



**Office of
Victim Services**

**REQUEST FOR PROPOSALS
for Conducting a
Needs Assessment and Gap Analysis**

**New York State Services to
VICTIMS OF CRIME NEEDS ASSESSMENT
and Gap Analysis (VOCNA)**

**Kathy Hochul, Governor
Elizabeth Cronin, Director**

RFP Release Date: Tuesday, November 2, 2021

Proposal Due Date: Tuesday, December 14th, 2021 by End of Day

Designated Contact:

Lauren Szczesny (518) 485-5811

lauren.szczesny@ovs.ny.gov

***** LATE SUBMISSIONS WILL NOT BE ACCEPTED*****

Table of Contents

1. INTRODUCTION	4
1.1 Introductory Overview	4
1.1 Designated Contact	4
1.2 Key Events	4
1.3 Glossary of Terms	5
2. SCOPE OF WORK	6
2.1 Introduction	6
2.2 VOCNA Project Objectives	6
2.3 VOCNA Project Components	6
2.4 Funding & Project Period	8
2.5 Minimum Eligibility Requirements	8
2.6 Desired Eligibility Experience	8
3. SUBMITTING YOUR PROPOSAL	9
3.1 Proposal Requirements	9
3.2 Proposal Requirement One (1): Administrative Proposal	9
3.3 Proposal Requirement Two (2): Technical Proposal	10
3.4 Proposal Requirement Three (3): Cost Proposal	11
3.5 Proposal Submission	11
3.6 Request for Proposals Questions	11
4. EVALUATION AND SELECTION PROCESS	12
4.1 Proposal Evaluation	12
4.2 Evaluation Categories, Proposal Requirement One (1): Administrative Proposal Evaluation	12
4.3 Evaluation Categories, Proposal Requirement Two (2): Technical Proposal Evaluation	12
4.4 Evaluation Categories, Proposal Requirement Three (3): Cost Proposal Evaluation	14
4.5 Tie Breaker	14
4.6 Notification of Award	15
5. GENERAL CONDITIONS & CONTRACT REQUIREMENTS	16
5.1 Administering Agency	16
5.2 Method of Award	16
5.3 Term of Contract	16
5.4 Non-Collusive Bidding	16
5.5 RFP Documents	17
5.6 Save Harmless Clause	17
5.7 Liability	17
5.8 Reserved Rights	17
5.9 Mandatory Contract Provisions	18

5.10	Special Conditions	19
5.11	Freedom of Information.....	19
5.12	Debriefing Procedures	19
5.13	Protest Procedures	19
6.	ATTACHMENTS AND APPENDICES	20
6.1	ADMINISTRATIVE PROPOSAL	20
	Attachment 1: RFP VOCNA Project Complete Submission Checklist.....	20
	Attachment 2: Mandatory Minimum Requirements Certification.....	20
	Attachment 3: Non-Collusive Bidding Certification	20
	Attachment 4: MacBride Fair Employment Principles Form	20
	Attachment 5: Vendor Responsibility Questionnaire.....	20
	Attachment 6: Offerer's Certification of Compliance with State Finance Law §139-k (5).....	20
	Attachment 7: Offerer's Disclosure of Prior Non-Responsibility Determinations	20
	Attachment 8: Offerer's Affirmation of Understanding of and Agreement Pursuant to State Finance Law §139-j (3) and §139-j (6) (b).....	20
	Attachment 9: Proof of Workers Compensation and Disability Insurance	20
	Attachment 10: Substitute W-9 Form	20
	Attachment 11: ST-220TD &/or ST-220CA.....	20
	Appendix A: Standard Clauses for New York State Contracts	20
	Appendix E: Federal Award Letter Special Conditions	20
	Appendix D: General Conditions.....	20
	Appendix F: MWBE Certification.....	20
	Appendix G: SDVOB Requirements	20
	Appendix H: EO 177 Certification	20
6.2	TECHNICAL PROPOSAL	20
	Attachment 12: Work Plan Sample	20
	Attachment 13: Desired Experience Questionnaire.....	20
6.3	COST PROPOSAL	20
	Attachment 14: Cost Proposal Template	20

All attachments and additional RFP materials are linked throughout and also available online at: www.ovs.ny.gov/soc

1. INTRODUCTION

1.1 Introductory Overview

The New York State Office of Victim Services (OVS) is focused on finding innovative ways to assist Victim Assistance Programs in navigating the challenges before them, particularly in the wake of the COVID-19 Pandemic, that have altered the delivery of services while operating under significant financial and administrative stressors.

OVS' mission is to provide compensation to victims of crime, their families, and other eligible individuals in a timely, efficient, and compassionate manner; fund direct services to victims of crime and their families through a network of programs across New York State; and advocate for the rights and benefits of all victims of crime.

To fulfill its mission, while recognizing the impact of inequities faced by underserved and marginalized communities, OVS seeks proposals to conduct a comprehensive Statewide Services to Victims of Crime Needs Assessment and Gap Analysis (VOCNA).

1.1 Designated Contact

Lauren Szczesny, Community Engagement Liaison at the New York State Office of Victim Services, has been designated as the contact for this solicitation and may be reached by email or phone.

Lauren Szczesny, Community Engagement Liaison
NYS Office of Victim Services
Alfred E. Smith Building, 2nd Floor 80 S. Swan Street
Albany, New York 12210
Voice: 1-518-485-5811
Email: lauren.szczesny@ovs.ny.gov

1.2 Key Events

The Table below outlines the tentative schedule for important action dates.

Action	Date
RFP Release Date:	Tuesday, November 2, 2021
Deadline for Submission of Questions:	Tuesday, November 16, 2021
Response to Questions:	Tuesday, November 23, 2021
Proposal Due Date	Tuesday, December 14th, 2021 by End of Day

1.3 Glossary of Terms

“Administering Agency” shall mean the NYS Office of Victim Services.

“Bidder” or “Offerer” shall mean any organization submitting a proposal to the State pursuant to this solicitation.

“Director” shall mean the Director of the NYS Office of Victim Services or duly authorized representative.

“Evaluators” shall mean the individual(s) who reviews proposals for NYS OVS funding.

“VOCNA” shall mean Victims of Crime Needs Assessment and Gap Analysis Project.

“OVS” shall mean the New York State Office of Victim Services.

“Proposal” shall mean any submission in response to this solicitation.

“Request for Proposal”, “RFP”, or “Solicitation” shall mean this document.

The **“State”** shall mean The People of the State of New York, which shall also mean the New York State Office of Victim Services.

2. SCOPE OF WORK

2.1 Introduction

The New York State Office of Victim Services seeks proposals to conduct a comprehensive Statewide Services to Victims of Crime Needs Assessment and Gap Analysis (VOCNA). OVS is the administering agency for the State of New York for this procurement.

OVS is committed to providing an award for this Statewide VOCNA Project that improves the effectiveness of services and resources to victims by identifying needs in the community and the gaps in services. Proposals will be rated and selected for an award consistent with the best interests of the State. Bidders are encouraged to demonstrate how their proposal fulfills the objectives detailed in this document and supports New York's commitment to the rights of all victims of crime.

2.2 VOCNA Project Objectives

The overall objectives of the VOCNA Project include the following:

1. **Provide:**

- An updated understanding of the most immediate and direct needs of victims of crime.
- An updated understanding of the long-term and indirect needs of victims of crime.
- A thorough understanding of the barriers victims of crime and their families face in seeking and receiving services.

2. **Identify:**

- Underserved populations and underserved service areas.
- Gaps in service and unmet needs of victims and their families as a result of being identified as an underserved population or being in an underserved area.

3. **Deliver:**

- Statewide and Agency recommendations to support identified needs of underserved victims and their families that align with OVS' mission.
- Statewide and Agency recommendations to address the gaps identified of underserved victims and their families to receiving services that align with OVS' mission.
- Sustainability measures, including recommendations, for providing adequate services to the populations and service areas identified as underserved.

All VOCNA Project objectives should account for the diverse regional differences in New York State including, but not limited to, geographic and demographic differences. The VOCNA Project objectives should consider the disparate impacts of victimization on different regions, counties, communities, populations, etc. throughout New York State.

2.3 VOCNA Project Components

The VOCNA Project will help identify barriers and gaps in Statewide victim service delivery and barriers to accessing victim services in order to provide high quality victim services in New York State,

as well as the most effective strategies and recommendations that will improve and increase accessibility to victim services. The VOCNA Project should result in the establishment of Agency and Statewide priorities and comprehensive recommendations for OVS (detailed in Project Deliverables).

The three major components of the OVS Victim Services Needs Assessment are:

1. A **survey** of victims of crime, victim service providers, and other stakeholders who represent a cross-section of organizations and agencies with whom victims of crime might interact. Stakeholders should include those who represent underserved, diverse, and/or, culturally specific communities. Surveys will include a number of language and accessibility translations. Minimum amounts to be determined during contracting.
2. **Personal interviews** with victims of crime, victim services providers, and other stakeholders who represent a cross-section organizations and agencies with whom victims might interact. Stakeholders should include those who represent underserved, diverse, and/or, culturally specific communities. Interviews will include a number of interviews to be conducted; and a number of language and accessibility translations. Minimum amounts to be determined during contracting.
3. A comprehensive **summary, report, and presentation** of final reports including survey and interview results, key findings and recommendations, and an overview of the final report.

A successful Bidder will be required to develop, make available (electronically) and print all report materials, including appendices and complimenting resources including, but not limited to, survey and interview questions, survey results, etc.

Additionally, a successful Bidder will be required to engage with, seek input from, and solicit feedback from OVS and OVS stakeholders in the planning and development stages of executing this project. This may include but not be limited to the OVS Advisory Council, other State agencies, other local government agencies, and Statewide coalitions.

Logistical and scheduling expectations and requirements for vendors to consider when preparing responses to this RFP should include:

1. Recurring, Bi-Monthly Project Updates
2. Preliminary Presentation of Findings
3. Final Presentation of Findings
4. Final Report including:
 - a. All Findings
 - b. Establishment of Agency and Statewide priorities and comprehensive recommendations for OVS including a minimum of 5 Short-Term Comprehensive and a minimum of 5 Long-Term Comprehensive, Actionable Recommendations
5. Access to data and findings (data and findings should not contain any identifying information of participants prior to sharing)

Each proposal must describe how an organization should meet the unique needs of providing services to underserved victims of crime through the parameters and funding described throughout this RFP.

2.4 Funding & Project Period

OVS seeks proposals to provide services detailed herein for one (1) contract with an estimated term of December 1, 2021 through September 30, 2024 or upon completion of the VOCNA Project, whichever is earlier. Funding is contingent on availability of sufficient funding, federal approvals, and the contract is subject to approval by the New York State Office of the Attorney General and the Office of the New York State Comptroller. Additional information is detailed in [Section 5.2 Method of Award](#).

2.5 Minimum Eligibility Requirements

OVS seeks proposals from entities with the following types and minimum levels of experience as the primary Bidder of the VOCNA Project. Eligible Bidders for this RFP must have:

- documented experience conducting comprehensive needs assessments and gap analyses;
- documented ability to conduct safe, ethical, and trauma-informed human subject research; and
- a basic understanding of victimization and/or victim services.

While bidders may propose subcontracting components of this project, it is required that the primary bidder serves as the project manager and will be responsible for the management and organization of work completed in partnership with any subcontractor(s). Please note, OVS may require additional documentation related to prospective subcontractor(s) before awarding a final contract.

2.6 Desired Eligibility Experience

As outlined in [Section 2.1 Introduction](#), a primary component of this VOCNA Project is to identify underserved populations, therefore OVS may give special consideration to proposals who demonstrate preferred experience in addition to the previously mentioned requirements in [Section 2.5 Minimum Eligibility Requirements](#).

Any desired experience should be documented utilizing the [Attachment 13: Desired Experience Questionnaire](#). When the primary bidder does not possess any or all desired experience, OVS encourages the use of subcontracting. Bidders should include descriptions of subcontracting proposal(s) within [Attachment 13: Desired Experience Questionnaire](#) and any other relevant components of the Technical or Cost Proposal requirements.

Desired experience may include but not limited to:

- background or experience in community-based participatory research¹;
- background or experience conducting Statewide research projects;
- background or experience in cultural competency²;
- background or experience in community level outreach in reaching and engaging underserved populations;
- background or experience with trauma-informed practices; and/or
- other potentially relevant and desirable experience.

¹ For the purposes of this RFP, OVS defines **community-based participatory research** as: Community-based participatory research (CBPR) is an approach to research that involves collective, reflective and systematic inquiry in which researchers and community stakeholders engage as equal partners in all steps of the research process with the goals of educating, improving practice or bringing about social change.

² For the purposes of this RFP, OVS defines **cultural competency** experience as: Training, education, background, personal experience, etc. to provide services as described in this RFP that honor different cultural beliefs, diverse populations, interpersonal styles, attitudes and behaviors, and utilize multi-cultural, diverse, and/or credible messengers in policy development, administration, and provision of proposed services.

3. SUBMITTING YOUR PROPOSAL

3.1 Proposal Requirements

To be eligible, Bidders are required to submit all completed required documents in conformance with the format and content requirements indicated in the following sections. Proposals should consist of three (3) distinctive and separate parts: (1) Administrative Proposal, (2) Technical Proposal, and (3) Cost Proposal.

To expedite review of the proposals, Bidders are requested to submit proposals in separate Administrative, Technical, and Cost packages. The separation of information will facilitate the review of the materials by evaluators.

Evaluations of the Administrative, Technical, and Costs Proposals received in response to this RFP will be conducted separately. Bidders are therefore cautioned not to include any Cost Proposal information in the corresponding proposal packages.

OVS will **not** be responsible for expenses incurred in preparing and submitting the Administrative, Technical, and Cost Proposals.

3.2 Proposal Requirement One (1): Administrative Proposal

The Administrative Proposal should contain all items listed below. Materials should follow prescribed formats and in the same order as requested. All responses to the RFP may be subject to accuracy verifications.

1. Administrative Requirements:

- [RFP VOCNA Project Complete Submission Checklist](#)
- [Mandatory Minimum Requirements](#) (Signature Required)
- [Non-collusive Bidding Certification](#) (Signature Required)
- [MacBride Fair Employment Principles](#) (Signature Required)
- [Vendor Responsibility Questionnaire](#) (Signature Required or Proof of Online Certification)
- [Offerer's Certification of Compliance with State Finance Law §139-k\(5\)](#)
- [Offerer's Disclosure of Prior Non-Responsibility Determinations](#) (Signature Required)
- [Offerer's Affirmation of Understanding of an Agreement Pursuant to State Finance Law §139-j\(3\) and §139-j\(6\)\(b\)](#) (Signature Required)
- [Proof of Workers Compensation & Disability Insurance*](#)
- [Substitute W-9 Form*](#)
- [ST-220TD &/or ST-220CA*](#) (Signature Required)

2. Standard Clauses:

- [Appendix A: Standard Clauses for New York State Contracts](#)
- [Appendix E: Federal Award Letter Special Conditions](#)
- [Appendix D: General Conditions](#)
- [Appendix F: MWBE Certification](#) (Signature Required)
- [Appendix G: SDVOB Certification](#)
- [Appendix H: EO 177 Certification](#) (Signature Required)

*Forms are only necessary in certain circumstances. See Attachment 1: [RFP VOCNA Project Complete Submission Checklist](#) for more info.

3.3 Proposal Requirement Two (2): Technical Proposal

The Technical Proposal should include and demonstrate the qualifications, competence, and the capacity of the Bidder, staff, and any subcontractors (if applicable) to be selected to provide services related to the services described in this RFP. A Technical Proposal that is incomplete may be eliminated from consideration. Materials should follow prescribed formats. All responses to the RFP may be subject to accuracy verifications. Please provide information in the same order as requested.

While additional data and relevant information may be presented, the following should be included. Proposals should contain sufficient information to assure OVS of its accuracy.

Pricing information contained in the Cost Proposal cannot be included in the Technical Proposal Documents.

A. Organizational Capacity:

Organizational Capacity should include the following components:

- Description of Bidder's minimum eligibility requirements – including any documentation of evidence of minimum eligibility requirements as detailed in [Section 2.5 Minimum Eligibility Requirements](#).
 - Description of Bidder's experience conducting needs assessments and/or gap analyses
 - Description of Bidder's experience and/or knowledge of victim services
 - Description of Bidder's capacity to manage and conduct a long-term research project – including clear methods for achieving goals and objectives

B. Work Plan:

Work Plans should include the following components:

- Project Narrative - Proposal of Services - Management of Services
- Timeline
- Detailed Project Description – Description of Data Collection and Research Methods - Outreach and Engagement Plan
- Deliverables

An example work plan is provided in [Attachment 12: Work Plan Sample](#).

C. Desired Eligibility Experience Questionnaire:

The [Desired Experience Questionnaire](#) is required, even if Bidder does not possess desired experience as described in [Section 2.6 Desired Eligibility Experience](#).

This questionnaire should be completed in full, with supporting evidence for any questions answered as “Yes” including how desired experience may be maximized for the purpose of achieving the goals and objectives of the VOCNA Project.

D. Resumes, CVs, and References:

Resumes and/or CVs should be included for each anticipated VOCNA Project participant.

3.4 Proposal Requirement Three (3): Cost Proposal

The Cost Proposal should include a completed and [Attachment 14: Cost Proposal Template](#). The Cost Proposal should follow template formats. Bidder's may add additional rows and/or columns as needed. All responses to the RFP may be subject to accuracy verifications. Please provide information in the same order as requested.

While completing the Cost Proposal, the Bidder should provide a Budget Narrative that describes the itemized details of the development, coordination, and delivery of the VOCNA Project. Bidders should ensure that sufficient details are provided and that the budget is reasonable, appropriate for the amount of data collection and engagement efforts conducted and services rendered and follows funding restrictions and limitations noted elsewhere in this RFP. Bidders should include any supporting documentation as needed.

Cost Proposals must be submitted separately. Cost information cannot be included in the Administrative Proposal Documents or the Technical Proposal Documents.

3.5 Proposal Submission

Proposals must be submitted to the OVS mailing address or email address provided below by end of day on **Tuesday December 14, 2021** to be considered eligible for the proposal process.

Mail Submissions: Lauren Szczesny c/o VOCNA Proposal NYS Office of Victim Services Alfred E. Smith Building, 2 nd Floor 80 S. Swan Street Albany, New York 12210	Email Submissions: lauren.szczesny@ovs.ny.gov & ovsoutreach@ovs.ny.gov Subject: "VOCNA Proposal"
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Any receipt of proposals after the date, even if not the fault of the Bidder, shall be considered untimely and will be rejected.

3.6 Request for Proposals Questions

All questions about the requirements contained in this RFP must be submitted via email by the end of day on Tuesday, November 16th, 2021 to: lauren.szczesny@ovs.ny.gov

A list of questions about the RFP which are received from potential Bidders, answers to those questions, as well as any changes, additions, or deletions to the RFP, will be posted at www.ovs.ny.gov/soc under *Open Procurement* by end of day on Tuesday, November 23rd, 2021.

Bidders are urged to check the [OVS State Operations Contracts Webpage](#) frequently during this bid submission period for notices of any changes, additions, deletions, or updates regarding the RFP.

4. EVALUATION AND SELECTION PROCESS

4.1 Proposal Evaluation

Each Proposal Requirement (Administrative, Technical, and Cost) will first be examined in a proper and timely manner to assess for completeness and conformance with requirements as described beginning in [Section 3.1 Proposal Requirements](#) through [3.4 Proposal Requirement Three \(3\): Cost Proposal](#) including all required signed documents, forms, and attachments as required.

Each Proposal Requirement will then be evaluated and scored based upon the criteria set forth in this section.

Evaluations will be conducted in an impartial matter. An evaluation committee comprised of OVS staff will review and evaluate all proposals. Committee members will be assigned to evaluate each proposal requirement. Cost Proposals will be evaluated separately from Technical Proposals as described in the sections below.

Any proposals that are materially deficient in meeting the submission requirements or have omitted material documents may be rejected.

Proposals should consist of three (3) distinct and separate parts: (1) Administrative Proposal, (2) Technical Proposal, and (3) Cost Proposal.

To expedite review of the proposals, Bidders are requested to submit proposals in separate Administrative, Technical, and Cost packages. The separation of information will facilitate the review of the materials by evaluators.

All proposals will be evaluated for best value to the State.

4.2 Evaluation Categories, Proposal Requirement One (1): Administrative Proposal Evaluation

The Administrative Proposal Evaluation is conducted as a completeness review.

Successful Bidders will provide all administrative requirements in the order and format detailed in [Section 3.2 Proposal Requirement One \(1\): Administrative Proposal](#).

Administrative Proposals are evaluated on completeness and accurateness of the requirements described in [Section 3.2 Proposal Requirement One \(1\): Administrative Proposal](#).

In the event an Administrative Proposal is incomplete, OVS reserves the right to request deficient administrative requirements and/or standard clauses. Failure to provide upon request may result in a rejected proposal. Materials should follow prescribed formats and in the same order as requested.

4.3 Evaluation Categories, Proposal Requirement Two (2): Technical Proposal Evaluation

The Technical evaluation is 70% (up to 70 points) of the final score.

Successful Bidders will provide all technical proposal requirements in the order and format detailed in [Section 3.3 Proposal Requirement Two \(2\): Technical Proposal](#).

a. Organizational Capacity:

The Organizational Capacity submission should include the required elements as outlined in [Section 3.3 Proposal Requirement Two \(2\): Technical Proposal](#).

Successful Bidders will provide a clear description of their experience conducting professional needs assessments and/or gap analyses, including experience and/or knowledge of victim services (documented experience required). Bidders should demonstrate their record of conducting needs assessments and gap analyses and should clearly indicate their knowledge and experience in the field of victim services.

b. Work Plan:

The Work Plan submission should include the required elements as outlined in [Section 3.3 Proposal Requirement Two \(2\): Technical Proposal](#).

Successful Bidders will provide a detailed, clear, and comprehensive description of the proposal of services to be delivered as the primary Bidder (and subcontractee, if applicable) seeking to manage and conduct the VOCNA Project.

Successful Bidders will provide the following elements in their work plan:

- project narrative,
- timeline outlining key project objectives,
- detailed description of plan to encourage and increase engagement of underserved communities, and
- detailed description of how Bidder proposes to provide deliverables.

Among these elements, work plans should describe the Bidder's methods for achieving the goals and objectives of the VOCNA Project through conducting outreach; engagement; data collection and compilation; data analysis; and completion of findings, presentations, and final reports.

A successful Bidder will highlight topics relevant to victim services in New York State, and topics relevant to underserved victims. This section should also indicate how the selected organization will conduct and measure the efforts of reaching and identifying underserved communities and populations. See [Attachment 12: Work Plan Sample](#) for guidance. This section will clearly state how services and activities will address the challenges outlined in the RFP Introduction and how the Bidder will meet the objectives of the VOCNA Project within the parameters and funding described in this RFP.

c. Desired Eligibility Experience Questionnaire:

Stronger Bidders will comprehensively complete the required [Attachment 13: Desired Experience Questionnaire](#) to describe and document evidence of any desired eligibility experience and provide any additional information on how additional experience will be utilized to achieve the goals and objectives of the VOCNA Project. Bidders who do not possess desired experience will not be disqualified, however, bidders who document evidence of desired experience in the Questionnaire may receive a higher score.

d. Resumes, CVs, and References

Success Bidders will include a resume/CV for each VOCNA participant and will

indicate their capacity to handle this long-term research project and clear methods for achieving the goals outlined in the project Work Plan.

Technical Proposals are evaluated on completeness and accurateness of the requirements described in [Section 3.3 Proposal Requirement Two \(2\): Technical Proposal](#). Any Proposals that are materially deficient in meeting the submission requirements or have omitted material documents may be rejected. **The Technical evaluation is 70% (up to 70 points) of the final score.**

4.4 Evaluation Categories, Proposal Requirement Three (3): Cost Proposal Evaluation

The Cost Proposal evaluation is 30% (up to 30 points) of the final score.

Successful Bidders will provide all cost proposal requirements in the order and format detailed in [Section 3.4 Proposal Requirement Three \(3\): Cost Proposal](#).

a. Budget

A detailed budget for the entire project period must be provided in the format prescribed in [Attachment 14: Cost Proposal Template](#). Successful Bidders will submit a cost proposal that is reasonable and appropriate for the services proposed. This RFP will support, at a minimum, project director/coordinator/manager salary expenses, expenses related to the development and delivery of survey and data collection efforts, use of support staff, analysis of data, reasonable supplies and materials, appropriate travel costs, and use of subcontractors. Any additional line items must be fully justified in the Budget Narrative and support the overall completion of the VOCNA Project as described throughout this RFP.

Additional rows and/or columns in the template may be added as necessary.

b. Budget Narrative

A detailed budget narrative must be provided in the format prescribed in [Attachment 14: Cost Proposal Template](#). Successful Bidders will submit a narrative that provides a thorough and clear description the proposed budget and budget line items. Narratives should be appropriate, well-supported, and justified. Successful Bidders will provide a Budget Narrative that tells a story that aligns with the proposed budget.

Supporting documentation should be attached as necessary.

Costs Proposals are evaluated on completeness and accurateness of the requirements described in [Section 3.4 Proposal Requirement Three \(3\): Cost Proposal](#). Any Proposals that are materially deficient in meeting the submission requirements or have omitted material documents may be rejected. The Cost Proposal evaluation is 30% (up to 30 points) of the final score.

4.5 Tie Breaker

In the event of a tied score, the proposal with the higher score for the “Technical Evaluation” criteria will prevail. If a tie still persists, the Director, or their designee shall make the final determination.

4.6 Notification of Award

After the evaluation, all Bidders will be notified of the selected bidder and OVS will enter into contract negotiations with the successful bidder. Public announcements or news releases pertaining to any contract resulting from this solicitation shall not be made without prior written approval from the administering agency.

5. GENERAL CONDITIONS & CONTRACT REQUIREMENTS

5.1 Administering Agency

OVS is the administering agency for the State of New York for this procurement.

5.2 Method of Award

This is a single award solicitation.

Each response will be evaluated based on the information submitted by the Bidder by utilizing the evaluation methodology as described throughout [Section 4. EVALUATION AND SELECTION PROCESS](#).

Upon determination of the best value Proposal, a State Operations Contract Agreement will be completed for the selected Bidder. This contract will be executed and forwarded for all necessary signatures and State approvals. Upon final approval, a fully executed copy will be mailed to the successful bidder.

Funding is contingent on availability of sufficient funding, federal approvals, and the contract is subject to approval by the Attorney General and State Comptroller. Available funding for this project may not exceed \$475,000.

5.3 Term of Contract

This contract will be effective December 1, 2021 through September 30, 2024.

5.4 Non-Collusive Bidding

Each bidder shall submit, as part of the proposal, a completed copy of the Non-Collusive Bidding Certification. This will certify that, to the best of the bidder's knowledge and belief:

- The prices in the bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices, with any other bidder or with any competitor.
- Unless otherwise required by law, the prices which have been quoted in the bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, to any other bidder or to any competitor prior to completion of selection process.
- No attempt has been made or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where the above conditions have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where the above conditions have not been complied with,

the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the State, public department, or agency to which the bid is made, or their designee, determine that such disclosure was not made for the purpose of restricting competition. (Section 139-d of the State Finance Law).

The fact that a bidder has published price lists, rates, or tariffs covering items or services being procured, has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or has sold the same items to other customers at the same prices being bid, does not constitute a disclosure within the meaning stated above.

5.5 RFP Documents

OVS will make no allowance or concession to bidders for any alleged misunderstanding or deception because of quantity, character, or other conditions. The proposed budget is to cover the cost of furnishing all of the services specified in the RFP to the satisfaction of OVS and the performance of all work set forth in the specifications.

5.6 Save Harmless Clause

The selected bidder agrees and stipulates that it will assume all risks of liability in the performance of services to be provided under this proposal and that it will be solely responsible and liable for damages resulting from all accidents and injuries to person(s) or property. The selected bidder agrees to indemnify, keep and hold harmless the State of New York, its officers and employees for any and all claims for injury or damage to persons or property, arising out of the service to be performed under this proposal, including negligence, active or passive, or wrongful or improper conduct of the selected bidder, its agents or employees.

5.7 Liability

OVS shall not be held liable for any costs incurred by any party for work performed in the preparation of and production of any proposal or for any work performed prior to the formal execution of a contract.

5.8 Reserved Rights

OVS reserves the right to:

1. Reject any or all proposals received in response to this RFP and to reissue a modified version of this RFP.
2. Amend RFP specifications to correct errors or oversights, or to supply additional information as it becomes available.
3. Direct the bidder to submit proposal modifications addressing subsequent RFP amendments issued as per #2 above.
4. Make typographical corrections to proposals, with the concurrence of the bidder.

5. Correct computational errors with the written concurrence of the bidder.
6. Change any of the scheduled dates stated herein.
7. Eliminate any mandatory specification that cannot be complied with by any of the prospective bidders.
8. Waive or modify minor irregularities in proposals received.
9. Request additional information as deemed necessary to more fully evaluate a proposal.

5.9 Mandatory Contract Provisions

OVS requires the following:

1. The bidder will read Appendix A (Standard Clauses for New York State Contracts), which will be incorporated as part of the contract without revision.
2. All outstanding tax liabilities, if any, against the bidder in favor of the State of New York must be satisfied prior to contract execution or a payment schedule for their speedy satisfaction.
3. The bidder must maintain adequate records as prescribed by OVS to substantiate all claims for payment and must make those records available in New York State for examination and copying.
4. The first step of dispute resolution will be through conference between OVS and the Contractor. Unresolved disputes will be decided by the Director of OVS, or their designee, before either party pursues any legal remedy. If the Contractor pursues any legal or equitable remedy outside OVS, the Contractor will continue to perform work at the direction of OVS until such proceedings may be concluded and will continue to be paid, less an amount attributable to the disputed work.
5. Contract disputes that go to litigation must be pursued in a court of competent jurisdiction of the State of New York. New York law will govern the dispute and venue must be laid in Albany County, New York.
6. The contract will not be effective until it is approved by the Office of the State Comptroller.
7. The provisions of this RFP and of all attachments, and the Contractor's Response, will be made a part of the contract, as though separately and fully stated therein.
8. Article XI-A of the State Finance Law ("prompt payment" legislation) regulates the procedures for making contract payments.
9. The laws of the State of New York shall be the law which shall govern the interpretation or application of any of the terms or conditions of this proposal or subsequent contract.
10. The State of New York retains the right to cancel this contract without reason, provided that the contractor is given sixty (60) days' notice of its intent to cancel. This provision should not be understood as waiving the State's right to terminate the contract to stop work immediately for unsatisfactory work but is supplementary to that provision.

The New York State Office of Victim Services reserves the right to terminate this contract in the event it is found that the certification filed by the Bidder in accordance with New York State

Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, the New York State Office of Victim Services may exercise its termination right by providing written notification to the Bidder in accordance with the written notification terms of this contract.

The Office of Victim Services cannot pay cancellation charges.

5.10 Special Conditions

By accepting an award from OVS under this RFP, the recipient agrees to comply with all of the special conditions outlined in appendices.

5.11 Freedom of Information

All proposals submitted and all related Agreements and reports may be subject to disclosure under the Freedom of Information Law.

5.12 Debriefing Procedures

Pursuant to Section 163(9) (c) of the State Finance Law, any non-awarded bidder may request a debriefing regarding the reasons that the proposal submitted by the bidder was not selected for award. Requests for a debriefing must be made within fifteen (15) calendar days of written notification by OVS that the proposal submitted by the bidder was not selected for award.

Requests for a debrief must be submitted to lauren.szczesny@ovs.ny.gov.

5.13 Protest Procedures

Bidders who receive a notice of non-award may protest the award decision by filing a protest with OVS. All protests must be filed within ten (10) business days of receipt of a debriefing, or ten (10) business days of receipt of the notice of non-award, whichever is later. The protest letter must be submitted to lauren.szczesny@ovs.ny.gov. Please include the title of this solicitation in your correspondence.

OVS will review and consider the merits of the protest and will decide whether the protest is approved or denied. The bidder will be provided with written notification of the review decision within seven (7) business days of receipt of the protest. The original protest and decision will be filed with the Office of the State Comptroller (OSC) when the contract procurement record is submitted for approval and OVS will advise OSC that a protest was filed.

6. ATTACHMENTS AND APPENDICES

The following appendices are included in the subsequent sections and are available via hyperlink or can be found at www.ovs.ny.gov/soc. All attachments and appendices are listed in the order they should be received in for each proposal requirement (Administrative Proposal, Technical Proposal, and Cost Proposal).

6.1 ADMINISTRATIVE PROPOSAL

Attachment 1: [RFP VOCNA Project Complete Submission Checklist](#)

Attachment 2: [Mandatory Minimum Requirements Certification](#)

Attachment 3: [Non-Collusive Bidding Certification](#)

Attachment 4: [MacBride Fair Employment Principles Form](#)

Attachment 5: [Vendor Responsibility Questionnaire](#)

Attachment 6: [Offerer's Certification of Compliance with State Finance Law §139-k \(5\)](#)

Attachment 7: [Offerer's Disclosure of Prior Non-Responsibility Determinations](#)

Attachment 8: [Offerer's Affirmation of Understanding of and Agreement Pursuant to State Finance Law §139-j \(3\) and §139-j \(6\) \(b\)](#)

Attachment 9: [Proof of Workers Compensation and Disability Insurance](#)

Attachment 10: [Substitute W-9 Form](#)

Attachment 11: [ST-220TD](#) &/or [ST-220CA](#)

Appendix A: [Standard Clauses for New York State Contracts](#)

Appendix E: [Federal Award Letter Special Conditions](#)

Appendix D: [General Conditions](#)

Appendix F: [MWBE Certification](#)

Appendix G: [SDVOB Requirements](#)

Appendix H: [EO 177 Certification](#)

6.2 TECHNICAL PROPOSAL

Attachment 12: [Work Plan Sample](#)

Attachment 13: [Desired Experience Questionnaire](#)

6.3 COST PROPOSAL

Attachment 14: [Cost Proposal Template](#)