



**Office of Children
and Family Services**

KATHY HOCHUL

Governor

DAMIA HARRIS-MADDEN, Ed.D., MBA, M.S.
Commissioner

**New York State
Office of Children and Family Services
Division of Child Care Services**

REQUEST FOR APPLICATIONS

RFA 1278

Child Care Support Centers (Reissue)

CALENDAR OF EVENTS	
EVENT	DATE
RFA issued	10/15/2026
Deadline for submission of written questions	11/2/2026 by 4:00 p.m. Eastern Time
Responses to written questions posted (<i>on or about</i>)	11/23/2026
Application submission period opens (Online administrative form becomes available)	11/23/2026
Deadline for submission of applications	12/14/2026 by 4:00 p.m. Eastern Time
<i>Anticipated</i> notification of award (<i>not earlier than</i>)	3/1/2027
<i>Anticipated</i> contract start date	5/1/2027

DESIGNATED CONTACT:

Pursuant to State Finance Law §§ 139-j and 139-k, the New York State Office of Children and Family Services (hereinafter referred to as “OCFS”) identifies the following designated contact to whom all communications attempting to influence OCFS’s conduct or decision regarding this procurement must be made: funding@ocfs.ny.gov.

PERMISSIBLE SUBJECT MATTER CONTACT:

Pursuant to State Finance Law § 139-j(3)(a), OCFS identifies the following allowable person to contact for communications related to the submission of applications, written questions, and debriefings: funding@ocfs.ny.gov.

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1.0 GENERAL INFORMATION

1.1 Overview

The New York State (NYS) Office of Children and Family Services (OCFS) mission is to serve New York's public by promoting the safety, permanency, and well-being of the children, families, and communities of New York State (NYS). OCFS has released this request for applications (RFA) to solicit competitive applications from child care resource and referral (CCR&R) agencies to establish child care support centers (CCSC).

CCR&R agencies are established not-for-profit, community-based organizations that provide services to support the child care infrastructure. CCR&Rs awarded under this procurement will receive funding to establish a CCSC. Each CCSC will administer a regional child care substitute pool to support the daily operations of OCFS licensed/registered child care programs. The addition of child care substitute pools will provide qualified professionals to licensed and registered child care programs. This will allow providers to utilize substitute caregivers to fill in when necessary to provide continuity of care for families and maintain child care operations. The CCSCs will receive technical assistance and relevant technology to support the implementation of the substitute pools from the Early Care and Learning Council (ECLC).

Up to four awards will be made statewide with a maximum of one award per OCFS-defined region to an established CCR&R currently serving that region. The total funding for this project is anticipated to be \$12.5 million over five years (\$2.5M per year), which will be divided equally among the awarded contractors, anticipated to be \$625,000 per awardee annually.

1.2 Applicant Webinar

Not applicable.

1.3 Questions and Amendments

Applicants may submit written questions and requests for clarification pertaining to this RFA between the issuance of this RFA and the deadline for submission of written questions specified in the Calendar of Events on the cover/face page of this procurement (page 1). All questions and requests for clarification should cite the relevant section and paragraph number of this solicitation or of the attachment to which the question relates, where applicable, and must be submitted via email to funding@ocfs.ny.gov no later than the deadline for submission of written questions specified in the Calendar of Events. Questions received after the deadline may not be answered.

If an applicant discovers any ambiguity, conflict, discrepancy, omission, or other apparent error in this RFA, the applicant shall immediately notify OCFS of such error in writing at funding@ocfs.ny.gov prior to the deadline for submission of application specified in the Calendar of Events on the cover/face

page of this procurement and request that OCFS clarify or modify the Terms of this RFA. If, prior to the deadline for the submission of applications specified in the Calendar of Events on the cover/face page of this procurement, an applicant fails to notify OCFS of a known error or an error that reasonably should have been known, the applicant shall assume the risk of applying notwithstanding such apparent ambiguity, conflict, discrepancy, omission or other error. If awarded a contract pursuant to the terms of this RFA, the applicant shall not be entitled to an amendment to the terms of the contract to correct or clarify any such ambiguity, conflict, discrepancy, omission or other error nor to any additional compensation by reason of the error or its correction.

Answers to all questions will be provided to all applicants in the form of a question and answer document that will be posted to both the NYS Contract Reporter website (<https://www.nyscr.ny.gov>) and the OCFS funding opportunities page (<https://ocfs.ny.gov/main/contracts/funding/>) and will not identify the applicant asking the question. Before the deadline for submission of applications, any such clarifications or modifications as deemed necessary by OCFS will also be posted in the Contract Reporter and on the OCFS website.

2.0 EXECUTIVE OVERVIEW

2.1 Background

Governor Kathy Hochul announced the goal of creating a substitute pool of vetted, trusted professionals who can provide needed continuity of care for families and support child care providers in her 2025 State of the State address. Enacted in the 2026 Budget, CCSCs will administer regional substitute pools to benefit the public by supporting child care operations. Effective May 9, 2026, Social Service Law (SSL) 390-n(1), defined a CCSC as “an entity operating as a child care resource and referral program that is granted a valid operating certificate by the office for the purpose of placing substitute caregivers at licensed and registered child care programs.” A Notice of Proposed Rulemaking was published in the *New York State Register* on July 22, 2026. [Regulations Filed for Public Comment | Legislation and Regulations | Office of Children and Family Services](#). The public comment period ended on September 21, 2026 and OCFS is in the process of assessing the comments. The CCSCs will provide qualified, trained substitute caregivers to support licensed and registered child care programs facing staff shortages or absences. These substitute caregivers will reduce service interruptions for the children and families of NYS by helping programs meet required child/staff ratios and supervision requirements. The CCSCs will administer the substitute pool in their designated OCFS region and verify that all prospective substitute caregivers meet minimum qualifications, receive an approved comprehensive background check, and complete required training as indicated by OCFS regulation (for further information, please see Section 4.2 Performance Requirements within this RFA). The services of the CCSCs, as outlined in RFA

Section 4.0 Program Requirements, shall be provided at no cost to child care providers. Funds are allocated to the awarded contractors for the purposes of administering this program.

Awardees will be required to apply for and obtain a CCSC operating certificate from OCFS. Operating certificates issued remain valid unless surrendered by the CCSC or revoked by OCFS. OCFS may revoke an operating certificate at any time upon a determination that the CCSC has not operated in accordance with applicable state or federal law. The CCSC will be responsible for recruitment and verifying the qualifications of an individual interested in participating in the child care substitute pool. The CCSCs must develop and maintain a substitute pool so individuals may be placed in child care programs on an as-needed basis. These substitute caregivers can provide care when necessary to maintain child care program operations.

The purpose of the CCSC is to administer a regional substitute pool to support the daily operations of licensed/registered child care programs by providing qualified and vetted substitute caregivers to programs when staffing assistance is needed. Please see Section 4.0 Program Requirements for full and detailed specifications and requirements.

2.2 Funding Information

The NYS Fiscal Year 2025-26 State Budget appropriated \$2.5 million to the CCSC for services and expenses related to administering child care substitute pools for eligible licensed/registered child care programs. Only one award per NYS OCFS-defined region will be made to an established CCR&R currently serving that region with up to four contracts awarded statewide. Attachment 5, NYS OCFS Regional Map, provides the counties served by each of the seven (7) OCFS-defined regions.

The total project funding, subject to annual appropriations, is expected to be \$12.5 million over five years, with \$2.5 million allocated annually. This annual funding is anticipated to be divided evenly among four awarded contractors, which results in an anticipated annual award of \$625,000 per grantee.

2.3 Term of Contract

The contract(s) awarded in response to this RFA will be for five years. The anticipated start date is **5/1/2027**, and the anticipated end date is **4/30/2032**. Funding is currently anticipated to be available for the first year of the contract, and the award of a multi-year contract does not guarantee that funding will be available for subsequent years. Contractors may not begin to provide services before the contract start date; OCFS has no obligation to pay for services rendered before that time. Payments cannot be made before the formal execution of a contract and approval by the Office of the State Comptroller (OSC).

3.0 ELIGIBILITY CRITERIA

3.1 Minimum Qualifications

Eligible applicants must:

- Be a not-for-profit organization.
- Be operating as a CCR&R agency, as listed on the OCFS public website: <https://ocfs.ny.gov/programs/childcare/referral-agencies.php> as of the deadline for submission of applications, as denoted on the Calendar of Events.
- Be prequalified, if not exempt, on the application deadline. (See [Section 7.8](#) for additional information.)

4.0 PROGRAM REQUIREMENTS

4.1 Desired Outcomes

CCSCs will support licensed and registered child care programs facing staff shortages or absences by providing qualified substitute caregivers. The CCSCs will administer substitute pools for eligible child care providers. The services provided by the CCSCs, as further outlined in this RFA, will be provided at no cost to the child care providers. Funds are allocated to awarded contractors for the purposes of administering this program.

The target population to be served by the child care substitute pools includes OCFS-licensed/registered child care programs within the OCFS-defined region within which the awarded CCSC is located. The purpose of the child care substitute pools is to support the daily operations of licensed/registered child care programs by providing qualified substitute caregivers to programs when they need staffing assistance.

4.2 Performance Requirements

The following requirements must be reflected in your application and will be a part of all contracts resulting from this procurement:

The CCSC will be responsible for the recruitment and verification of the qualifications of individuals interested in serving as a substitute caregiver and participating in the child care substitute pools within their OCFS region. The CCSC will utilize existing OCFS databases of the Division of Child Care Services, such as the Facility Application Management System (FAMS), for processing comprehensive background check clearances and tracking training and other approval requirements. The CCSC must also utilize a technology application provided by the Early Care and Learning Council that will be provided at no cost. At a minimum the application will be used by CCSCs to place substitute caregivers at child care programs. The full functionality of the

technology application remains under development and will be discussed with contract awardees.

- CCSCs must obtain and maintain a valid operating certificate that will be issued by OCFS after issuance of award.
- CCSCs will place substitute caregivers at licensed/registered child day care centers, group family day care homes, family day care homes, and/or school-age child care programs located in the OCFS region where the CCSC is physically located.
- CCSC will vet prospective substitute caregivers by verifying minimum qualifications of individuals consistent with statute and OCFS child care regulations. CCSC's must verify that substitute caregivers meet the minimum age requirements, education and experience requirements, reference requirements, medical requirements, comprehensive background check requirements, and training requirements established by OCFS. The vetting process to ensure caregivers are trusted individuals will be conducted as follows
 - Prior to placing substitute caregivers, CCSCs will verify that the individual has met (i) standards and training requirements under [SSL 390-a](#); (ii) criminal history review and background clearance requirements under [SSL 390-b](#); and (iii) any other requirements established by OCFS regulations.
 - CCSCs will initiate comprehensive background checks (CBCs) for the prospective substitute caregivers in accordance with [SSL 390-b](#), as necessary. Substitute caregivers are considered "prospective employees" of a child day care program pursuant to [SSL 390-b\(2\)\(a\)\(iii\)](#). A "prospective employee" is an individual that a CCSC is evaluating if they meet the criteria of a "substitute caregiver."
 - CCSCs will have OCFS-approved policies and procedures in place to verify the qualifications of substitute caregivers, which they will follow for the recruitment of each substitute caregiver.
- PLEASE NOTE: CBCs and other eligibility requirements are not site specific for substitute caregivers. CCSCs will comply with all applicable state and federal laws.
- CCSCs will be required to comply with and operate in accordance with all applicable regulations, including 18 NYCRR Part 413, and any relevant amendments.
- The CCSC must provide OCFS documentation of the substitute caregivers' qualifications, including experience, background check forms, training certificates, and any other information necessary to monitor and evaluate compliance, whenever requested by OCFS.
- The CCSC must recruit individuals who want to be substitute caregivers.
- To meet regional child care needs, the CCSC is responsible for determining an appropriately sized substitute pool for their region. The CCSC will be required to maintain data regarding requests received from child care programs for substitute caregivers and data regarding the outcomes and satisfaction of those requests. This data and other information will inform the appropriate size of the region's substitute pool.

- CCSCs must maintain a current, accurate list of substitute caregivers who are available to child care programs on an as-needed basis.
- The CCSC must create a method for monitoring a substitute caregiver's performance, which includes eliciting feedback from previous substitute pool placements. The CCSC must have methods for coaching and development as well as have procedures to address negative performance, including the termination of the individual from the substitute pool.
- The CCSC must follow OCFS direction related to the issuance of a safety plan, restriction, and/or safety assessment.
- The CCSC is required to allocate at least 1% and no more than 20% of the awarded amount for stipends to eligible substitute caregivers who are not otherwise employed or volunteering at a child day care program for the following onboarding and professional development expenses.
 - Training: A stipend of \$19 per training hour up to a maximum of \$570 per substitute caregiver per biennial training period for completion of required professional development training (as specified by [OCFS regulations](#)).
 - Training and onboarding activities for substitute caregivers are not required to be done in person.
 - Physical examinations: Prospective substitute caregivers are eligible for a reimbursement of up to \$250 to cover out-of-pocket costs for physical exams or tuberculin tests when required for participation in the child care substitute pool.
- The CCSC is required to pay the \$25 fee to complete the Statewide Central Register (SCR) of Child Abuse and Maltreatment clearance on behalf of substitute caregivers; CCSC cannot require individuals to reimburse CCSC for this cost.
- The CCSC must operate and be accessible to the community it serves at least eight hours a day, Monday through Friday, excluding holidays.
- The CCSC will be required to report to OCFS on a quarterly basis, including, but not limited to, the following information:
 - Recruitment activities.
 - Number of substitute caregivers.
 - Verification activities conducted for individuals to be utilized as substitute caregivers.
 - General substitute pool program development and implementation activities.
 - Budget expenditures that correlate to approved contract work plan deliverables.
 - Any other information necessary to monitor and evaluate compliance, as requested by OCFS.

OCFS will develop and provide program reporting forms to the CCSC following contract issuance.

PLEASE NOTE: The child care program, not the CCSC, is responsible for paying any substitute caregiver employment-related costs, such as wages, taxes, and workers' compensation for the substitute caregivers.

4.3 **Subcontracting**

Applicants should note that, as the contractor, a CCSC that chooses to subcontract will have total responsibility for all contract activities, including those performed by subcontractors, and will be the primary contact for OCFS.

Subcontracting is allowable, subject to the following:

Applicants may subcontract up to 40% of the total contract amount per year. Applicants who plan to subcontract must state in the application the specific components of the scope of work to be performed through subcontracts. For applicants who propose subcontracting, it is preferable to identify subcontracting partners during the application process.

Activities related to obtaining and maintaining the operating certificate, vetting prospective employees, and placing substitute caregivers at child care programs cannot be subcontracted. Other activities may be subcontracted. Prior written OCFS approval is required when a subcontract exceeds \$100,000. OCFS shall have the right to review and approve or deny any subcontracts before giving written permission to the contractor to enter into the subcontract.

5.0 **APPLICATION CONTENT AND SUBMISSION**

5.1 **General Application Information**

Applicants must complete the following questions and provide all required documents for their application to be considered complete. Application submission for this RFA will occur in two steps.

- **Step 1:** Applicants must **first** complete an online administrative form as instructed below. This begins the application process.
- **Step 2:** After completing Step 1, applicants must reply to the confirmation email to attach and submit all required application documents specified below to complete their application process.

Specific instructions regarding the application submission process are found below in **Section 5.4 Application Submittal Process**.

Attachments to this RFA can be found on the OCFS public website (<https://ocfs.ny.gov/main/contracts/funding/>) and on the NYS Contract Reporter website at (<https://www.nyscr.ny.gov>). It is recommended that applicants begin working on their application documents as early as possible.

5.2 **Online Administrative Form**

The online administrative form will be made available to the public on the [OCFS public website](#) and the [New York State Contract Reporter](#) on the date specified

in the **Calendar of Events** on the cover/face page of this procurement (page 1). The **Eligibility Questions** and **Administrative Questions** must be answered online as part of Step 1 of the application process and submitted prior to the due date and time specified in the **Calendar of Events**. You may use the optional **Attachment 1 – Online Administrative Form Template** to draft your responses prior to the completion of your online administrative form submission.

5.3 Application Content

The remainder of the application will be provided to OCFS via email submission, which must be submitted to OCFS no later than the date and time specified in the **Calendar of Events** on the cover/face page of this procurement (page 1).

➤ Attachment 2 – Application

The **Attachment 2 – Application** contains the **Program-Specific Questions** and **Budget Questions** that are required to be provided and scored for this procurement. Use **Attachment 2 – Application** to submit your responses. Responses to individual questions cannot exceed 5,000 characters in length. Your application will be scored based on your responses to these questions. Please be sure to address all questions in each section comprehensively, yet succinctly. The complete **Attachment 2** must be included with your email submission.

➤ Attachment 3 – Budget

Complete and submit the budget in accordance with these requirements. The completed **Attachment 3 – Budget** must be included as an attachment with your email submission. Follow the guidance provided in **Attachment 3A – Budget Instructions** carefully as you complete the budget. The budget for this project must be in compliance with all applicable state and federal laws, rules, and regulations. Accuracy and completeness are critical.

To be considered for award, Attachment 3 – Budget must be completed and included with your email submission.

Please note: Your proposed budget should reflect only the first-year contract period of **5/1/2027 – 4/30/2028** (anticipated) and request an annual amount of \$625,000.

Travel expenses are considered allowable costs when directly supporting program activities in alignment with this RFA and its program requirements. Refer to **Attachment 3A – Budget Instructions** for detailed guidance on budgeting travel.

To streamline the contract process and to obtain a more favorable cost score, applicants are strongly encouraged to submit budgets that reflect realistic and

necessary expenses and that include justifiable and allowable costs only. In addition to completing the budget forms and budget narrative, applicants must respond to the budget questions in **Attachment 2 – Application**. The proposed budget is determined to be reasonable based on the scope of the planning work to be conducted and the number of individuals to be involved. A passing score of an application does not indicate the submitted attachments, including the budgets, will be the final contract documents. The documents may require revisions during contract development.

➤ **Other Required Attachments and Forms**

Please follow the instructions on each form/attachment to complete them and include these with your email submission. Refer to **Attachment 4 – Submission Checklist** for a complete list of required forms and attachments.

5.4 Application Submittal Process

A. How to Submit an Application

Application submission for this RFA will occur in two steps:

- **Step 1:** Applicants must first complete the online administrative form, which begins the application process. The information required is specified in **Section 5.3 Application Content**. The completion of Step 1 generates an application number and gathers required information for each application. Upon completion and submission of the online administrative form, applicants will receive a confirmation email from funding@ocfs.ny.gov within 1 business day providing their application number and instructing them as to next steps in the submission process.
 - Completion of this form is required for each application submitted in response to this RFA.
 - A link to this form will be posted to the OCFS Funding Opportunities Page (<https://ocfs.ny.gov/main/contracts/funding>) and the NYS Contract Reporter ([NYS Contract Reporter](#)) on or about the date specified in the **Calendar of Events** on the cover page of this procurement (page 1).
 - Responses marked as required must be answered, or the online administrative form will not allow you to submit.
 - If you do not receive a confirmation email from funding@ocfs.ny.gov with your application number **within 24 hours (1 business day)** after the submission of your online administrative form, please check your spam folder. After confirming the confirmation email was not properly received, please contact OCFS for assistance.
- **Step 2:** After completing Step 1, applicants should reply to the confirmation email to attach and submit all required application documents specified in **Section 5.3 Application Content** to complete their application process. All required documents must be submitted to funding@ocfs.ny.gov or the application submission will be considered incomplete. Both Step 1 **and** Step

2 must be completed, or the application will not be considered by OCFS to be properly received.

- Confirm that the applicant's legal name, address, and application number appear in the body of your email submission.
- DO NOT alter the subject line of the email.
- Attach all supporting documents to your email submission.
- All required supporting documentation must be submitted to funding@ocfs.ny.gov or your application may be disqualified.
- If the size of your application requires files to be sent in multiple emails, indicate the email number in the body of the email, e.g., "email submission 2 of 2."
- No facsimile or hard copy applications will be accepted.

Applicants are responsible for verifying all documents are complete, correct, viewable, and comply with the requirements of the RFA. Failure to submit the required documentation outlined in the RFA may result in the disqualification of your application or a loss of points during the evaluation process.

B. Important Information Regarding Application Submission

- A. Applicants assume all risks for timely, properly submitted electronic applications. **Applications (online administrative form and email submission documents) must be received by the due date and time identified in the Calendar of Events.** Required forms and attachments must be received by OCFS secure email servers to be considered properly received.
- B. Expenses incurred in the preparation of any applications or modifications submitted in response to this RFA are the sole responsibility of the applicant and will not be incurred or reimbursed by OCFS.
- C. Prospective applicants are **strongly encouraged** to submit their applications well in advance of the deadline to allow sufficient opportunity for the applicant to obtain assistance and take corrective action should there be a technical issue with the submission process. **OCFS highly recommends submitting at least 48 hours prior to the deadline.** Failure to leave adequate time to obtain your application number and/or address issues identified during the submission process may jeopardize an applicant's ability to submit their application.
- D. Applications received after the deadline for submission of applications may be rejected. Receipt of late applications, as a general rule, cannot be accepted.
- E. Please provide multiple email addresses in your online administrative form's contact information fields and **double check to ensure all email addresses provided are valid and correct.** This information is considered critically

important as this is how OCFS will contact you regarding the status of your application.

- F. Email delivery receipts are recommended. Upon submission of the online form portion of the application, applicants will receive a confirmation email from funding@ocfs.ny.gov within 24 hours (1 business day). For the email submission portion of the application, where applicants are submitting required forms and attachments to OCFS via email, **OCFS will reply to provide confirmation that the application has been received.** Please provide at least 1 business day for OCFS to respond to your email. Applicants are responsible for contacting OCFS prior to the deadline if confirmation has not been received. If applicants contact OCFS too close to the deadline, there may not be sufficient time for you to receive assistance. **To help reduce the possibility of OCFS emails being blocked by spam filtering, please ensure funding@ocfs.ny.gov is added to your email system's address book and trusted contacts list, if available.**
- G. Applications must be signed by an individual who is authorized to legally bind the applicant to the provisions of the application. The successful application and the RFA will be made part of the contract.
- H. **Application submissions for this procurement should only contain applications for this specific funding opportunity and applicants should only submit one application per submission form and submission email.** No information beyond that specifically requested is required and applicants are requested to keep their submissions to the shortest length consistent with making a complete presentation of qualifications and services being proposed. The application must contain sufficient information to assure New York State of its accuracy. Failure by an applicant to respond to a requirement stated in this RFA may cause the application to be found non-responsive and the application disqualified.
- I. An applicant's email submission should contain multiple document attachments. No facsimile or hard copy applications will be accepted. All application documents must be sent as attachments, as OCFS is unable to download linked documents. Documents must be attached to the email submission in a manner that results in the electronic document(s) being transmitted with the email. Clickable links to download the application and/or the use of third-party file hosting services are **not** permissible, as the applicant's email submission is not transmitting the electronic document(s) of the application to OCFS. Please ensure all documents are clearly identified and labeled.
- J. **Documents that are incomplete or cannot be viewed may result in disqualification.** Document file names are encouraged to be logical and make the attachment(s) easily identifiable. Please ensure all documents provided via email are complete, correct, viewable, unlocked, and comply with the requirements of the RFA. Applications that cannot be read; are password protected (locked); are incomplete; or that contain any omissions,

erasures, alterations, additions, or items not required by the RFA; or that contain irregularities of any kind may be rejected.

- K. Please be aware that although applications must be submitted electronically, any required application document that requires notarization must be obtained by the applicant and a copy of the notarized form submitted with the application. The original hard copy signature page must be kept by the applicant. If applicable, a hard copy of the notarized document must be supplied during the contract development stage by selected awardees if requested by OCFS.
- L. Applicants must list and clearly explain all non-substantive exceptions and/or caveats to any item contained in this RFA or sample contract language. All exceptions and/or caveats included in the proposal will be reviewed and only those of a non-substantive nature will be considered for inclusion in a final contract. Those of a substantive nature will not be considered and the application will be disqualified.

6.0 SCORING AND EVALUATION PROCESS

6.1 Eligibility Review

Applicants must meet the Minimum Qualifications to submit an application in accordance with **Section 3.1 Minimum Qualifications**. Applicants who do not meet these requirements will be disqualified from further consideration.

6.2 Evaluation Process

Applications will be evaluated and scored by trained reviewers using a structured, preapproved evaluation instrument. The technical component (Attachment 2 sections A-G) of the application will be weighted at 80% of the total score, and the cost component will be weighted at 20% (Attachment 2 section H. Budget) of the total score. The final average score will be based on the summation of the average technical and cost scores. Applications that receive a minimum average score of 65% will be considered for funding. Award recommendations will be based on highest scoring applications within the OCFS-identified regions and ranked by final average score.

In the event a funding decision encounters a tie between two or more applications, the applicant who scores higher in **Attachment 2 – Section D. Proposed Program Description** will be awarded. If the applications remain tied, the applicant who scores higher in **Attachment 2 – Section H. Budget** will be awarded.

If there is still a tie, the decision as to the winning application will be made by the Commissioner in accordance with State Finance Law §163(10)(a). The methodology will be documented in the procurement record for review and approval by the Office of the State Comptroller (OSC).

It is anticipated that up to four contracts will be awarded and that only one award may be made per OCFS-defined region to an established CCR&R currently serving that region.

Counties Listed by OCFS-Defined Region

Albany Region

Albany, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Montgomery, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, Washington

Buffalo Region

Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, Wyoming

Long Island Region

Nassau, Suffolk

Rochester Region

Chemung, Livingston, Monroe, Ontario, Schuyler, Seneca, Steuben, Wayne, Yates

Syracuse Region

Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga, Tompkins

Westchester Region

Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester

New York City Region

Bronx, Kings, New York, Queens, Richmond

Applicants may submit one application in response to this RFA and may receive a maximum of one award. If multiple applications are received from the same applicant, OCFS will review the last complete application submitted by the applicant.

OCFS reserves the right to adjust awards made and funding amounts provided based on programmatic need, funding availability, geographic distribution of awards, and/or funding amounts requested by applications receiving a passing score.

6.3 OCFS Reserved Rights

OCFS reserves the right to:

1. Place a monetary cap on the funding amount made in each contract award.

2. Change any of the schedule dates stated in this RFA before the due date for the submission of applications.
3. Withdraw the RFA, in whole or in part, at any time.
4. Reject any or all applications received in response to the RFA.
5. Make an award under the RFA in whole or in part.
6. Disqualify any applicant whose conduct and/or proposal fails to conform to the requirements of the RFA.
7. Reject any application if, in the sole discretion of OCFS, it determines the applicant is not a responsive or responsible vendor.
8. Seek clarification of applications. Request applicants to present supplemental information clarifying their applications either in writing or by formal presentation. Other than the requested clarification and supplemental information, submission of new information is not permitted.
9. Amend any part of this RFA before opening of applications, with notification to all applicants, and direct all applicants to prepare modifications addressing RFA amendments, if necessary.
10. Fund only one portion, or selected activities, of the funded applications and/or adopt all or part of the selected applications based on federal and state requirements.
11. Eliminate any RFA requirements that cannot be met by all prospective applicants upon notice to all parties that submitted applications.
12. Negotiate with the selected applicant(s) before contract award.
13. Conduct contract negotiations or award a contract to the next highest scoring applicant if contract negotiations with the selected applicant(s) cannot be accomplished within an acceptable time frame. No applicant will have any rights against OCFS arising from such actions.
14. Require that all applications be held valid for a minimum of 365 days from the closing date for receipt of applications, unless otherwise expressly provided for in writing.
15. Use the application submitted in response to this RFA as part of an approved contract. At the time of contract development, awardees may be requested to provide additional budget and program information for the final contract.
16. Utilize any or all ideas submitted in the applications received where an award is ultimately made.

17. Require clarification or revisions at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an application and/or to determine an applicant's compliance with the requirements of the solicitation.
18. Make additional awards based on the remaining applications submitted in response to this RFA and/or provide additional funding to awardees if such funds become available.
19. Award grants based on statewide, geographic, or regional distribution of awards, or to meet the needs of special target populations as defined in this RFA.
20. Make adjustments to the funding amount requested/awarded based on program need and based on the total dollar value of the applications awarded.
21. Reject any extraneous terms, alternate activities/work to be performed, added conditions, or exceptions stated by applicants within their application(s). This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

6.4 OCFS Procedure for Handling Debriefings and Formal Protests

Once an award has been made, an unsuccessful applicant may request a debriefing of their application. The debriefing will be limited solely to the applicant's own application and will not include any discussion of other applications. An applicant's request for a debriefing must be received by OCFS no later than fifteen (15) business days after the date of the non-award announcement to the unsuccessful applicant.

In the event an unsuccessful applicant wishes to protest the award resulting from this RFA, the protesting applicant must follow the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in [Chapter XI Section 17](#) of the OSC's Guide to Financial Operations, which is available on-line at:

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

7.0 CONTRACTING REQUIREMENTS

7.1 Contract Readiness

New York State's prompt contracting laws require all state agencies to complete contract development and the signatory process within statutorily prescribed time frames. Awardees must be available and prepared to respond within the required time frames. OCFS may rescind the awards of awardees

who cannot satisfactorily complete the contracting process to commence services by the anticipated contract start date.

7.2 **Standard Contract Language**

The terms and conditions for all funded projects are specified in a detailed contract that must be signed by OCFS and approved by the NYS Office of the Attorney General (OAG) and the OSC before payments may be made. Contractor obligations or expenditures before the contract start date shall not be reimbursed. This RFA includes all relevant contract terms and conditions, which can be found in **SECTION 8.0 CONTRACT DOCUMENTS AND FORMS REQUIRED AFTER AWARD**. Upon contract award and completion of negotiations, OCFS will send successful awardees the complete contract for development and signature before submitting it to the OAG and to OSC for approval.

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

Sections 57 and 220 of the [Workers' Compensation Law](#) (WCL) and [Section 142](#) of the State Finance Law require that businesses contracting with New York State have and maintain and provide evidence of appropriate workers' compensation and disability benefits insurance coverage. If an award is made from this RFA, updated proof of coverage must be provided during contract development. Failure to submit the proof will delay the contract development process and may result in the award being rescinded. Municipalities are not required to show proof of coverage.

Please note: The ACCORD form is not acceptable proof of workers' compensation or disability insurance coverage.

1. **Proof of Workers' Compensation Coverage**

To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate workers' compensation insurance coverage, submit ONE of the following forms. Access the forms at: <http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>.

- **Form C-105.2** - *Certificate of Workers' Compensation Insurance* issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund;³ or
- **Form SI-12⁴** - *Certificate of Workers' Compensation Self-Insurance*; or **Form GSI-105.2⁵** - *Certificate of Participation in Workers' Compensation Group Self-Insurance*; or
- **CE-200⁶** - *Certificate of Attestation of Exemption* from NYS Workers' Compensation and/or Disability and Paid Family Leave Benefits coverage.

2. Proof of Disability Benefits Coverage

To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate disability benefits insurance coverage, submit ONE of the following forms. Access the forms at: <http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>.

- **Form DB-120.1³** - *Certificate of Disability Benefits Insurance*; or
- **Form DB-120.2** - *Certificate of Participation in Disability Benefits Group Insurance*; or
- **Form DB-155⁷** - *Certificate of Disability Benefits Self-Insurance*; or
- **CE-200⁶** - *Certificate of Attestation of Exemption* from NYS Workers' Compensation and/or Disability Benefits Coverage.

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

7.4.1 Confidentiality

New York State law requires that any client identifiable information be kept confidential. Any awardee, or contractor, employee or volunteer of the awardee, who will be provided with confidential information of recipients served by the awardee must complete and sign form [OCFS-4715, Confidentiality Non-Disclosure Agreement](#). This form must be completed before the start date of the contract and before any such awardee, contractor, employee or volunteer is permitted access to youth served by an awardee or to any financial or client identifiable information concerning such youth. For additional information, see **Attachment A-1**, Section 7 Confidentiality and Protection of Human Subjects, located at the link to a standard contract listed in **SECTION 8.0**.

7.4.2 Criminal History Background Checks

Any awardee, or contractor, employee or volunteer of the awardee, who will have the potential for regular and substantial contact with youth in care or receiving residential services must be subject to background screening before hire or utilization in a position paid through this award. The screening must include the completion of the OCFS-4716 (Contractor Employee and Volunteer Background Certification form) and a review of individuals' backgrounds through the following three services: NYS Justice Center for the Protection of Persons with Special Needs Staff Exclusion List (SEL), New York Statewide Central Register of Child Abuse and Maltreatment (SCR); and a criminal background check via a vendor that will conduct both a federal and New York State criminal history check. Additional information regarding all three services will be provided upon the grant of an award.

Please note that the grant of an award may be negatively impacted if background checks reveal that an individual proposed to provide services is on the SEL, is the subject of any indicated reports of child abuse and maltreatment, or has convictions for one or more prior criminal offenses. Awardees are responsible for notifying OCFS if a background check reveals that a contractor, employee or volunteer of the awardee proposed to provide services has a criminal history. Any criminal history revealed as a result of such screening will be evaluated by OCFS pursuant to Correction Law [Article 23-A, Section 752](#) on a case-by-case basis taking into consideration the duties of the position and those factors set forth in Correction Law [Article 23-A, Section 753](#). OCFS will evaluate the results of the screening in accordance with Correction Law Article 23-A and notify the awardee of its determination. The awardee shall be responsible for the cost associated with any required background screens of the individuals identified in this section.

7.5 Charities Registration

Not-for-profit vendors must be registered with the NYS Office of the Attorney General as a charitable organization, and the registration must be up-to-date at the time of contracting. Vendors must be sure all their documents are up-to-date and comply with the vendor responsibility requirements as outlined below. To determine the status of your charity's registration information, contact: https://www.charitiesnys.com/RegistrySearch/search_charities.jsp.

7.6 Required Electronic Payments and Substitute Form W-9

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

Vendors are directed to provide a *Substitute Form W-9* which includes the taxpayer identification number, business name, and business contact person. This data is critical to ensure that the vendor file contains the information state agencies need to contract with and pay vendors.

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

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

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

https://www.osc.state.ny.us/epay/ac3243s_fe.pdf

<http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>
(Guide to Financial Operations)

7.7 Statewide Financial System

To register an organization, send a complete [Grants Management Registration form for SFS Vendors](#) and accompanying documentation where required by email to: grantsreform@its.ny.gov. You will be provided with a username and password allowing you to access SFS.

Recipients of grant awards must be registered in the NYS Statewide Financial System (SFS) Central Vendor Registry File and provide their identification number at the time of contracting. There is additional information available at <https://www.osc.state.ny.us/vendors/vendorselfservicesystem.htm> regarding the vendor file.

Specific questions about SFS should be sent to the SFS Help Desk at helpdesk@sfs.ny.gov.

7.8 Prequalification Process

Pursuant to New York State Division of Budget Bulletin H-1032, dated January 9, 2024, New York State has instituted a key reform initiative to the grant contract process which requires not-for-profits to be prequalified for applications to be evaluated and any resulting contracts executed.

Applications received from eligible not-for-profit applicants who have not been prequalified by the deadline for submission of applications specified in the Calendar of Events on the face/cover page of this procurement (page 1), may be disqualified.

Please do not delay in beginning and completing the prequalification process. New York State reserves 5-10 business days to review submitted prequalification applications. Prequalification applications submitted to New York State for review less than five (5) days prior to the RFA due date and time may not be considered. Applicants should not assume their pre-qualification information will be reviewed if they do not adhere to this time frame.

Detailed information on [Registration](#) and [Prequalification](#) is available on the Grants Management website, which includes the [Grantee Prequalification Manual](#), [Prequalification Application](#) information, and other resources.

Applicants are strongly encouraged to complete this process as soon as possible. Prospective applicants are responsible for monitoring their prequalification status on SFS. OCFS cannot be held responsible in the event an applicant fails to submit their pre-qualification application for review in a timely manner, or if the documents uploaded by the applicant to their pre-qualification application are found deficient.

7.9 **Vendor Responsibility Requirements**

All applicants should complete, certify, and file a New York State Vendor Responsibility Questionnaire (VRQ). OCFS recommends that applicants file the VRQ online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions at <http://www.osc.state.ny.us/vendrep/index.htm> or go directly to the VendRep System online at www.osc.state.ny.us/vendrep.

Applicants must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the OSC Help Desk at 866-370-4672 or 518-408-4672 or by email at itservicedesk@osc.ny.gov.

Applicants opting to complete and submit a paper questionnaire can obtain the appropriate VRQ from the VendRep website, www.osc.state.ny.us/vendrep, or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form.

Confirmation of completion of the vendor responsibility process should be submitted with your application. To provide confirmation with your application, go to the bottom of your certified online questionnaire and click the button called Form Overview. Print this page and include it with your application or provide your completed hard-copy questionnaire.

Note: All Vendor Responsibility Questionnaires must be dated within six months of the deadline to submit application. Any subcontractors under the proposed contract must also complete a vendor responsibility questionnaire when the value of the subcontract is anticipated to be \$100,000 or more.

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

This section outlines contractor requirements and procedures for business participation opportunities for New York State-certified Minority- and Women-owned Business Enterprises (MWBE) and equal employment opportunities (EEO) for minority group members and women. OCFS forms can be found at <https://ocfs.ny.gov/forms/> and some are required to be entered directly into the [New York State Contract System](#).

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

Pursuant to New York State Executive Law [Article 15-A](#) and Parts 140-145 of Title 5 of the New York Codes, Rules, and Regulations, OCFS is required to promote opportunities for the maximum feasible participation of New York State-certified MWBE and the employment of minority group members and women in the performance of OCFS contracts. OCFS has established its overall agency goal of 30% MWBE participation, including 15% for New

York State-certified Minority-owned Business Enterprises (MBE) and 15% for New York State-certified Women-owned Business Enterprises (WBE). OCFS supports the establishment of partnerships with MWBE as subcontractors, suppliers, protégés, or in other supporting roles to the maximum extent practicable and consistent with the legal requirements of the State Finance Law and Executive Law Article 15-A. Certified MWBE may be readily identified through the directory of NYS certified MWBE at: <https://ny.newnycontracts.com>.

7.10.2 MWBE Business Participation Opportunities – OCFS-Established Goals

Procurement and contract goals are established based on the current availability of NYS certified MWBE to assist in the execution of the scope of work of the contract by providing a commercially useful function (CUF) in the performance of the services required. The percentage goal for this procurement may be assessed higher or lower than the percentage level of the agency's overall goal depending on factors such as the type of services involved, location of services and the availability of certified MWBE.

For the purposes of this solicitation, OCFS hereby establishes an overall goal of 0% of discretionary non-personnel service spending for New York State-certified MWBE participation, 0% for MBE participation and 0% for WBE participation. A contractor ("contractor") on any contract resulting from this procurement ("contract") must document its good-faith efforts (GFE) to provide meaningful participation by MWBE as subcontractors and suppliers who will perform a CUF in the performance of the contract. To that end, by submitting a response to this RFA the respondent agrees that OCFS may withhold payment pursuant to any contract awarded as a result of this RFA pending receipt of the required MWBE documentation. The directory of NYS certified MWBE can be viewed at [New York State Contract System](#). For guidance on how OCFS will evaluate a contractor's "good-faith efforts," refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBE for the performance of a CUF, as defined in 5 NYCRR § 140.1, and that include responsibility for the execution of a distinct element of the work of the contract, evidencing the responsibilities and risks of the business owner, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a subcontract with an MWBE serving as a broker which can be credited towards the goal shall be 25% of the sum paid on the subcontract.

7.10.3 Contract Compliance

In accordance with 5 NYCRR § 142.13, the respondent further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a contract resulting from this RFA, such finding constitutes a breach of contract, and OCFS may withhold payment as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBE had the contractor achieved the contractual MWBE goals and (2) all sums actually paid to MWBE for work performed or materials supplied under the contract.

By submitting a proposal, a respondent agrees to demonstrate its good-faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the [New York State Contract System](#) provided, however, that a respondent may arrange to provide such evidence via a nonelectronic method by contacting OCFS.

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

- A. An MWBE Utilization Plan must be completed in the NYSCS within 20 days of receipt of award letter notification. Contracts will not be executed until the MWBE Utilization Plan has been approved in the NYSCS.

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

- B. If a notice of deficiency is issued, the respondent will be required to respond to it within seven business days of receipt by submitting to the OCFS a written remedy in response to the notice to contractcompliance@ocfs.ny.gov. If the written remedy that is submitted is not timely or is found by OCFS to be inadequate, OCFS shall notify the respondent and direct the respondent to submit, within five business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the proposal.

OCFS may disqualify a respondent as being nonresponsive under the following circumstances:

- a) If a respondent fails to submit an MWBE Utilization Plan.
- b) If a respondent fails to submit a written remedy to a notice of deficiency.
- c) If a respondent fails to submit a request for waiver.
- d) If OCFS determines that the respondent has failed to document good-faith efforts.

The successful respondent will be required to attempt to use, in good faith, any MBE or WBE identified within its approved MWBE Utilization Plan during the performance of the contract. Requests to OCFS for a partial or total waiver of established goal requirements made after contract award may be made at any time during the term of the contract

but **MUST** be made before submitting a request for final payment on the contract.

The successful respondent will be required to submit MWBE quarterly contractor compliance and payment audit reports to OCFS in the NYSCS by the 10th day following each end of quarter over the term of the contract, documenting the progress made toward achievement of the MWBE goals of the contract.

7.10.4 Equal Employment Opportunity (EEO) Requirements

By submitting a proposal in response to this solicitation, the respondent agrees with all terms and conditions of Appendix A – Standard Clauses for All New York State Contracts including Clause 12 – Equal Employment Opportunities for Minorities and Women. The respondent is required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the work), except where the work is for the beneficial use of the respondent, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, color, national origin, sex, age, disability, or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the contract; or (ii) employment outside New York State.

The respondent will be required to submit an [OCFS-3460, Minority- and Women-owned Business Enterprises \(MWBE\) and Equal Employment Opportunity Policy Statement](#), as referenced in **Section 5.6 Submission of Proposals**, to OCFS with its proposal.

If awarded a contract, respondent shall submit a Workforce Utilization Report and shall require each of its subcontractors to submit the same, in a format that OCFS requires, on a quarterly basis during the term of the contract.

Pursuant to [Executive Order No. 162](#), contractors and subcontractors will also be required to report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the Workforce Utilization Report on a quarterly basis.

Further, pursuant to [Article 15](#) of the Executive Law (the Human Rights Law), all other state and federal statutory and constitutional non-discrimination provisions, the contractor and subcontractors will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status, or

domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the contract, leading to the withholding of funds, suspension, or termination of the contract or such other actions or enforcement proceedings as allowed by the contract.

7.11 Service-Disabled Veteran-Owned Business (SDVOB)

[The Service-Disabled Veteran-Owned Business Act](#), signed into law by Governor Andrew M. Cuomo on May 12, 2014, allows eligible veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB) to increase the participation of such businesses in New York State's contracting opportunities. The SDVOB Act, which is codified under [Article 3 of Veterans' Services Law](#), acknowledges that SDVOBs strongly contribute to the economies of the state and the nation. For contracts awarded from this procurement, OCFS has established an SDVOB goal of **0%**.

7.12 Accessibility of Web-Based Information and Applications

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

7.13 Executive Orders

Executive Order Number 16

[Executive Order No. 16](#), dated March 17, 2022, requires New York State agencies to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.

Executive Order 16 includes the following definitions:

- “[Russian entity](#)” means an institution or company that is headquartered in Russia or has its principal place of business in Russia.

- “Supporting entity” means any institution or company providing assistance to the Russian government in its campaign to invade the sovereign country of Ukraine, either through in-kind support or for-profit.
- “Entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

By submission of a response to this solicitation, the applicant certifies that they:

- a. Are not a Russian or Russia-supporting entity, as those terms are defined in the Executive Order No. 16 (dated March 17, 2022); and/or
- b. Are not an entity conducting business operations in Russia, as those terms are defined in the Executive Order No. 16 (dated March 17, 2022).

Executive Order Number 175 (if applicable)

In accordance with the requirements of [Executive Order No. 175](#), the contractor will be expected to adhere to net neutrality principles in the provision of internet services under any contract entered into as a result of this RFA, regardless of delivery method unless the director of contracts, or their designee as noted in **Section 1.1 Procurement Contract**, determines that adherence to net neutrality principles for a particular purpose is not in the best interests of the state. Nothing in this provision supersedes any obligation or authorization a provider of broadband internet access service may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities, consistent with or as permitted by applicable law, or limits the provider’s ability to do so. As used herein, “net neutrality” means that the contractor will not block, throttle, or prioritize internet content or applications or require that end users pay different or higher rates to access specific types of content or application. For the purposes of this contract, the prohibition against blocking or throttling of internet content or applications does not apply to reasonable network management practices.

Executive Order Number 177

[Executive Order 177](#), dated February 3, 2018, directs NYS agencies and authorities not to enter into any contracts with entities that have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected basis. The contractor must provide the EO 177 certification statement before any award being made by OCFS.

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

New York State Finance Law §139-l, effective January 1, 2019, requires, in relevant part, that “[e]very bid . . . made to the state or any public department or agency thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain [a] statement subscribed by the bidder and affirmed by such bidder as true under the penalty of perjury. . . [that] ‘[b]y submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.’” The contractor must provide the foregoing certification before any award being made by OCFS. For additional guidance on drafting an appropriate sexual harassment policy and developing appropriate training please refer to [State Finance Law §139-l](#) and <https://www.ny.gov/combating-sexual-harassment-workplace/employers#top>.

7.15 State Finance Law §139-m; Statement on Gender-Based Violence in Bids

[New York State Finance Law §139-m](#), effective November 5, 2025, requires each bidder to certify that the organization has in place and has implemented a Gender-Based Violence and the Workplace Policy (please see the Office for the Prevention of Domestic Violence (OPDV) [Gender-Based Violence and the Workplace website](#) for more information regarding these policies) and has provided such policy to all of its employees, directors and board members. Such policy shall, at a minimum, meet the requirements of subdivision 11 of section five hundred seventy-five of the executive law. If the bidder 'cannot make this certification, they must include a signed statement setting forth in detail the reasons therefor.

8.0 CONTRACT DOCUMENTS AND FORMS REQUIRED AFTER AWARD

The contract documents consist of the following:

1. State of New York Contract for Grants Face Page
2. Signature Page
3. State of New York Contract for Grants Standard Terms and Conditions
4. Appendix A: Standard Clauses for NYS Contracts
5. Attachment A-1: Agency-specific Terms and Conditions
6. Attachment A-2: Program-specific Terms and Conditions (if applicable)
7. Attachment A-3: Federally Funded Grants and Requirements Mandated by Federal Laws (if applicable)
8. Attachment B: Budget and Instructions
9. Attachment C: Work Plan
10. Attachment D: Payment and Reporting
11. Attachment MWBE: Minority- and Women-owned Business Enterprises

By submitting an application in response to this procurement, the applicant agrees with all terms and conditions of the State of New York Master Contract for Grants Standard Terms and Conditions. Please review the sample contract templates provided here: <https://ocfs.ny.gov/main/contracts/samples.php>.

Forms Required After Award and Before Contracting

- A. [OCFS-4629, Project Staffing Plan Form](#)
- B. [OCFS-4631, MWBE Utilization Plan Form](#)
[SDVOB 100, Service-Disabled Veteran-Owned Business Utilization Plan Form](#)
Proof of [Workers' Compensation Insurance](#) (See **Section 7.3** for more information)
- C. Proof of [Disability Insurance](#) (See **Section 7.3** for more information.)

Forms Required During Contract Term

- A. [OCFS-4441, MWBE Quarterly Report Form](#) (See [Attachment MWBE](#) for more information.)

9.0 PROGRAM-SPECIFIC ATTACHMENTS

The following attachments can also be found on the NYS Contract Reporter (<https://www.nyscr.ny.gov/>) and the OCFS funding opportunities website (<https://ocfs.ny.gov/main/contracts/funding/>). Please complete the required attachments and submit with your application email(s):

Attachment 1 – Online Administrative Form Template

Attachment 2 – Application *

Attachment 3 – Budget *

Attachment 3A – Budget Instructions

Attachment 4 – Submission Checklist

Attachment 5 – New York State OCFS Regional Map

* Attachments marked with an asterisk are required to be completed and provided with your application submission.