;

(h) assessing actual and consequential damages;

(i) assess liquidated damages or reduction of fees, provided that liquidated damages may be based on amounts representing costs of delays in carrying out the purposes of the program established by Section 6-129, or in meeting the purposes of the Contract, the costs of meeting utilization goals

through additional procurements, the administrative costs of investigation and enforcement, or other factors set forth in the Contract;

(j) exercise rights under the Contract to procure goods, services or construction from another contractor and charge the cost of such contract to the Contractor that has been found to be in noncompliance; or

(k) take any other appropriate remedy.

4. Whenever Agency has reason to believe that an MBE or WBE is not qualified for certification, or is participating in a contract in a manner that does not serve a commercially useful function (as defined in Section 6-129), or has violated any provision of Section 6-129, Agency shall notify the commissioner of DSBS who shall determine whether the certification of such business enterprise should be revoked.

5. Statements made in any instrument submitted to Agency pursuant to Section 6-129 shall be submitted under penalty of perjury and any false or misleading statement or omission shall be grounds for the application of any applicable criminal and/or civil penalties for perjury. The making of a false or fraudulent statement by an MBE or WBE in any instrument submitted pursuant to Section 6-129 shall, in addition, be grounds for revocation of its certification.

6. The Contractor's record in implementing its Subcontractor Utilization Plan shall be a factor in the evaluation of its performance. Whenever a contracting agency determines that a contractor's compliance with a Subcontractor Utilization Plan has been unsatisfactory, the agency shall, after consultation with the city chief procurement officer, file an advice of caution form for inclusion in VENDEX as caution data.



THE CITY OF NEW YORK

ATTACHMENT 5

SCHEDULE B – Subcontractor Utilization Plan – Part I: Agency’s Target

This page to be completed by contracting agency

Contract Overview

Pin #	260090TASRFP	FMS Project ID#:	_____
Project Title	Technical Assistance		
Contracting Agency	Department of Youth and Community Development		
Agency Address	156 William Street	City	New York
		State	NY
		Zip Code	10038
Contact Person	Daniel Symon	Title	Agency Chief Contracting Officer
Telephone #	(212) 442-5982	Email	dsymon@dycd.nyc.gov

Project Description *(attach additional pages if necessary)*

DYCD is seeking qualified vendors to provide technical assistance to DYCD contractors providing services in the following areas: after-school programs, family-focused programs, youth workforce development programs, programs for youth with special needs and discretionary programs. The fundamental purpose in providing technical assistance is to raise and sustain program quality for the benefit of program participants.

- (1) ✓ **Target Subcontracting Percentage**
 Percentage of total contract dollar value that agency estimates will be awarded to subcontractors in amounts under \$1 million for construction and professional services. 30 _____ %

Subcontractor Participation Goals
Complete and enter total for each Construction or Professional Services, or both (if applicable)

Group	Construction	Professional Services
Black American	_____ %	9.0 _____ %
Hispanic American	_____ %	5.0 _____ %
Asian American	_____ %	No Goal
Caucasian Female	No Goal	16.5 _____ %
Total Participation Goals	(2) _____ %	(3) 30.5 _____ %

SCHEDULE B – Subcontractor Utilization Plan – Part II: Bidder/Proposer Subcontracting Plan

This page and the next (Part II herein) are to be completed by the bidder/proposer. NOTE: Bids/proposals which do not include a completed subcontractor utilization plan (Part II herein) will be deemed to be non-responsive, unless a full waiver of the target subcontracting percentage is granted (Part III herein).

Section I: Prime Contractor Contact Information

Tax ID # _____ FMS Vendor ID # _____
 Business Name _____ Contact Person _____
 Address _____
 Telephone # _____ Email _____

Section II: General Contract Information

1. Define the industry in which work is to be performed.

- **Construction** includes all contracts for the construction, rehabilitation, and/or renovation of physical structures. This category does include CM Build as well as other construction related services such as: demolition, asbestos and lead abatement, and painting services, carpentry services, carpet installation and removal, where related to new construction and not maintenance.
- **Professional Services** are a class of services that typically require the provider to have some specialized field or advanced degree. Services of this type include: legal, management consulting, information technology, accounting, auditing, actuarial, advertising, health services, pure construction management, environmental analysis, scientific testing, architecture and engineering, and traffic studies, and similar services.

a. Type of work on Prime Contract (Check one):

- Construction
 Professional Services

b. Type of work on Subcontract (Check all that apply):

- Construction Other
 Professional Services

2. What is the expected percentage of the total contract dollar value that you expect to award to all subcontracts? _____ %

3. Will you award subcontract(s) in amounts below \$ 1 million for construction and/or professional services contracts within the first 12 months of the notice to proceed on the contract? Yes No

Section III: Subcontractor Utilization Summary

IMPORTANT: If you do not anticipate that you will subcontract at the target level the agency has specified, because you will perform more of the work yourself, you must seek a waiver of the Target Subcontracting Percentage by completing p. 4).

Step 1:	Subcontracts under \$1M (4) (construction/professional services)	Total Bid/Proposal Value	Calculated Target Subcontracting Percentage
Calculate the percentage (of your total bid) that will go towards subcontracts under \$1M for construction and/or professional services	\$ _____	\$ _____	% _____
	÷	x 100 =	

- **Subcontracts under \$1M (construction/professional services):** Enter the value you expect to award to subcontractors in dollars for amounts under \$1 million for construction and/or professional services. This value defines the amount that participation goals apply to, and will be entered into the first line of Step 2.
- **Total Bid/Proposal Value:** Provide the dollar amount of the bid/proposal.
- **Calculated Target Subcontracting Percentage:** The percentage of the total contract dollar value that will be awarded to one or more subcontractors for amounts under \$1 million for construction and/or professional services. **This percentage must equal or exceed the percentage listed by the agency on page 1, at line (1).**

! Important: The "Calculated Target Subcontracting Percentage" MUST equal or exceed the Target Subcontracting Percentage listed by the agency on Page 1, Line (1) or the bid/proposal will be deemed non-responsive.

SCHEDULE B – cont.

Step 2:

Calculate value of subcontractor participation goals

Subcontracts under \$1M
(construction/professional services)

<p>a. Copy value from Step 1, line (4) – the total value of all expected subcontracts under \$1M for construction and/or professional services</p> <p style="text-align: right;">\$ _____</p>				
<p>b.</p> <ul style="list-style-type: none"> • From line a. above, allocate the dollar value of "Subcontracts under \$1M" by Construction and Professional Services, • If all subcontracts under \$1M are in one industry, enter '0' for the industry with no subcontracts. • Amounts listed on these lines should add up to the value from line a. 		Construction		Professional Services
<p>c.</p> <ul style="list-style-type: none"> • For Construction enter percentage from line (2) from Page 1. • For Professional Services enter percentage from line (3) from Page 1. • These Percentages must be copied from the Agency Plan, or the bid/proposal will be deemed non-responsive. 		<p>Subcontracts under \$1M by Industry \$ _____</p> <p>x _____ %</p>		<p>\$ _____</p> <p>x _____ %</p>
<p>d. Value of Total Participation Goals</p>		<p>\$ _____</p>		<p>\$ _____</p>

Step 3:

✓ **Subcontracts in Amounts Under \$1 M Scope of Work – Construction**

Enter brief description of type(s) of subcontracts in amounts under \$1M anticipated, by type of work, not by name of subcontractor

✓ **Subcontracts in Amounts Under \$1 M Scope of Work – Professional Services**

Enter brief description of type(s) of subcontracts in amounts under \$1M anticipated, by type of work, not by name of subcontractor

Section IV: Vendor Certification

I hereby 1) acknowledge my understanding of the M/WBE requirements as set forth herein and the pertinent provisions of Local Law 129 of 2005, and the rules promulgated thereunder; 2) affirm that the information supplied in support of this subcontractor utilization plan is true and correct; 3) agree, if awarded this Contract, to comply with the M/WBE requirements of this Contract and the pertinent provisions of Local Law 129 of 2005, and the rules promulgated thereunder, all of which shall be deemed to be material terms of this contract; and 4) agree, if awarded this contract, to make all reasonable, good faith efforts to attain the Target Subcontracting Percentage as specified by the Agency, and to solicit and obtain the participation of M/WBEs so as to meet the required Subcontractor Participation Goals.

Signature _____

Date _____

Print Name _____

Title _____

SCHEDULE B – PART III – REQUEST FOR WAIVER OF TARGET SUBCONTRACTING PERCENTAGE

Contract Overview

Tax ID # _____ FMS Vendor ID # _____

Business Name _____

Contact Name _____ Telephone # _____ Email _____

Type of Procurement Competitive Sealed Bids Other Bid/Response Due Date _____

PIN # (for this procurement) _____ Type of work on Prime Contract _____ Type of work on Subcontract (Check all that apply):

(Check one):
 Construction Construction Other
 Professional Services Professional Services

SUBCONTRACTING as described in bid/solicitation documents (Copy this % figure from Schedule B, Part I, line 1)

_____ % of the total contract value anticipated by the agency to be subcontracted for construction/professional services subcontracts valued below \$1 million (each)

ACTUAL SUBCONTRACTING as anticipated by vendor seeking waiver

_____ % of the total contract value anticipated in good faith by the bidder/proposer to be subcontracted for construction/ professional services subcontracts valued below \$1 million (each)

Basis for Waiver Request: Check appropriate box & explain in detail below (attach additional pages if needed)

- Vendor does not subcontract construction/professional services, and has the capacity and good faith intention to perform all such work itself.
- Vendor subcontracts some of this type of work but at lower % than bid/solicitation describes, and has the capacity and good faith intention to do so on this contract.
- Other _____

References

List 3 most recent contracts/subcontracts performed for NYC agencies (if any)

CONTRACT NO.	AGENCY	DATE COMPLETED
_____	_____	_____
_____	_____	_____
_____	_____	_____

List 3 most recent contracts/subcontracts performed for other agencies/entities

(complete ONLY if vendor has performed fewer than 3 NYC contracts)

TYPE OF WORK	AGENCY/ENTITY	DATE COMPLETED
_____	_____	_____
Manager at agency/entity that hired vendor (Name/Phone No.)	_____	_____
_____	_____	_____
Manager at agency/entity that hired vendor (Name/Phone No.)	_____	_____
_____	_____	_____
Manager at agency/entity that hired vendor (Name/Phone No.)	_____	_____

VENDOR CERTIFICATION: I hereby affirm that the information supplied in support of this waiver request is true and correct, and that this request is made in good faith.

Signature: _____ Date: _____
 Print Name: _____ Title: _____

Shaded area below is for agency completion only

AGENCY CHIEF CONTRACTING OFFICER APPROVAL

Signature: _____ Date: _____

CITY CHIEF PROCUREMENT OFFICER APPROVAL

Signature: _____ Date: _____