

New York State Office for New Americans

**REQUEST FOR APPLICATIONS
RFA # 24-ONA-41**

ONA Opportunity Center – ESOL RFA

Important Dates:

RFA Release Date: November 15, 2024

Questions Due: December 11, 2024

RFA Updates Posted: January 6, 2025

Application Due Date: January 17, 2025

General Program Information/Inquiry	Proposal Submission
New York State Office for New Americans 123 William Street, 20 th Floor New York, NY 10038 E-mail: NewAmericans@dos.ny.gov	Procurement Unit New York State Department of State Bureau of Fiscal Management One Commerce Plaza 99 Washington Avenue, Suite 1110 Albany, NY 12231-0001 E-mail: dos.sm.procurement@dos.ny.gov

I. INTRODUCTION

Every new American who desires to learn English should have the opportunity to do so. Their contributions to the cultural and economic prosperity of the state and localities where they have settled are significant. However, their full participation in our society may be hindered by limited language proficiency. The purpose of this RFA is to fund qualified not-for-profit organizations to provide English language learning opportunities to new Americans in their communities.

The New York State Department of State's Office for New Americans (DOS/ONA) was created in 2012 to support the integration of immigrants and refugees in the state of New York. DOS/ONA is the first state-level immigrant assistance office of its kind created by statute in the United States. DOS/ONA provides funding to trusted community organizations to deliver immigrant services in five distinct areas of works: English language learning, civics and community engagement, workforce development, health and well-being and legal assistance.

II. FUNDING AND PROJECT PERIOD

DOS/ONA is making approximately \$3,000,000 available annually in funding through this RFA to provide approximately 25 awards to partner organizations to serve as Opportunity Centers – English as a Second Language (ESOL). The initial contract period is anticipated to be one year with an opportunity for up to two annual renewals.

Continued funding is contingent upon funding availability, and the organization's ability to meet the program requirements of the contract as stipulated in this RFA. Funds for each award in the initial year is anticipated to be approximately \$120,000 per contract. Matching funds are not required for this grant program and no preference will be given to organizations that provide matching funds under this grant.

III. APPLICANT ELIGIBILITY

Minimum Requirements

1. Applicant must be a not-for-profit organization located within New York State. Not-for-profit organization shall mean any not-for-profit corporation exempt from taxation under Section 501(c)(3) of the internal revenue code.
2. Applicant must be pre-qualified through the Statewide Financial System (<https://grantsmanagement.ny.gov/register-your-organization-sfs>) as of the application due date listed on the cover of this RFA.

Subcontracting

For applicants engaging subcontractors to work under this grant, the lead applicant must provide the majority of direct programming, or more than 50 percent. Subcontractors must be a not-for-profit organization located within New York State. Not-for-profit organization shall mean any not-for-profit corporation exempt from taxation under Section 501(c)(3) of the internal revenue code.

If awarded, any grantee intending to subcontract work under this grant must complete and Memorandum of Understanding (MOU) with each subcontractor that specifies all services each partner agrees to provide. MOUs and proof of subgrantee 501(c)(3) status are required to be submitted to ONA prior to the start of services.

In addition, all letter(s) of intent must include subcontractor's Employer Identification Number (EIN) number to confirm 501(c)(3) status.

If using a subcontractor, the applicant is responsible for the performance of any services provided by the partners, consultants, or other organizations engaged and must coordinate how each subcontractor plans to participate. In addition, the subcontractor, is prohibited from subcontracting with other recipients to deliver any service under this award.

IV. APPLICATION PROCEDURES

The Request for Application is available online at <https://dos.ny.gov/funding-bid-opportunities>.

RFA Questions and Updates

All questions regarding this competitive grant program must be submitted in writing and received on or before the *Questions Due* date stated on the cover of this RFA. Questions that are received past the *Questions Due* date will not be answered. Questions should be sent via email addressed to NewAmericans@dos.ny.gov. When corresponding by e-mail, clearly indicate the subject line as **ONA Opportunity Center ESOL RFA #24-ONA-41**.

Where applicable, please refer to the RFA page number and section. No responses will be provided to inquiries made by telephone or social media.

Questions and answers will be posted on the RFA *Updates Posted* date as stated on the cover of this RFA at the following URL address: <https://dos.ny.gov/funding-bid-opportunities>.

Application Submission

Applications must be received by the Application Due date listed on the cover of this RFA. Late applications will neither be accepted nor reviewed. All applications must be complete to be considered for review. Incomplete applications may be disqualified. Applications may be submitted either electronically or mailed/hand delivered hard copy. Applications that are submitted electronically do not require submission of a hard copy by mail/hand delivery. Applicants are responsible for ensuring submissions are complete and responsive.

Electronic Applications

Applications may be submitted electronically. Electronic application forms should be signed and submitted in one pdf document to the DOS Procurement mailbox at dos.sm.procurement@dos.ny.gov. Applications should be sent to the DOS Procurement mailbox *only*. Please do not include any additional DOS staff when submitting the application. DOS strongly recommends submitting electronic applications no later than two days before the due date in case there are technical difficulties with the submittal. DOS is not responsible for applications that are not received due to technical issues. DOS will confirm receipt of applications, but the Applicant is responsible for ensuring that their application was received. Applicant acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of their application regardless of whether the original of said application is in existence. Electronic applications must be received by 11:59 pm Eastern Time on the due date listed on the front page of this RFA. Applications received after this time will not be accepted.

Mailed or Hand Delivered Applications

Applications may also be mailed or delivered by hand. One complete original application and three exact copies of each application must be submitted (for a total of four copies) to the address listed on the cover of this RFA. Applicants mailing their bid must allow sufficient mail delivery time to ensure receipt of their bid at the specified location no later than the specified date and time. Delays in United States mail deliveries or any other means of transmittal, including couriers or agents of the bidding entity shall not excuse late bid submissions. DOS cannot be responsible for the actions of your chosen carrier. Hard copy applications submitted by mail or hand delivery must be received by 4:00 pm on the due date listed on the front cover of the RFA. Applications received after this time will not be accepted.

V. GENERAL PROGRAM SERVICES

The main goal of the Opportunity Center ESOL-RFA is to fund up to 25 qualified not-for-profit organizations to provide adult ESOL classes to the new American community. The program will prepare the participant with skills and knowledge to facilitate their social, economic, and civic long term-integration.

The target population for these funds are: (i) immigrants residing in New York (ii) families of mixed status with at least one family member in New York (iii) immigrants with a sponsor in New York (iv) and/or immigrant business owners in New York. This grant serves individuals ages 18 and older.

The grantee will collect information from all clients to verify that the clients meet the target population requirements listed above.

The counties in which DOS/ONA proposes to make awards and the number of awards per county is outlined in **Appendix B**.

Services provided with these funds must be free of cost to clients.

English Language Training

Overview

Every new American who desires to learn English should have the opportunity to do so. Ensuring access to ESOL training is crucial to facilitate the participation and integration of new Americans into New York State civic, social, and economic life.

Instruction and Programming

Each ONA Opportunity Center – ESOL will provide English language classes either *in person, remotely*, or through a *hybrid* of remote and in person classes on a quarterly basis. These classes will cater to various proficiency levels. Classes should be structured to best accommodate the diverse schedules of new Americans, which may include classes scheduled during the day, night, and weekends.

Services provided virtually must adhere to New York Information Technology policies regarding accessibility of information communication technology.¹

¹ https://its.ny.gov/sites/default/files/documents/nys-p08-005_accessibility_of_information_communication_technology_2.pdf

All classes held in person at a physical location should be easily accessible to new American populations. This includes, close proximity to public transportation and ADA accessible. Each ONA Opportunity Center – ESOL offering in-person services will be allocated a designated space by the grantee with clearly identified branded signage.

ESOL Instructional Hours

Every ESOL Opportunity Center will be required to provide at least **75 hours** of ESOL instruction each quarter. At least **60** hours of this ESOL instruction must be devoted to teacher-led instruction, conducted either in person or through an online platform. In the cases of online instruction, classes must be synchronous, allowing students to interact with the instructor in real time, fostering face-to face communication opportunities.

Supplemental Learning Hours

Up to 15 hours of ESOL instruction may be offered to students by the grantee outside of the 60 synchronous learning hours described in the *ESOL Instructional Hours* section above. These hours will be considered supplemental hours.

Supplemental hours offer students non-traditional ways to practice English speaking and listening skills. The Supplemental hours will consist of utilizing mobile English platforms such as Cell-Ed funded by ONA through separate grant and will provide opportunities for students to receive feedback on their English language skills. Supplemental hours may include engaging in conversation groups for ESOL students to practice listening and speaking and participating in one-on-one tutoring sessions with teachers or volunteers.

Additionally, the grantee may also offer students the opportunity to access supplemental instructional hours through ***volunteering or participating in internships*** where students can have the opportunity to practice and improve their English language skills and develop social, civic or economic skills, that will help them integrate in their new communities. The grantee would facilitate the matching of students in volunteer and internship opportunities.

All time spent on supplemental learning activities by the student must be documented by the student and verified by the grantee.

Hours spent on completion of worksheets and homework cannot be counted towards supplemental hours.

Courses

Each ONA Opportunity Center - ESOL will be required to offer at a minimum, a **pre-literate/beginner, intermediate, and advanced level** course each quarter, however, based on need driven by student testing, the grantee may apply for a waiver from ONA to readjust classes offered.

Each course offered must provide English language students with the ability to achieve competence in reading, writing, speaking, and comprehension of the English language.

All classes, whether taught in person or via online platform, must be led by a paid *qualified instructor*.

Classes that are solely to prepare students for the Citizenship exam are not permitted.

Curricula

The curriculum used will maintain central focus on English acquisition, in which teaching new Americans how to read and write in English is the main goal.

High school equivalency and GED preparation may be included in curriculum if there is a demonstrated need for such topics.

Qualified Instructors

All instructors teaching ESOL classes under this grant must be paid for their services.

The minimum qualifications for the ESOL instructor on this grant are a certificate in teaching ESOL, such as Certificate in Teaching English to Speakers of Other Languages (CELTA), **or** two years of demonstrated ESOL teaching experience. In addition, for American Sign Language (ASL) instructors teaching both ESOL and ASL students, the instructor must have either Provisional or Qualified and Professional certifications from the American Sign Language Teachers Association (ASLTA) **or** equivalent certification from an accredited source. If a supplemental instructor is only teaching an ASL class, that individual does not need the CELTA and/or two years of demonstrated ESOL teaching experience.

Opportunity Centers may repurpose existing staff members for the ESOL instructor position as long as they meet the minimum qualifications.

Applicants are required to submit documentation supporting the certification/teaching experience of their ESOL instructors as part of the application and retain such documentation throughout the duration of the grant.

Volunteers

ONA Opportunity Centers - ESOL are strongly encouraged to recruit, train, and incorporate community volunteers to support ESOL programming. Applicants proposing to use volunteers will receive additional points in the evaluation.

These community volunteers may assist with supplemental activities including one-on-one tutoring, conversation groups, provide students with volunteer or internship opportunities, provide administrative support, assist with client registration, and provide outreach assistance for the ESOL program.

Applicants choosing to utilize volunteers must train volunteers, document the training, and such documentation must be made available at ONA's request. Volunteers are required to always maintain client confidentiality.

Opportunity Centers - ESOL must track volunteer hours, services provided, and report said hours and services to ONA.

Registration

Each ONA Opportunity Centers – ESOL will be expected to have enrolled a total of 220 unique students by the end of the grant year. Students may register for classes at any point during the grant year.

At any point in time during the year, a minimum of 40 students must be enrolled.

Grantees must ensure that a minimum of 154 unique students complete a minimum of 75 hours of instruction in a year, or obtain employment, whichever comes first. If students complete 75 hours prior to the end of the year, they may be re-registered.

ESOL Participant Assessment

Initial client assessments should take place prior to the beginning of their first class in order to determine the competency level in English or ASL. Additionally, all students will be tested upon completion of 75 hours.

Client assessments and post-testing should be accomplished with the standard assessment instruments approved by ONA. Some instruments may include but are not limited to the Test of Adult Basic Education (“TABE”); the BEST Plus (computer or print-based); and/or the BEST Literacy.

Exit Survey

After a completion of 75 hours, students will be required to complete an exit survey. If a client leaves the program prior to completion of 75 hours, the grantee will be responsible for conducting this exit survey with the client to the greatest extent possible.

The client will need to complete, as part of the exit survey, an evaluation of the instructors and the content of the classes.

VI. ADDITIONAL REQUIREMENTS

ONA Quarterly Calls and ONA Monthly Webinars

At least one representative from each ONA Opportunity Center-ESOL will be required to join via phone or internet DOS/ONA’s webinars. If, due to extenuating circumstances, a representative at the ONA Opportunity Center –ESOL is not available during the webinar, they may watch the recording afterwards.

On average these webinars are held monthly to assist and connect the ONA Network agencies with State and, at times, national immigrant services, as well as provide the most up to date information on relevant programs affecting the immigrant community.

ONA Hotline

ONA Opportunity Center-ESOL will advise students of the Office for New Americans’ multi-lingual, toll-free immigration assistance hotline, which responds to general questions about immigration and naturalization benefits, requirements, and procedures. ONA Opportunity Center-ESOL will be expected to share contact information and ESOL class schedule with ONA, who will share with the ONA hotline monthly. ONA Opportunity Center-ESOL will be expected to ensure that the ONA hotline number is included on outreach and marketing materials promoting services under this grant.

Reporting

All ONA Opportunity Center- ESOL contractors will be required to adhere to quarterly reporting requirements, as well as on-site inspections by DOS/ONA staff.

VII. ELIGIBLE COSTS

Eligible Direct Grant Expenses:

Grantees will be reimbursed for expenses that directly support activities being performed under the grant and can be specifically identified with a project, program, or activity, or that can be directly assigned to such activities relatively easily and with a high degree of accuracy.

Grantee costs that are shared across funding sources shall be properly allocated across those funding sources. A cost allocation plan for shared costs will be required at the beginning of the contract year and at the time of any budget variance request. All grantees must ensure appropriate back-up documentation is submitted with reimbursement requests. Allocated expenses should be captured at the beginning of a

contract year; DOS will not allow the addition of expenses later in the grant year to spend down remaining funds.

Direct costs can include:

1. Salaries and associated fringe for employees directly providing services described above and under the required activities in the workplan of the contract. Salaries and associated fringe for their direct supervisors may also count towards direct costs if budgeted. For all employees charged under the grant, ONA will only reimburse for actual time spent and documented on grant activities. Timesheets demonstrating actual time spent on grant activities are required by DOS.
2. Travel directly benefiting the required activities of this grant, which includes travel to perform required activities.
3. Supplies which are necessary and directly benefiting the required activities of this grant including toner, paper, etc.
4. Equipment purchases directly related to and for use of the provision of services set forth in the agreement (e.g. portion of computer purchase for personnel charged to the grant, or purchase of cell phone for personnel charged to the grant) to support program activities. However, equipment purchases will only be allowed in the first year of the grant, unless the equipment is used to support a newly created position.
5. Costs to develop limited outreach materials to promote this program and resources for use during grant-funded services. Marketing costs are not considered outreach. (Note: These materials and associated costs must be approved by ONA before they are purchased and must include the ONA logo and ONA Hotline number).
6. Consortium members/subcontractors who provide direct services required under the grant. For grantees engaging subcontractors to work under this grant, the lead grantee must provide the majority of direct programming.
7. Rent and utilities allocated to direct positions providing services required under the workplan of the contract. Please note that space costs such as cleaning costs, maintenance work, alarm systems, and pest control are not considered direct costs under this grant, but may be charged under the administrative rate.
8. Contractual services may be allocated to cover leased equipment used for direct services including leased printers, copiers, telephone, and internet charges for staff charged to the grant, etc. These costs must be included in the cost allocation plan.
9. Costs to shred and discard sensitive client documentation required under the grant. Shredding will only be allowed for reimbursement for discarding of sensitive client documentation related to this grant.
10. Personal protective equipment (PPE) for clients and staff necessary for safety of in person activities charged under this grant.
11. Funds necessary to provide interpretation and translation services necessary for providing delivery of services under this grant.
12. All costs shall be reasonable and incurred in the delivery of the services described in this RFA. Incidental costs or those submitted to expend remainder dollars that are not in the direct delivery of services are ineligible. All costs will be reimbursed based on date that the services are rendered.

Please note that office furniture, professional certification fees, and professional development, such as bar admission, DOJ application fees, cost to attend CLEs and conferences, are not considered direct costs under this grant, however, they can be included in the administrative expenses, described below.

Administrative Expenses:

ONA will allow an administrative cost rate of up to 10% of available funding to be applied to this grant for both the prime grantee and any subcontractors under this grant. This will allow the grantee or

subcontractor to receive funding for administrative costs associated with service delivery. Under this grant, federally approved indirect cost rates will not be allowed.

Administrative expenses are those expenses authorized and allowable pursuant to applicable agency regulations, contracts, or other rules that govern reimbursement with State funds, or State-authorized payments that are incurred in connection with the covered provider's overall management and necessary overhead that cannot be attributed directly to the provision of program services. Please note that the grantee must retain backup documentation detailing how administrative funds were spent. This back up must be made available for review by Department of State personnel upon request.

VIII. INELIGIBLE EXPENSES

The following costs are not allowable for reimbursement under this grant:

1. Capital expenses, including but not limited to, non-personal service expenditures for the purchase, development, installation, and maintenance of real estate or other real property.
2. Taxes, payments in lieu of taxes, or assessments paid to any unit of government.
3. Equipment rental, depreciation and interest expenses, including expenditures for personal or agency-owned vehicles and fixed, major movable and adaptive equipment, and equipment that is expensed (rather than depreciated) in cost reports.
4. Expenses of an amount greater than \$10,000 that would otherwise be administrative, except that they are either non-recurring (no more frequent than once every five years) or not anticipated by a covered provider (e.g., litigation-related expenses). Such expenses shall not be considered administrative expenses or program expenses for purposes of this funding opportunity.
5. That portion of the salaries and benefits of staff performing policy development or research, unless the policy development or research directly support the grant.
6. Contingency provisions.
7. Fines and penalties.
8. Bad debts.
9. Donations or contributions.
10. Entertainment costs, including but not limited to food and beverages for clients, volunteers, and/or staff.
11. Idle facilities and idle capacity.
12. Interest expenses.
13. Lobbying expenses.
14. Losses on other sponsored agreements or contracts.
15. Costs of fundraising, including financial campaigns, endowment drives, solicitation of gifts and bequests, meetings relating to fundraising, and similar expenses incurred solely to raise capital or obtain contributions.
16. Profit/Fee is not allowable except when subcontracting for routine goods and services with commercial organizations.
17. Out of State travel and foreign travel.
18. Costs prior to the contract start date.
19. Funding for proposal development.
20. Advertising for purposes other than the recruitment of clients.
21. Public relations, other than for reporting to ONA.
22. Costs that do not directly support the project. Incidental costs or those submitted to expend remainder dollars that are not in the direct delivery of services are ineligible.
23. Subcontracting for any services other than those described in Section III of this RFA.
24. Incentives for client and/or volunteer participation in the program including food or refreshments.

IX. COMPLETING THE APPLICATION

The following components are required to be included in the application for the submission to be considered complete:

Application Format

A. Administrative Forms

1. All applicants are required to submit the contact information sheet found in Appendix A indicating a contact person to whom correspondence regarding this application can be directed. Applicants should reference Appendix B for the list of counties for which they can apply and list that on the form. This should be submitted with the application as **Attachment 1: Contact Sheet.**
2. Applicants are required to submit the MWBE Compliance Form found on the DOS website at <https://dos.ny.gov/supplier-diversity>. The form should be submitted as **Attachment 2: MWBE Compliance Form.**
3. Applicants are required to complete and submit the Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia found here as EO 16 Certification form: <https://dos.ny.gov/procurement-forms>. This form should be submitted as **Attachment 8: EO 16 Certification.**

B. Minimum Qualifying Criteria

1. Submission of the application on or before the due date and time listed on the cover of this RFA and in Section IV
2. Submission of separate application for each County if the applicant wishes to apply for more than one County.
3. Submission of proof of Section 501(c)(3) IRS status. This proof should be submitted with the application as **Attachment 3: 501(c)(3) IRS status.**
4. Prequalification of applicant in the Statewide Financial System (<https://grantsmanagement.ny.gov/register-your-organization-sfs>) as of the application due date.

Failure to meet these minimum qualification(s) may result in disqualification.

Sections C through E are application narratives. There is no page limit. Applicants are encouraged to submit an organized narrative addressing the following:

C. Organizational Experience

1. Describe the organization's experience working with new American populations. Include number of years providing services to new Americans within the county being proposed.
2. Describe the organization's experience in providing ESOL classes. Describe the curriculum utilized by the organization, and the levels of courses offered. Describe how the curriculum utilized by the organization led to English language proficiency increases. Demonstrate that

the organization's ESOL classes served at least 220 individuals a year.

D. Organizational Capacity:

1. Demonstrate the organization's capacity to integrate the proposed program into its overall operations. Describe how the proposed program and program staff will relate to the overall organization. Please include an organizational chart showing the applicant's organization and the proposed program with the submitted application. Include at least one paid teacher under this grant on this chart. Submit the organizational chart as **Attachment 4 Organizational Chart.**
2. Prepare a timeline to delineate when crucial stages of preparation for the provision of the requested services will begin (e.g., hiring of staff, acquisition of necessary technology, outreach to low-income new American communities, and official start of ESOL classes). The timeline should indicate the start date for ESOL services including client registration and the date classes will begin. Applicant must show ability to start immediately following award.
3. For applicants that anticipate employing a new ESOL instructor and/or a new ASL instructor, describe plans to recruit an instructor that meets the basic requirements of an ESOL instructor (CELTA or two years of demonstrated ESOL teaching experience) and/or an ASL instructor (Provisional or Qualified and Professional certifications from the American Sign Language Teachers Association (ASLTA) or equivalent certification from an accredited source.) including a sample of the job description. This should be submitted with the application as **Attachment 5: ONA ESOL Instructor Qualifications.**
4. For applicants that anticipate repurposing an ESOL or ASL instructor already employed at the organization, demonstrate that this instructor meets the basic requirements of (i) an ESOL instructor including CELTA, or two years of demonstrated ESOL experience and/or (ii) an ASL instructor (Provisional or Qualified and Professional certifications from the American Sign Language Teachers Association (ASLTA) or equivalent certification from an accredited source.). This should be submitted with the application as **Attachment 5: ONA ESOL Instructor Qualifications.**
5. Describe the agency's outreach capacity and outreach plan within the new American community, describing events regularly attended, dedicated outreach staff, and methods through which the agency regularly promotes programming. The outreach plan should be attainable and sustainable for the duration of the grant contract. The outreach plan should demonstrate that the applicant will be able to register 220 students annually.
6. Describe the proposed location(s) in which classes will be held. Describe how the location will adequately and appropriately accommodate the program activities. For in person classes, include information regarding the accessibility of the facilities for new American populations, including proximity to public transportation and ADA accessibility. If classes will be held remotely via an online platform, describe platform used, security measures to keep classes and workshops secure, and user accessibility consistent with New York State IT policies regarding accessibility of information communication technology.
7. Describe if volunteers will be used under this grant. Describe the volunteer training plan, including how volunteers will become familiar with the organization, with ONA, their jobs and responsibilities, and demonstrated safeguards in place to ensure volunteers will maintain client confidentiality.

E. Program Proposal:

1. Describe how the proposed ONA Opportunity Center – ESOL will provide English language classes to best accommodate the varying working schedules of new American communities in the applicant’s geographic area.
2. Describe the proposed curriculum including classroom driven instruction and supplemental ESOL offerings. Describe how the agency will provide seventy-five (75) hours of ESOL instruction per quarter, of which sixty (60) are teacher led.
3. Describe the number and types of classes offered (beginning, intermediate, and advanced, and any ASL classes). Describe proposed class schedule each quarter, including times held, and describe how this schedule will meet the needs of new Americans in the county proposed.
4. Describe the pre-test and post-test that will be administered. Describe how these tests will be used to place students into class levels and how they will be used to effectively measure proficiency.
5. Describe the applicant’s proposed retention plan to encourage a minimum of 154 students complete 75 ESOL hours annually. Include opportunities offered by the Center for students to make up any missed instruction.
6. Describe how the program promotes social participation, respect and social inclusion, civic participation and employment, or communication and information.

F. Budget

All applicants are required to submit their proposed budget using the budget template found in Appendix C. This should be submitted with the application as **Attachment 6: “Budget Summary”** with the following:

1. A detailed and realistic budget for the first year for no more than \$120,000. Budgets should contain allowable, reasonable, allocable and necessary costs that directly support program activities, using the ONA budget summary form in Appendix C. Administrative costs cannot exceed 10% of the budget.
2. Using the ONA budget summary form in Appendix C, provide a narrative description clearly linking costs to specific proposed services and activities. The narrative should clearly justify all costs proposed in the budget as they directly relate to project costs outlined in the RFA and should not include any ineligible costs as described in Section VIII.

X. EVALUATING THE APPLICATION

The evaluation criteria are designed to assess the quality of the proposed project and to determine likelihood of success. The evaluation criteria are holistic in judging the overall quality of an application. Points are awarded only to applications which respond to the evaluation criteria within the context of this program announcement. The contract awards will be made to the applicants whose proposals are determined to best meet the criteria for proposal evaluation and selection set forth in this RFA.

Initial ONA Screening: Each application will be screened by a DOS/ONA staff team to determine if the application meets the minimum eligibility requirements and to determine its completeness. Incomplete

applications and applications that do not meet the minimum eligibility requirements may be disqualified; applicants will be notified of such disqualification. Applications that exceed the funding limits described in this RFA will be scored as submitted but budgets will be reduced prior to contract award and execution.

The following minimum criteria must be met to qualify applications for review. Failure to meet the following criteria may result in disqualification of the application:

1. Application was submitted on or before the due date and time listed on the cover of this RFA and in Section IV.
2. If any applicant wishes to apply for more than one County, a separate application was submitted for each County.
3. The applicant was prequalified in the Statewide Financial System (SFS) as of the application due date.
4. Applicant is a not-for-profit organization with a Section 501(c)(3) IRS status.

Review & Scoring: Applications that pass the initial screening will be evaluated by the DOS/ONA Review Team. Reviewers will use the evaluation criteria listed below to review and score applications. The corresponding values indicate the importance that ONA places on each evaluation criterion. Each reviewer will assign a score up to a maximum of 100 points to each application; individual scores will be averaged, carried out to two decimal places, to determine the applicant's final score. In the event that there is a tie between final scores for any applications received, the tie will be broken based on technical score, eliminating the Budget score. If the scores for technical is tied, the final criteria to be used will be first received in the Bureau of Fiscal Management. **To be considered as a passing application, the agency must have a minimum score of 60.00 or higher.** Applications that receive less than the minimum score may be disqualified.

Application Evaluation

A. Organizational Experience (20 points):

1. The applicant described the organization's experience working with new American populations. The applicant's description included number of years providing services to new Americans within the county being proposed.
2. The application:
 - a. Described the organization's experience in providing ESOL classes.
 - b. Described the curriculum utilized by the organization, and the levels of courses offered.
 - c. Described how the curriculum utilized by the organization led to English language proficiency increases.
 - d. Demonstrated that the organization's ESOL classes served at least 220 individuals a year.

B. Organizational Capacity (25 points):

1. The application:
 - a. Demonstrated the organization's capacity to integrate the proposed program into its overall operations.
 - b. Described how the proposed program and program staff will relate to the overall organization. The applicant included an organizational chart showing the applicant's organization and the proposed program with the submitted application. Included at least one paid teacher under this grant on this chart. The applicant submitted the organizational chart as **Attachment 4: Organizational Chart.**
2. The applicant:
 - a. Prepared a timeline to delineate when crucial stages of preparation for the provision of the requested services will begin (e.g., hiring of staff, acquisition of necessary technology, outreach to low-income new American communities, and official start of ESOL classes).
 - b. The timeline indicated the start date for ESOL services including client registration and the date classes will begin.
 - c. Applicant showed ability to start immediately following award.
3. For applicants that anticipate employing a new ESOL instructor and/or a new ASL instructor:
 - a. Applicant described plans to recruit an instructor that meets the basic requirements of an ESOL instructor (CELTA or two years of demonstrated ESOL experience) and/or an ASL instructor (Provisional or Qualified and Professional certifications from the American Sign Language Teachers Association (ASLTA) or equivalent certification from an accredited source.) including a sample of the job description.
This was submitted with the application as **Attachment 5: ONA ESOL Instructor Qualifications.**
4. For applicants that anticipate repurposing an ESOL or ASL instructor already employed at the organization:
 - a. Applicant demonstrated that this instructor meets the basic requirements of (i) an ESOL instructor including CELTA or two years of demonstrated ESOL experience and/or (ii) an ASL instructor (Provisional or Qualified and Professional certifications from the American Sign Language Teachers Association (ASLTA) or equivalent certification from an accredited source). This was submitted with the application as **Attachment 5: ONA ESOL Instructor Qualifications.**
5. The applicant described:
 - a. The agency's outreach capacity and outreach plan within the new American community including events regularly attended, dedicated outreach staff, and methods through which the agency regularly promotes programming.
 - b. An outreach plan that is attainable and sustainable for the duration of the grant contract.
 - c. An outreach plan that demonstrates that the applicant will be able to register 220 students annually.

6. The applicant described:
 - a. The proposed location(s) in which classes will be held.
 - b. How the location will adequately and appropriately accommodate the program activities. For in person classes, this included information regarding the accessibility of the facilities for new American populations, including proximity to public transportation and ADA accessibility. If classes will be held remotely via an online platform, this described platform to be used, security measures to keep classes and workshops secure, and user accessibility consistent with New York State IT policies regarding accessibility of information communication technology.

7. If volunteers will be used, the applicant described:

The volunteer training plan, including how volunteers will become familiar with the organization, with ONA, their jobs and responsibilities, and demonstrated safeguards in place to ensure volunteers will maintain client confidentiality.

C. Program Proposal (35 points):

1. The applicant described how the proposed ONA Opportunity Center – ESOL will provide English language classes to best accommodate the varying working schedules of new American communities in the applicant’s geographic area.
2. The applicant:
 - a. Described the proposed curriculum including classroom driven instruction and supplemental ESOL offerings.
 - b. Described how the agency will provide seventy-five (75) hours of ESOL instruction per quarter, of which sixty (60) are teacher led.
3. The applicant:
 - a. Described the number and types of classes offered (beginning, intermediate, and advanced, and any ASL classes).
 - b. Describe proposed class schedule each quarter, including times held.
 - c. Described how this schedule will meet the needs of new Americans in the county proposed.
4. The applicant:
 - a. Described the pre-test and post-tests that will be administered.
 - b. Described how these tests will be used to place students into class levels and how they will be used to effectively measure proficiency.
5. The applicant:
 - a. Described the applicant’s proposed retention plan to encourage the maximum number of students to complete 75 ESOL hours annually.
 - b. Included opportunities offered by the Opportunity Center-ESOL for students to make up any missed instruction.
 - c. Demonstrated that the agency will be able to have a minimum of 154 students complete a minimum of 75 hours of instruction each year.

6. The applicant:
 - a. Described how the program promotes social participation, respect and social inclusion, civic participation and employment, or communication and information.

D. Budget (20 Points)

The applicant submitted budget as **Attachment 6: “Budget Summary”** with the following:

1. The applicant submitted a detailed and realistic budget for the first year for no more than \$120,000. The budget contained allowable, reasonable, allocable and necessary costs that directly support program activities, using the ONA budget summary form in Appendix C. Administrative costs did not exceed 10% of the budget.
2. Using the ONA budget summary form in Appendix C, the applicant provided a narrative description that clearly linked costs to specific proposed services and activities. The narrative clearly justified all costs proposed in the budget as they directly relate to project costs outlined in the RFA and did not include any ineligible costs as described in Section VII.

XI. METHOD OF AWARD

Under this RFA, approximately 25 grants up to the amounts indicated in Section II will be made based on rank order of final scores for each county until allocated funds are fully distributed. Anticipated number of awards for each county can be found in Appendix B. Awardees should be prepared to negotiate and execute subject contracts quickly.

Work related expenses incurred prior to contract execution are not authorized and may not be reimbursed if the awardee fails to negotiate a contract in good faith.

XII. CONTRACTING REQUIREMENTS

Standard Contract: Successful applicants must enter into a standard contract with DOS which includes, among other requirements, an approved budget and work plan, any attachments or exhibits, and compliance with Article 15-A of the New York Executive Law. The contract includes financial reporting requirements, including procurement procedures. The contract may be subject to approval by the Attorney General and State Comptroller, require submission of final products in both hard copy and electronic form, and be subject to payment only upon proper documentation and compliance with payment procedures and all other contractual requirements. A copy of a sample standard contract can be found as Appendix D. Sample contracts should not be submitted with this proposal; successful applicants will receive a contract package to complete.

Project Period: The initial contract period under all parts of this RFA is anticipated to be one year with the option of two additional one-year renewals. Failure to incur all expenses or complete all identified outcomes in the stated period may result in loss or recapture of funds.

Vendor Responsibility Questionnaire: DOS strongly recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at [Enroll in the VendRep System | Office of the New York State Comptroller \(ny.gov\)](#) or go directly to the VendRep System online

at [New York State Comptroller - Online Services](#). Vendors 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 Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at itservicedesk@osc.state.ny.us. Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website www.osc.state.ny.us/vendrep or may contact DOS or the Office of the State Comptroller's Help Desk for a copy of the paper form.

XIII. CONTRACT DEVELOPMENT PROCESS

Successful applicants will be notified of funding decisions through issuance of a Notice of Award document that sets forth the amount of funds granted and the terms and conditions of the grant award, which are subject to approval by the Office of the State Comptroller.

DOS/ONA will begin the contract development process with the successful applicants when the award is announced. Successful applicants may be asked to provide updated work plans and payment schedules that specify the services to be delivered, project goals, claiming process, and other information. The contract will include, but not be limited to, standard terms and conditions such as confidentiality of records, publications, and contract termination. The proposal of the successful applicant will serve as the basis for additional contract terms, which will be modified within the context of this RFA. The contract will constitute a legal agreement between the selected applicant and DOS/ONA and will be in force for the full period of the contract.

The initial term will be for one year. The contract will have the option for two one-year renewals. All plans and working documents prepared by the applicant(s) under the contract to be awarded will become the property of the State of New York.

Unsuccessful applicants may request the opportunity to be debriefed. Requests must be made in writing within 15 calendar days of receipt of the Notice of Non-award to the same address to which applications are submitted. In the event unsuccessful bidders wish to protest the award resulting from this RFA, bidders should 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 Guide to Financial Operations (GFO), available on-line at: <http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>

XIV. PAYMENT

The contractor, at the discretion of DOS, may receive an advance up to 25% of the initial contract amount upon request. Thereafter, each grantee will be reimbursed for expenses incurred pursuant to grant related activities including salary, benefits, travel, and related expenses. No payments will be made until the contract is fully executed and signed by the State Comptroller and the State Attorney General, if applicable.

XV. PROGRAM ASSESSMENT AND MONITORING

RECORD KEEPING

The contractor must maintain current and accurate fiscal and accounting controls to support its claims for payment. Records must adequately identify revenue sources and expense items for all contracted activities. Accounting records must be supported by clear documentation for all funds received and disbursed. Records must be retained and be accessible for a period of six years from the end of the contract or last payment or last contract transaction, whichever is later. If any claim, audit, litigation, or State/Federal investigation is commenced before the expiration of the records retention period, the records must be retained by the contractor until all claims or findings regarding the records are finally resolved. DOS/ONA or its designee

shall have access to any records relevant to the project (including books, documents, photographs, correspondence, and records), for audits, examinations, transcripts, and excerpts. If DOS/ONA determines that such records possess long-term or historic value, they must be transferred, upon request, to DOS/ONA.

MONITORING

ONA will monitor projects on a regular basis throughout the life of the contract. Monitoring may include, but not be limited to, site visits, regular telephone contact, and/or discussions of progress reports. The goals of project monitoring are to ensure that the terms of the contract are being met and to provide technical assistance, where necessary, to help the contractor meet the terms of the contract.

XVI. AMENDMENTS TO THE CONTRACT

Amendments and modifications to executed contracts are sometimes necessary to accommodate the needs of both the contractor and DOS/ONA. These changes, which must be by mutual written agreement, may include modification to reimbursement schedules, time and money amendments, or no-cost extensions as necessary. Contract modifications, including amendments and no-cost time extensions, will be made at the discretion of DOS/ONA with the approval of the Office of the State Comptroller.

XVII. GENERAL TERMS AND CONDITIONS

This RFA and any contract resulting from this RFA are subject to all applicable laws, rules and regulations promulgated by any Federal and State authority having jurisdiction over the subject matter thereof. Any contract awarded pursuant to this RFA will be subject to DOS processing procedures for contracts of this type, including approval as to form by the State Attorney General, and as to award by the NYS Division of Budget and NYS Office of the State Comptroller. DOS/ONA reserves the right to terminate or modify the contract due to the unavailability of funds, unsatisfactory performance, in the best interests of the State, or as otherwise written in the contract. Pursuant to the New York State Procurement Guidelines, DOS reserves the right to:

1. Reject any or all applications received in response to the RFA;
2. Withdraw the RFA at any time, at DOS's sole discretion;
3. Make an award under the RFA in whole or in part;
4. Disqualify any applicant whose conduct and/or application fail to conform to the requirements of this RFA;
5. Seek clarifications and revisions of applications;
6. Use application information obtained through site visits, management interviews and the state's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or other information submitted by the applicant in response to the DOS's request for clarifying information in the course of evaluation and/or selection under the RFA;
7. Prior to the application due date, amend the RFA specifications to correct errors or oversights, or to supply additional information as it becomes available;
8. Prior to the application due date, direct applicants to submit application modifications addressing subsequent RFA amendments;
9. Change any of the scheduled dates;

10. Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective applicants;
11. Waive any requirements that are not material;
12. Negotiate with successful applicants within the scope of the RFA in the best interests of the State;
13. Conduct contract negotiations with the next eligible applicant, should DOS be unsuccessful in negotiating with a selected applicant;
14. Use any and all ideas submitted in the applications received;
15. Require clarification 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 RFA;
16. Waive or modify minor irregularities in applications received after prior notification to the applicant;
17. Make awards based on geographic distribution;
18. Not fund an application that fails to submit a clear and concise work plan or budget;
19. Adjust or correct cost figures with the concurrence of the applicant if errors exist and can be documented to the satisfaction of the DOS and the State Comptroller;
20. Award more than one contract resulting from this RFA;
21. In its sole discretion, determine the total number of awards to be granted pursuant to this RFA;
22. Offer partial or no funding to any applicant if its application cannot fulfill its proposed program within the funding restrictions herein;
23. Make additional awards if funding becomes available;
24. Require reporting on forms designed for use solely for this procurement; and
25. Not to make any awards pursuant to this RFA. This RFA does not commit DOS/ONA to award any contracts, to pay the costs incurred in the preparation of a response to this RFA, or to procure or contract for service.

XVIII. MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES PARTICIPATION

New York State Law

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 Department of State is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of Department of State contracts.

Business Participation Opportunities for MWBEs

The Department’s New York State-certified MWBEs utilization goal is 30%. For purposes of this solicitation, the specific MWBE goal and the breakdown between the Minority-owned Business Enterprise (“MBE”) and the Women-owned Business Enterprise (“WBE”) utilization goals shall be established post award and set forth in the Department of State contract, in the Attachment B “Budget” (based on the current availability of MBEs and WBEs).

A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFA, the respondent agrees that Department of State may withhold payment pursuant to any Contract awarded as a result of this RFA pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at <https://ny.newnycontracts.com/>. For guidance on how Department of State will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25 percent of the total value of the broker’s contract.

FOR CONSTRUCTION CONTRACTS – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60 percent of the total value of the supplier’s contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE.

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 Department of State 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 MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

Applicants are required to submit the MWBE Compliance Form (Found here: <https://dos.ny.gov/supplier-diversity>) with their application.

Additionally, successful applicants will be required to submit an MWBE Utilization Plan (Form D) *or* MWBE Compliance Certification Letter (Form D-1) stating their commitment to show due-diligence to comply with the MWBE goals and requirements within ten (10) business days after the applicant receives

notice from the Department of State that the grant is being awarded as evidence of compliance with the foregoing. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to the Department of State for review and approval.

The Department of State shall review the submitted MWBE Utilization Plan and issue a written notice of acceptance or notice of deficiency within 20 days of receipt of utilization plan.

If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the Department of State a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Department of State to be inadequate, the Department of State shall notify the respondent and direct the respondent to submit, within five (5) 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. Please see details under **“Additional Notices and Explanations Regarding the MWBE Program and this Request for Applications.”**

The Department of State may disqualify a respondent as being non-responsive under the following circumstances:

- a) If a respondent fails to submit an MWBE Utilization Plan or certification letter
- 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; or
- d) If the Department of State determines that the respondent has failed to document good faith efforts.

Successful applicant(s) will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to Department of State but must be made no later than prior to the submission of a request for final payment on the Contract.

Successful applicant(s) will be required to submit a quarterly MWBE Contractor Compliance & Payment Report to the Department of State 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.

The Agency may require the Contractor to use the NYSCS to submit utilization plans, record payments to subcontractors and otherwise report compliance with the provisions of Article 15-A of the Executive Law and regulations. Technical assistance can be obtained through the NYSCS website at <https://ny.newnycontracts.com> by clicking on the “Contact Us & Support” link.

Questions regarding this program should be directed to the Department's Minority and Women-owned Business Program by calling (518) 474-2754. Potential contractors can access the NYS Directory of Certified Minority and Women-owned Business Enterprises on-line through the Empire State Development website at <https://ny.newnycontracts.com>. The Department makes no representation with respect to the availability or capability of any business listed in the Directory.

Additional Notices and Explanations Regarding the MWBE Program and Successful Applications to this Request for Applications:

If your project is selected for an award, you will be required to show due diligence to comply with all the MWBE contractual requirements, including meeting the goals for certified MWBE firm's participation as stated in your Contract and in accordance with NYS Executive Law Article 15-A.

If an applicant chooses to move forward with a project prior to any award announcement, they are responsible for meeting MWBE requirements established by the State of New York. The requested plan, as described herein, is intended to help an applicant think about how to comply with the regulations and provide information showing their due diligence to comply with the MWBE requirements.

If you are unable to comply with the MWBE goals, you must request a waiver of these requirements by submitting to the Department of State the Request for Waiver - Form E for processing. Please note that the following information will be required to secure the waiver (all items may not apply to your case, but provide information and documentation for those that apply):

1. A DETAILED statement with the project description (any special characteristics, needs, specifications, etc.), and an explanation setting forth your basis and justification for requesting a partial or total waiver of the MWBE goals.
2. The names of general circulation, trade association, and MWBE-oriented publications in which you solicited certified MWBEs for the purposes of complying with your participation goals related to this Contract.
3. A list identifying the date(s) that all solicitations for certified MWBE participation were published in any of the above publications.
4. A list of all certified MWBEs appearing in the NYS Directory of Certified Firms that were solicited for purposes of complying with your certified MWBE participation levels.
5. Documentation of your search in the NYS Directory of Certified Firms (e.g.: Printouts, screenshots).
6. Copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing and copies of such solicitations, or a sample copy of the solicitation, if an identical solicitation was made to all certified MWBEs. Any information and/or documentation to support the efforts to follow up with the MWBEs.
7. Copies of responses to your solicitations received by you from certified MWBEs.
8. A description of any contract documents, plans, or specifications made available to certified MWBEs for purposes of soliciting their proposals and the date and manner in which these documents were made available.
9. Documentation of any negotiations between you and the MWBEs undertaken for purposes of complying with the certified MWBE participation goals.
10. Any other information you deem relevant which may help us in evaluating your request for a waiver.
11. The name, title, address, telephone number, and email address of your representative authorized to discuss and negotiate this waiver request.

12. Copy of notice of application receipt issued by Empire State Development (ESD), if subcontractors are not certified MWBE, but an application has been filed with ESD.

XIX. EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

By submission of a proposal in response to this solicitation, the respondent agrees with all of the terms and conditions of the New York State Contract for Grants including Appendix A - Equal Employment Opportunities for Minorities and Women. The respondent is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 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, creed, 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.

Additionally, successful applicants will be required to submit a Minority and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement (Form A) within ten (10) business days after the applicant receives notice from the Department of State that the grant is being awarded as evidence of compliance with the foregoing. This form should be submitted to the Bureau of Fiscal Management at:

MWBE Unit

Email: dos.sm.mwbe@dos.ny.gov

Phone: 518-474-2754

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 age, race, creed (religion), color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status or status as a victim of domestic violence or because the individual has opposed any practices forbidden under the Human Rights Law or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law, 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 requirements detailed in Sections XIX and XX 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.

XX. SERVICE-DISABLED VETERAN-OWNED BUSINESSES PARTICIPATION

Article 3 of Veteran's Law authorized the creation of the Division of Service-Disabled Veterans' Business Development to promote participation of Service-Disabled Veteran-Owned Businesses (SDVOBs) in New York State contracting. The Service-Disabled Veteran-Owned Business Act recognizes the veterans'

service to and sacrifice for our nation, declares that it is New York State's public policy to promote and encourage the continuing economic development of service-disabled veteran-owned businesses, and allows eligible Veteran business owners to become certified as a New York State SDVOBs, in order to increase their participation in New York State's contracting opportunities. To this effect, the Department of State (DOS) has implemented a Veteran-Owned Businesses (SDVOB) Program, as mandated by Article 3.

DOS's SDVOB utilization goal is 6%. To comply with this goal, DOS strongly encourages grantees to make every effort, to the maximum extent possible, to engage certified SDVOBs in the purchasing of commodities, services and technology in the performance of their contracts with the Department. If SDVOB utilization is obtained, a quarterly SDVOB utilization report should be submitted to the Department with information of the utilization percentage achieved during that quarter. Contractor Reporting Forms are found at: <https://dos.ny.gov/supplier-diversity> .

The Division of Service-Disabled Veterans' Business Development (DSDVBD) is housed within the New York State Office of General Services (OGS) and maintains a directory of the NYS Certified SDVOBs. For assistance with engaging SDVOB vendors in your contracts, please contact the DSDVBD at the following email address: VeteransDevelopment@ogs.ny.gov, or the DOS Bureau of Fiscal Management – SDVOB Program at dos.sm.sdvob@dos.ny.gov. The directory of certified SDVOB vendors can be found at: <https://sdves.ogs.ny.gov/business-search>.

XXI. APPENDICES

- Appendix A: Contact Cover Page
- Appendix B: Regional Identification Sheet
- Appendix C: Budget Summary

APPENDIX A

CONTRACT COVER PAGE

Submit as Attachment 1

County Applying for:

Applicant (Organization) Name:

Executive Director:

Application Point of Contact:

Point of Contact Phone:

Point of Contact E-mail:

Executive Address:

By 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.

By signing below, you certify that you are authorized on behalf of the applicant and its governing body to submit this application. You further certify that all of the information contained in this Application and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving assistance for the project described in this application are true, correct and complete to the best of your knowledge and belief.

Signature

Date

APPENDIX B

REGIONAL IDENTIFICATION SHEET

Counties	Number of Proposed Centers
Albany	1
Bronx	1
Broome	1
Chautauqua	1
Clinton	1
Columbia	1
Dutchess	1
Erie	1
Jefferson	1
Kings	2
Monroe	1
Nassau	1
New York	1
Oneida	1
Onondaga	1
Orange	1
Queens	2
Richmond	1
Rockland	1
Saratoga	1
Suffolk	1
Westchester- Outside Yonkers	1
Westchester- Yonkers	1
Total	25

APPENDIX C

BUDGET SUMMARY

Submit as Attachment 6

Applicant

Name: _____

Cost Categories		Total Project Cost by Category (In Whole Dollars)
1	Personnel Services	
2	Non-Personal Services (Total of 2a, 2b, 2c, 2d, 2e below)	
2a	<i>Contractual Services</i>	
2b	<i>Equipment</i>	
2c	<i>Travel</i>	
2d	<i>Supplies</i>	
2e	<i>Other</i>	
3	Administrative Cost Rate (up to 10 %)	
Total Project Cost (TOTAL OF LINES 1,2,3)		

Personnel Services

Title	Total Annual Salary	Percentage Charged to the Grant	Total Charged to the Grant (Whole Dollars)
	\$		\$
	\$		\$
	\$		\$
	\$		\$

Personnel

Completely justify all positions. Describe duties and contributions to the project. All proposed positions must be dedicated to direct work of the grant project.

Fringe

List the proposed fringe rate. List the types of costs included in the fringe rate. Provide a brief justification for each fringe cost.

Personnel Services Total (dollar value):

Non-Personnel Services

Describe and justify all non-personal spending in detail, including cost per item. Justify the need and how it will benefit the project.

Contractual Services

Equipment

Travel

Supplies

Other

Non-Personnel Services Total (dollar value):

Administrative Cost Rate (Up to 10%)

Describe the percentage of the proposed budget, including proposed costs that will be covered under the administrative cost rate.

Administrative Cost Rate Total (dollar value):