



InfoNetwork

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**Helping
New Yorkers in
need since
1922.**

**The Federation of
Protestant Welfare
Agencies promotes
the social and
economic well-
being of greater
New York's most
vulnerable by
strengthening
human services
organizations and
advocating for just
public policies.**

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Please feel free to contact the editor, Angela Spruill, at aspruill@fpwa.org or 212.801.1323.

CONTRACTING WITH NEW YORK CITY AGENCIES: RULES, TIPS & RESOURCES

The process of obtaining funding from any source is usually competitive and always challenging. New York City agencies as funders is no exception. This issue of InfoNetwork is devoted entirely to the process of acquiring contracts with these agencies because the majority of our member agencies' contracts are with the City. We have consolidated information gleaned from various website sources for an "at a glance" overview of NYC procurement rules, including some tips and strategies for accessing opportunities in a timely manner, completing the VENDEX documents, and developing proposals.

There are also articles on the new NYC Late Registration rule, the Expanded NYC Loan Fund, and Outcomes and Evaluation, which are important aspects of the contracting process from the time you attend the proposer's conference through submission of your final report. Outcomes and Evaluation are also potentially essential factors in determining whether your contract is renewed. We are focusing on NYC contracts in this issue, but most of the principles and strategies apply to any contract funding source.

Many of our member agencies don't have a full-time development specialist or proposal writer on staff. Whether you have these staff resources or not, the suggestions in this issue of InfoNetwork should improve your chances of success in your pursuit of contracts. City contracts are just one type of funding stream — in a future issue we will deal with fundraising in greater detail and provide information on other funding sources.

If you have any questions on contracting with NYC agencies or the grant application process with New York State, federal, or private sources, please feel free to contact Richard Kowler, FPWA's Director of Management Assistance, at rkta@fpwa.org or by phone at 212.801.1368.

Fatima Goldman

OUTCOMES & EVALUATION

Outcomes and evaluation are some of the most important components of your grant proposal. Think carefully about both elements as you design your project.

Outcomes refer to the results, benefits, or impacts of your project on participants and, can be qualitative (the quality of changes in behavior, knowledge, skills, or values), or quantitative (the measurement of changes in behavior, knowledge, skills, or values). When developing your project, consider not only immediate impacts on clients, but also intermediate and long-term outcomes as well. What changes will occur for your clients six months after a project has ended...one year later? Do you have a clear method of communicating how you will achieve these outcomes?

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NEW YORK CITY AGENCY CHIEF CONTRACTING OFFICERS (ACCOs)

Every NYC agency has an Agency Chief Contracting Officer (ACCO). Do not hesitate to call his or her office to ask questions and follow up on an RFP, a proposal, the status of a proposal, an existing contract, a contract renewal, contract payments, or any other concern that you may have. The ACCOs and their staff are generally very helpful and are required to be resources for social service agencies. During a specific RFP proposal period, the ACCO usually designates an assistant ACCO to answer all questions.

Below is a list of the current ACCOs for the NYC agencies that manage the majority of the client services contracts, and their direct phone numbers (212 area code):

Department for the Aging

Ms. Camille Ranieri - 442.1112

Administration for Children's Services

Ms. Barbara Whitehall - 341.3505

Department of Corrections

Ms. Victoria Nugent - 487.7311

Department of Health and Mental Hygiene

Ms. Patricia A. Thomas - 219.5895

Department of Homeless Services

Ms. Suellen Schulman - 361.8400

Human Resources Administration

Ms. Sandra Glaves-Morgan - 331.3434/3435

Department of Juvenile Justice

Mr. Harry T. Bavaro - 925.7779 x 324

Department of Probation

Ms. Donna Wilson - 232.0654

Department of Youth & Community Development

Ms. Patricia A. Chabla - 442.5982

RESEARCHING AND PURSUING CONTRACTS

Running effective programs and services with staying power and substantial community impact takes hard work and funding. In 2005, NYC contracted services totaled \$7.84 billion. For nonprofits that are awarded client service contracts, the funding typically represents up to 25 percent of the agency's total budget. In pursuing contracts, it is critical for organizations to carefully assess their immediate and long-term goals and the benefits of a particular contract as it relates to the agency's strategic plans. Thoroughly researching the pros and cons of responding to the RFP (taking into account such elements as competitors, the impact for clients or community served over time, or cost benefit ratio analysis) will save precious time and money needed for other organizational priorities.

It is important to maintain a competitive edge in contracting with NYC agencies. One part of the strategy is to become aware of opportunities as soon as possible in order to maximize planning time, staff and consultant resources, and proposal writing time. It is best to access contracting opportunities from multiple sources in order to maximize your chances of getting the information at the earliest possible time. Listed below are some of the resources you can use to enhance your chances for success in winning contract awards from City agencies.

1. **The NYC Vendor Enrollment Center (VEC)** maintains centralized lists of proposers/bidders. NYC agencies use these lists to notify providers of future contracting opportunities. To enroll, complete a VEC form on line at www.nyc.gov/html/moc/html/bidderform.html or call 212.857.1680 to obtain a form.
2. Each NYC agency that awards client services contracts is required to prepare and publish an Annual Plan – known as **Human Services Contracting Plans** – of existing and anticipated new contracts. The FY 2006 and FY 2007 plans can be accessed online at www.nyc.gov/html/moc, on the home page of the NYC Mayor's Office of Contract Services (MOCS) website- scroll down on the home page. The MOCS web site contains procurement updates and links to many key NYC contracting documents.
3. **The City Record web site (a856-internet.nyc.gov/nycvendoronline/home.html)** is updated each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. The web site contains:
 - A fully searchable database of current awards and solicitations. Users can search with a variety of criteria, such as due date, publish date, agency, procurement category, commodity codes, and keywords. (This database and search function has replaced all the "solicitations and awards" pdf documents.)
 - Online registration to receive E-mails when a solicitation of interest is posted.
 - Solicitations that can be downloaded from the web site.
4. **FPWA's Funding Alert** includes New York City, New York State, federal, and private grant opportunities and can be downloaded from the members' page of the FPWA website at www.fpwa.org.
5. Some additional resources:
 - www.nyc.gov is the official website of NYC and includes links to the websites of every NYC agency. **New York City Procurement Policy Board Rules** can be downloaded from the NYC PPB website at www.nyc.gov/ppb.

RESPONDING TO AN RFP

Crafting a response to a Request for Proposal (RFP) can be arduous and time-consuming. However, this important task should be approached with as much focus as writing your own business or strategic plan.

The process should be undertaken with the following tips in mind:

- Choose RFPs that align with the services you provide and which support your mission.
- Make a clear statement of client needs and concerns and be responsive to the RFP language. Provide clarity as you address your audience and include an issue-focused executive summary.
- Demonstrate your competencies and experience and how they relate to what the agency wants—don't spend time bragging.
- Make timeframes and costs clear; ensure deadlines and costs that you propose are realistic.
- Show your plan will work by providing a clear link between the proposal content/scope of work and the evaluation criteria.
- Offer a competitive solution and a fair price.

The proposal writing process is really an ongoing marketing effort. Try to ensure you are consistently meeting the needs of the agency/client when responding, and improve your efforts with each subsequent RFP to which you respond.

Here are the steps you can take to increase your chances for a winning proposal:

Step 1 Read the RFP carefully. Highlight the proposal due date and time. Although RFPs may be similar from year to year, do not assume anything. Thorough reading will ensure that your proposal is responsive to the RFP at hand.

Step 2 Decide if you are going to write the proposal in house or hire a proposal writer, or both. If you do hire a proposal writer, an appropriate staff person should be assigned to work closely with him or her. A formal consulting agreement should be developed and signed by both parties. Be sure that the consultant has a good sense of your agency's mission, culture, and programs.

Step 3 Attend the Proposer's Conference. If you are hiring a proposal writer, require him or her to attend as well.

Step 4 Discuss the approach with a colleague or a project team. You should have an initial meeting and one or more follow-up meetings as the proposal evolves. It is best to create a project team which includes appropriate program, fiscal, and development representatives, and a client, if possible. The team should help to generate ideas at the beginning of the program design phase of the project.

Step 5 Set up a work flow schedule indicating who will do what and set a time table. Plan to finish the proposal at least two business days before it is due, to allow time for checking, copying and assembling, and unexpected delays.

Step 6 Draft the various sections. A second member of the team should read and edit each draft section. Use the same section headings and sequence as called for in the RFP. Proposals are thrown out if the format is not exactly as required by the funding agency. Be sure to use the correct paper and font size, and follow every other format requirement. Do not exceed the maximum number of pages as required by the RFP.

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EXPERT'S CORNER

INTEREST REIMBURSEMENT FOR AGENCIES SECURING "BRIDGE" LOANS

Sandi A. Singer, Esq.

The articles on this page by Sandi A. Singer, Esq. are reprinted, by permission, from HSC Contracting Update. Human Services Council of New York City (HSC) advocates for human services contracting reform with the Mayor's Office, the City Council, and the State Legislature. Sandi A. Singer, Esq., is a consultant to HSC and, as a service to its members, is available for one-on-one consultation and assistance with specific contract questions or issues. Michael Stoller is the Executive Director of HSC. For information on how to become an HSC member, call (212) 836-1230 or burchettc@humanservicescouncil.org

Procurement Policy Board (PPB) Rule 4-12 became effective July 1, 2006. Rule 4-12, entitled "late registration," permits not-for-profit providers to collect interest payments from City agencies that fail to submit contracts for registration in a timely manner. The attachment of such monetary penalties will be a strong incentive for City agencies to submit contracts for registration more expeditiously. This rule should also provide some necessary financial relief to not-for-profit providers that are ill-equipped to finance services while awaiting registration of contracts.

Interest payments will be forthcoming only following the registration of contracts. Interest payments are only to reimburse

providers for interest incurred pursuant to a loan taken out by the provider because of untimely registration of a contract. While this rule change will not produce all the changes the sector has been seeking, it provides a reasonable interim solution as the City moves toward full reform.

HSC has been working continuously with the Mayor's Office of Contract Services and others to ensure the passage of the rules necessary to effectuate the procurement reform legislation of 2004. Rule 4-12 is the latest rule change to result from this reform effort. *The actual text of this rule is available at www.nyc.gov.*

EXPANDED NYC LOAN FUND

The Returnable Grant Fund (RGF), is a collaborative effort of the Mayor's Office, the Office of Management and Budget, and the Fund for the City of New York that was created to offer loans to ensure that not-for-profit providers, with unregistered human service contracts, have the working capital they need to initiate their programs. An RGF loan is typically one month's worth of annual basic expenses, and it is available once the contract is pending Comptroller registration. Providers are eligible for this loan regardless of their annual revenue level.

Recognizing the difficulty that smaller not-for-profit providers have in dealing with major cash flow gaps, the Mayor's Office of

Contract Services has been working to provide for earlier access to RGF loans.

This expanded option will allow for up to three month's worth of annual basic expenses for incumbent providers whose gross annual revenue does not exceed \$2 million and who are continuing existing City programs. This expanded option is also expected to be available to incumbent providers, regardless of their gross annual revenue, if they are continuing specific City programs: Out-of-School Time (OST), Summer Youth Employment (SYEP), Workforce Investment Act (WIA), Adult Literacy, Immigration/Refugee Assistance, Mental Hygiene, and Mediation Services. These loans are available even be-

fore the contract is sent to the Comptroller for registration as long as the City agency has determined the provider's responsibility.

Any provider interested in obtaining an RGF loan should contact the Agency Chief Contracting Officer of the City agency with which it has a contract.



PROCEDURES FOR CONTRACTING WITH NEW YORK CITY AGENCIES

The NYC contracting procedures are governed by the *Procurement Policy Board Rules* and overseen by the City's Chief Procurement Officer (who is also the director of the Mayor's Office of Contract Services) and the Comptroller's Office. Below we've highlighted a few of the key procedural items. You can download the complete PPB Rules at www.nyc.gov/ppb for a detailed explanation of contracting rules:

Program Categories

NYC's preferred method of purchasing client services is through Competitive Sealed Proposals which are generated by Request for Proposals (RFPs). NYC agencies generally are required to issue RFPs for their contracts every 3, 6, or 9 years, the frequency depending on the category of the services – Category One, Two, or Three, respectively. The category types reflect the City's efforts to achieve a balanced RFP process by encouraging competition while also recognizing that in providing certain types of services, the sensitivity of the service provider's relationship with clients is paramount. Therefore, the length of time in which a provider can renew a contract can be up to 9 years for specific categories:

Category One – 3 year maximum contracts for all services not within categories Two and Three.

Category Two – 6 year maximum contracts for programs in early care and education; head start; youth and community development; and home care programs, among many others.

Category Three – 9 year maximum contracts for foster care and preventive services; direct mental health services; AIDS housing; and domestic violence shelters, among others.

Other Methods

In addition to Competitive Sealed Proposals, there are a number of other less preferred methods for purchasing services, each applying under very specific circumstances as detailed in the *PPB Rules*. Some examples of the alternate methods are Negotiated Acquisition, Sole Source Procurement, Emergency Purchases, Accelerated Procurement, Small Purchases, and Extensions.

Renewals are existing contracts which are re-registered with the same service provider with substantially unchanged terms and conditions. They are permitted for contracts in each category that has a renewal option.

Completing the Process

After the NYC agency has completed its new contract or renewal award process, including the vendor responsibility determination (refer to the article on p.6, "Vendor Responsibility and the VENDEX Questionnaire"), the contracts are submitted to the City's Chief Procurement Officer for approval. A Public Hearing is required before any new contract or renewal in excess of \$100,000 is finalized. Public notice in the *City Record* is required not less than ten days before the Public Hearing date.

In the final step, contracts must then be presented for Registration to the Comptroller's Office which reviews the agency contract award process and the vendor responsibility determination.

OUTCOMES & EVALUATION

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Project outcomes should be measurable and specific. For example, a teen pregnancy prevention project may offer "reducing the number of pregnant teens in New York" as one outcome. However, funders evaluate proposals on the strength of a project's quantifiable potential impact. A more precise outcome might be: "By 2009, we expect teen pregnancy rates in Brooklyn to drop 10%." In that statement, a date of completion, geographic area and percentage better define an expected change in behavior.

An evaluation plan allows your organization to determine if a project is meeting its stated goals. This plan should be closely aligned with your objectives and outcomes. While creating an evaluation plan may seem complicated, remember that this tool simply details how you will capture and disseminate project results.

An evaluation plan should, at minimum, address the following questions:

- What data will be collected?
- What methodology will be used to capture this information?
- How will results be evaluated?
- How will findings be disseminated? Will it be through a written report to funders, or is there a wider platform available to share these findings?

Your organization is the entity with the best knowledge of your project, so take your time and be realistic when developing your outcomes and evaluation plan. Remember that good program planning often leads to increasingly effortless grant writing!

RESPONDING TO AN RFP

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If you are using a proposal writer, review and discuss the initial draft to be sure he or she is portraying a true sense of the agency in his or her writing. Continue to review and discuss their work frequently.

Step 7 Repeat Step 6 for each draft and the final version.

Step 8 Assemble the attachments, appendices, letters of support and other relevant documents while the proposal is being drafted. Get the required signatures as early in the process as possible. The board chair, executive director, and other executive staff members will need to complete and sign the VENDEX Questionnaires and other documents. If one of them is going to be traveling or otherwise unavailable, that can be a significant problem because original signatures are required on every document.

Step 9 Put the final package together using the RFP checklist that is usually included in the RFP document. If necessary, create your own checklist. Make the required number of copies. Have a Plan B copy shop in mind in case your agency printer breaks when you need it most.

Step 10 Again, try to deliver your proposal to the funding agency the business day before it is due – or sooner. Generally, agencies will not accept a proposal that is even a minute late, as required by the *PPB Rules*. This holds true even in the case of a subway, elevator, or any other delay. Get a receipt whenever possible.

VENDOR RESPONSIBILITY AND THE VENDEX QUESTIONNAIRE

Concurrent with all contract awards, NYC agencies are required to make responsibility determinations concerning all prospective vendors. The NYC agency gathers information including financial resources, business integrity, and performance to determine whether a service provider is “responsible.” NYC agencies are required to use the Vendor Information Exchange System (VENDEX) to help make the responsibility determination.

Service providers are required to complete VENDEX questionnaires if they have a contract(s) with an aggregate value of \$100,000 or more; or sole source contract(s) of \$10,000 or more. A new VENDEX submission is required every three years. Service providers responding to an RFP are generally required to submit or update their VENDEX information as part of the proposal package. If the VENDEX information is unchanged during the three-year window, a Certificate of No Change may be submitted. If there are changes during that period, a new VENDEX submission is required consisting only of the pages containing changes.

A VENDEX submission includes two parts: the Vendor Questionnaire and the Principal Questionnaire. The Vendor Questionnaire provides information on the corporate entity itself; a Principal Questionnaire is required for each principal officer of the organization.

There are many variations within the VENDEX requirements concerning subcontractors, subsidiaries, principals, etc. The Vendor’s Guide to VENDEX has detailed instructions and Frequently Asked Questions and Answers— visit the website at www.nyc.gov/vendex or call 212. 341.0933. Be aware that adverse data on an entity, board member, or other principal can delay a contract award or result in a finding of “non-responsibility.” Adverse data includes traffic and parking ticket scofflaws or failure to file taxes, etc.