

**Title:** Discretionary Opportunity (DISC) # 1073  
Financing Strategy Consultant

**Agency:** Children and Family Services, NYS Office of  
Bureau of Contract Management

**Contract number:** TBD

**Contract term:** August 1, 2021 – July 31, 2022 (anticipated)

**Date of issue:** May 24, 2021

**Due date/time:** June 21, 2021 by 4:00 p.m. Eastern Time

**Location:** 52 Washington Street, Suite 99, Rensselaer, New York 12144

**Counties:** Rensselaer

**Background**

The New York State Office of Children and Family Services (OCFS) Council on Children and Families (CCF) announces a discretionary funding opportunity for qualified entities that are capable of developing the following documents: Early Childhood Education (ECE) Financing Strategy plan; the New York State Pyramid Model Return on Investment (ROI) analysis, and Social Impact Bonds (SIB) documentation showing how an SIB can support the statewide implementation of the Pyramid Model, develop/design, and print website ready documents.

Please see the **Eligibility Criteria** section for additional information.

This advertisement is public notice that OCFS is seeking to contract with an organization or individual that:

1. Demonstrates knowledge of New York State's ECE structure, funding sources and the Pyramid Model philosophy.
2. Can conduct a ROI analysis to show the potential savings of implementing the Pyramid Model statewide and recommendations for implementing.
3. Understands and applies the concepts related to SIB to demonstrate that it is a potential financing strategy to support the Pyramid Model implementation in New York State.
4. Can provide documentation on the ROI analysis performed on ECE and/or human services initiatives; SIB proposal as a financing strategy related to ECE and/or human services initiatives; and have the capability to design and finalize documents to be print and web posting ready. The final documents must be formatted electronically in a manner that allows OCFS CCF to edit and make changes.
5. Prepare for a potential interview for the consultant to discuss their capabilities as it relates to New York States Early Child Care infrastructure and that they understand the concepts of the financing strategy.

6. Is able to explain its organizational capacity to complete all projects, including potential hires.
7. Can provide a plan for quarterly data reporting on concurrent projects.
8. Can submit a feasible timeline for the implementation of all projects referred to herein.

Please see the **Activities/Work to be Performed** section for additional information.

The purpose of this Discretionary Opportunity announcement is to invite any eligible and interested entities that believe they can satisfy this program's needs to inform OCFS by a Letter of Interest (LOI). To be considered responsive, your organization's LOI must be received no later than the deadline specified on the first page of this announcement. OCFS intends to select **one (1) contractor** based on the criteria outlined in this announcement. Please see the **How to Apply** section for additional information and submission requirements.

**This opportunity is authorized under Section 163 of State Finance Law as a Discretionary Purchase. OCFS intends to contract pursuant to its discretionary purchasing authority under State Finance Law Section 163(6), which authorizes purchases without a formal competitive process in certain circumstances.**

### **Activities/Work to be Performed**

The selected contractor will perform the following consultant services:

1. Develop a Pyramid Model ROI Analysis and Social Impact Bond proposal on the state's Pyramid Model. CCF staff will work with the contractor on via scheduled webinars and calls to provide an understanding on the philosophy related to the Pyramid Model and the implementation occurring in New York State.
2. Meet bi-weekly each month until there is a mutual understanding of the project and the contractor has enough information related to New York State's ECE infrastructure and Pyramid Model implementation. After sufficient information has been gathered, the meetings will transition to once a month, and then eventually once a quarter. At each meeting (bi-weekly, monthly, or quarterly) the contractor must provide documentation of progress.
3. Throughout the contract term, the contractor provide draft documentation and analysis to the CCF Pyramid Model team for review and comment. The contractor shall schedule meetings via webinars or calls for clarification and additional information. Although the contractor will have one CCF staff person as their point of contact, the contractor will have access to the CCF Pyramid Model Implementing team, the NYS Pyramid Model Statewide Leadership Team members, and the Pyramid Model data and implementing programs.
  - Pyramid Model ROI Analysis: (1) a comparison of the New York State Pyramid data with national data to draw comparisons with the implementation of Pyramid in other states and identify impact the Pyramid Model has on children, families teachers/providers and the program; (2) provide the costs related to other social and emotional tools; (3) provide research on the effects the Pyramid Model has on the suspension of and/or expulsion of children in child care settings, special education referrals, the number of Individual Educational Programs (IEP), and the

disparity of referrals to special education related to race and gender, (4) explain and/or outline how expulsion affects high school completion, and the impact on the prison system when children do not graduate from high school; (5) determine if there is an ROI related to New York State's Pyramid Model statewide implementation, provide an explanation why there is or isn't an ROI ; (6) provide recommendations to improve the implementation of the Pyramid Model so there is an ROI. (7) if there is an ROI, identify sustainable cost savings that can be used to support other early child care education programs; (8) if there is not an ROI, provide recommendations of what can be considered as sustainable cost savings and how the savings can be re-invested within the NYS's early child care infrastructure.

- Social Impact Bond (SIB) Pyramid Model: The contractor must develop a SIB proposal that will establish the SIB financing structure to support Pyramid Model implementation in New York State. The SIB proposal must include, but is not limited to the following:
  - ✓ A feasibility study to determine if SIB is feasible to financially support statewide implementation of the Pyramid Model.
  - ✓ Identify challenges and solutions related to SIB.
  - ✓ Identify who can invest in the SIBs and the challenges and solutions for moving forward with SIB as a financing source.
  - ✓ Provide steps for obtaining private investors or philanthropies and/or connect with intermediaries which can in turn connect with potential funders to invest in implementing the Pyramid Model.
  - ✓ Provide information on how ready the investment field is to invest in supporting statewide implementation of a social and emotional framework like the Pyramid Model.
  - ✓ Analyze the data currently being collected to determine if the data can be used to monitor and show that New York State is implementing Pyramid to fidelity, and that the data can be used to support payment to the investors.
  - ✓ provide recommendations on how to make the data useful, and what additional data is needed.
  - ✓ Provide information on how to establish the Standard SIB infrastructure in New York State including how to acquire the agreements that must be established between the patriating parties such as the bond-issuing: organization, government, private investors, and service providers. More specifically, outline how the intermediary can enter a contract with either Master Cadre trainers, and or New York State Child Care Resources and Referral Agencies, and the providers of the intervention services.
  - ✓ Provide recommendations of what can be considered as a sustainable cost savings and how the savings can be re-invested within the NYS's early childcare infrastructure (this information can come from the ROI analysis).
  - ✓ Identify the Long-term versus Short-term Gains related to the SIB
- Produce documents: Both ROI and SIB documents must be developed by the contractor. The documents must be graphically designed and when finalized they must be print and website ready. Before finalizing the documents, they must be reviewed and approved by CCF. The contractor must have the capability to design

and finalize the documents to be both print and web-posting ready. In addition, the documents must be provided electronically to CCF in a format that allows the documents to be easily modified.

### **Eligibility Criteria**

Applicants who meet the following requirements are eligible to apply:

- Are capable of providing the required services described herein
- Submit a completed **Attachment 1 – Letter of Interest** that provides a brief narrative for the following:
  - a realistic plan and timeline to meet the project deliverables
  - an hourly rate to provide the required services
  - describes their experience with completing analysis and proposals related to ECE
  - describes their experience with relevant information systems
- Possess specialized staff with a minimum of five (5) years' experience providing and developing ROI analysis and SIB proposals, demonstrated by submitting resume(s) of individuals who would be supporting this project
- Provide one or more written examples of previously completed ROI analysis and SIB proposals for ECE
- Provide an organizational chart depicting the specialized staff or infrastructure being dedicated to this project (if applicable)
- Agree to hire/dedicate staff with specific qualifications to this project on an as-needed basis (i.e. graphic designer or other consultants)
- Agree to participate in an interview to discuss work related to ROI and SIB on ECE, Human Service initiatives, or other financing strategies
- Are eligible to do business with New York State

### **Funding Details**

Funding for this project is contingent upon the availability of funds in the state and/or federal budgets and the number of eligible applicants that respond to this announcement. There is a not-to-exceed threshold of \$50,000 for this contract.

### **Term of Contract**

Contract(s) awarded in response to this Discretionary Opportunity announcement will be for **one (1) year**. The term of the (“Agreement” or “Contract”) resulting from this Discretionary Opportunity will commence upon the date of execution by all parties. Contractors may not begin providing services before the contract start date; OCFS has no obligation to pay for services rendered before the New York State Office of the State Comptroller and the Office of the Attorney General approve the contract.

### **How to Apply**

To be considered eligible, interested parties should complete and submit all required documents to this Discretionary Opportunity announcement conforming with the format and content requirements as explained. A response that does not provide all the

information requested may be subject to rejection. The response should contain sufficient information to assure OCFS of its accuracy. The information provided should, wherever possible, verify that your organization meets the requirements in the **Eligibility Criteria** section of this Discretionary Opportunity announcement.

**Each applicant should complete and provide the following documents:**

- **Attachment 1 – Letter of Interest**
- **Supporting documentation**
  1. One or more written examples of previously completed ROI analysis and SIB proposals for ECE
  2. Resume(s) of individuals who would be supporting this project
  3. Organizational chart depicting the specialized staff or infrastructure being dedicated to this project (if applicable)

Additionally, each applicant should provide the following documents at the time of application:

- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)

**Applicants should submit these documents via email to [RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov) no later than the deadline specified on the first page of this announcement.**

Please enter “**DISC # 1073 Financing Strategy Consultant**” in the subject line of the email submission of your application and identify the name of the applicant in the body of the email and in the filenames of attached documents to ensure your submission is processed efficiently. **Early submissions are encouraged as late responses may be subject to rejection.**

Please limit your Letter of Interest to a maximum of five (5) pages and limit all other supporting documentation to a maximum of thirty (30) pages using Arial 12-point font, single line spacing and one-inch margins. Please see the **Attachment 1 – Sample Letter of Interest** provided for your reference. If applicable, Letters of Interest should attempt to conform to the guidance outlined in **Attachment 2 – Guidelines for Preparing Letters of Interest.**

## **Questions**

Questions should be submitted via e-mail to [RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov) before the due date and time of this announcement. Please submit your question with adequate time for response; OCFS recommends allowing at least five (5) business days. Be sure to put “**DISC # 1073 Financing Strategy Consultant**” in the subject line. **Late questions may not be addressed.**

Under the requirement of the Procurement Lobbying Act all communications regarding this announcement are to be channeled only through the primary contact identified herein.

## **Evaluation Process**

OCFS will examine all Letters of Interest that are received in a proper and timely manner to determine if the submission meets the requirements stated herein. Qualified CCF staff will perform an internal review to determine which applicant best meets the needs of CCF. CCF may require additional information from an organization before deciding whether the interested organization is eligible and can supply the requested commodities and/or services. If OCFS requests additional information, it must be provided within five (5) business days from request. Any award made from this Discretionary Opportunity will be at the sole discretion of OCFS.

This Discretionary Opportunity announcement is not a guarantee or promise of funding. Available funding to support this initiative will be limited to the amount(s) appropriated in the enacted budget for this purpose and will be awarded as outlined herein.

Upon determination of award, OCFS will notify all organizations and individuals that submitted an LOI of its determination.

## **OCFS Reserved Rights**

OCFS reserves the right to withdraw, amend or postpone this announcement, without notice, and without liability, to any applicant, or other party, and may exercise these rights at any time. In addition, OCFS reserves the right to:

1. place a monetary cap on the funding amount made in the contract award;
2. change any of the schedule dates stated in the announcement;
3. make an award under this announcement in whole or in part;
4. disqualify any applicant whose conduct and/or LOI fails to conform to the requirements of this announcement;
5. reject any proposal if, in the sole discretion of OCFS, it determines the applicant is not a responsible vendor;
6. request all applicants who submitted LOI to present supplemental information clarifying their proposals either in writing or by formal presentation;
7. direct all organizations who submitted LOIs to prepare modifications addressing announcement amendments;
8. make funding decisions that maximize compliance with and address the outcomes identified in this announcement;
9. fund only one portion, or selected activities, of the selected applicant's LOI and/or adopt all or part of the selected applicant's LOI based on federal and state requirements;
10. eliminate any announcement requirements unmet by all applicants, upon notice to all parties that submitted LOIs;
11. waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the applicant involved;
12. correct any arithmetic errors in any proposal, or make typographical corrections to proposals, with the concurrence of the applicant;
13. negotiate with the eligible applicant(s) prior to contract award;
14. require that all proposals be held valid for a minimum of 180 days from the closing

- date for receipt of applications, unless otherwise expressly provided for in writing;
15. fund any or all of the proposals received in response to this announcement. However, issuance of this announcement does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted;
  16. use the LOI submitted in response to this announcement as part of an approved contract. At the time of contract development, awardees may be asked to provide additional budget and program information for the final contract;
  17. utilize any and all ideas submitted in the LOI received where an award is ultimately made;
  18. make inquiries of third parties, including but not limited to applicant's references, with regard to the applicant's experience, or other matters deemed relevant by OCFS. By submitting a LOI in response to this announcement, the applicant gives its consent to any inquiry made by OCFS;
  19. where applicable, require contractors to participate in a formal evaluation of the program to be developed by OCFS. Contractors may be required to collect data for these purposes. The evaluation design will maintain participants' confidentiality and recognize practical constraints of collecting this kind of information;
  20. when applicable consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals;
  21. reject any extraneous terms, alternate activities/work to be performed, added conditions, or exceptions stated by applicants within their LOI. This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s); and
  22. rescind a preliminary contract award and proceed with an alternate proposal if a signed contract does not result from good faith negotiations within a reasonable period of time as determined by OCFS.

## **Contract Documents**

The applicant must review the contract terms and conditions of the contract template hyperlink provided below.

If applying, your organization must read, understand, and accept all provisions of Appendix A – Standard Clauses for NYS Contracts. Appendix A contains important information related to the contract to be entered into as a result of this Discretionary Opportunity announcement and will be incorporated, without change or amendment, into the contract entered into between OCFS and the selected organization(s). By submitting a response to the Discretionary Opportunity announcement, your organization agrees to comply with all the provisions of Appendix A. Please review the sample non-grant contract template, which includes the Appendix A, available at:

<https://ocfs.ny.gov/main/contracts/docs/Non-Grant-Contract-Template.pdf>.

In addition, the following documents will be required prior to contracting:

- [Vendor Responsibility Questionnaire](#) (if applicable)
- [Proof of Workers' Compensation Insurance](#) (if applicable)
- [Proof of Disability Benefits Coverage](#) (if applicable)
- [Attachment A-2, Federal Assurance and Certifications](#) (if applicable)

- [OCFS-4631, MWBE Utilization Plan Form](#) (if applicable)
- [OCFS-4629, Project Staffing Plan Form](#)
- [OCFS-3460, Equal Employment Opportunity \(EEO\) Policy Statement](#)

### **State Finance Law §139-I; Statement on Sexual Harassment in Bids**

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

### **Other Contracting Requirements**

1. If applicable, Not-for-profit organizations must be registered in the NYS Grants Gateway and complete the Vendor Prequalification process before contract execution per [New York State Division of Budget Bulletin H-1032 Revised](#), dated July 16, 2014.
2. Executive Order 177, signed on February 3, 2018, by Governor Andrew M. Cuomo, directs New York State agencies and authorities not to enter into any contracts with entities that have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected basis. The contractor must provide the [EO 177 certification statement](#) before any award being made by OCFS.
3. Sections 57 and 220 of the Workers’ Compensation Law (WCL) and section 142 of the State Finance Law require that businesses contracting with New York State have and maintain and [provide evidence of appropriate workers’ compensation and disability benefits insurance coverage](#). If an award is made from this announcement, updated proof of coverage must be provided during contract development. Failure to submit the proof will delay the contract development process and may result in the award being rescinded. Municipalities are not required to show proof of coverage.
4. Section 163(9)(f) of the NY State Finance Law requires that a state agency determine that a bidder is responsible before awarding that bidder a state contract. Vendor responsibility will be determined based on the information provided by the bidder, online, through the [New York State VendRep System Questionnaire](#) or through a

paper copy of the [Vendor Responsibility Questionnaire](#). OCFS will review the information provided before making an award.

5. By submitting an LOI in response to this solicitation or by assuming the responsibility of a contract awarded hereunder, bidder/contractor (or any assignee) certifies that it is not on the "Prohibited Entities List," as defined by the *Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012* (the Act), which is posted on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such contract any subcontractor that is identified on the "Prohibited Entities List." Bidder/contractor is advised that should it seek to renew or extend a contract awarded in response to the solicitation, it must provide the same certification at the time the contract is renewed or extended.
6. All offerers and their employees must be aware of and comply with the requirements of the New York State Public Officers Law, and all other appropriate provisions of New York State law and all resultant codes, rules and regulations from state laws establishing the standards for business and professional activities of state employees and governing the conduct of employees of firms, associations and corporations in business with the state. In signing the proposal, each offerer guarantees knowledge and full compliance with those provisions for any dealings, transactions, sales, contracts, services, offers, relationships, etc. involving the state and/or state employees. Failure to comply with those provisions may result in disqualification from the bidding process and in other civil or criminal proceedings as required by law: <https://www.nysenate.gov/legislation/laws/PBO>
7. Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations, OCFS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises (MWBE) and the employment of minority group members and women in the performance of OCFS contracts. If applicable, a contractor on any contract resulting from this procurement must document its good faith efforts to provide meaningful participation by MWBE as subcontractors and suppliers in the performance of the contract. To that end, by submitting a response to this opportunity, the respondent agrees that OCFS may withhold payment pursuant to any contract awarded as a result of this announcement pending receipt of the required MWBE documentation. The directory of MWBE can be viewed at: <https://ny.newnycontracts.com>. OCFS will request any necessary completed MWBE documents from the contractor during the contract development process.
8. If applicable, Not-for-profit vendors must be registered with the New York State Office of the Attorney General as a charitable organization, and the registration must be up-to-date at the time of contracting. Vendors must be sure all their documents are up-to-date and comply with the vendor responsibility requirements as outlined below. To determine the status of your charity's registration information, contact: [https://www.charitiesnys.com/RegistrySearch/search\\_charities.jsp](https://www.charitiesnys.com/RegistrySearch/search_charities.jsp)

## **Contact Information**

### **Primary contact:**

Director of Contracts  
Office of Children and Family Services  
52 Washington Street  
Room 202S – Procurement Unit  
Rensselaer, NY 12144  
[RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov)

### **Submit to contact:**

Director of Contracts  
NYS Office of Children and Family Services  
52 Washington Street  
Room 202S – Procurement Unit  
Rensselaer, NY 12144  
[RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov)

## **Attachments**

Please see the following attachments to this announcement, which are available on The New York State Contract Reporter (Contract Reporter) website at <https://www.nyscr.ny.gov> or the OCFS website at <https://ocfs.ny.gov/main/contracts/funding/>.

**Attachment 1 – Sample Letter of Interest\***

**Attachment 2 – Guidelines for Preparing Letters of Interest** (for reference only)

\* Attachments marked with an asterisk **must** be completed and included with your bid proposal.