

**Title:** Letter of Interest (LOI) # 1042  
Voluntary Foster Care Agency Medicaid Training

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

**Contract Number:** TBD

**Contract term:** 1/1/2022-12/31/2026

**Date of issue:** 9/2/2020

**Due date/time:** 9/25/2020 by 4:00 PM Eastern Time

**Location:** All NYS Counties

**Counties:** Statewide

### **Background**

The New York State Office of Children & Family Services (OCFS) announces an opportunity for qualified entities that provide a comprehensive training program for OCFS-licensed, Article 29-I Voluntary Foster Care Agency Health Facilities ([Click here for Article 29-I guidance](#)) Medicaid Managed Care transition activities, Children and Family Treatment Support Services and Home and Community Based Waiver Services. Under the anticipated contract, the organization will provide training opportunities to Voluntary Foster Care Agency staff, Children and Family Treatment Support Services providers, Home and Community Based Service Providers, Health Home Staff, and Local Departments of Social Services staff; at times, dates and locations specified and/or approved by OCFS.

The training sessions will serve to disseminate accurate policies and procedures to continue the Children's Medicaid Managed Care transition. Once the transition is complete, trainings will continue regarding Children and Family Treatment and Support Services, Home and Community Based Waiver Services and services provided under the Article 29-I.

The anticipated contract will be divided into a series of deliverables for each contract period. In addition, the awarded contractor will be responsible for performing foundational tasks that will support the delivery of specific contract items and facilitate the progress of the contract.

#### **The selected organization will:**

- identify and secure potential training sites, subject to OCFS approval;
- take efforts to minimize costs by using public meeting space such as LDSS **or**

voluntary foster care agencies wherever possible; Note: Any and all costs attendant to use of training sites shall be the sole responsibility of the organization.

- maintain lists of appropriate training session registrants and contact information upon completion of each training;
- maintain a registration database to track registration, and completion of trainings, and plans for future offerings;
- notify OCFS of anticipated class size prior to conducting the trainings;
- submit a written report to OCFS quarterly, annually and at the request of OCFS; and
- develop, maintain and distribute current necessary and appropriate handouts for training sessions.

**Responsive organizations must:**

- have extensive knowledge of Voluntary Foster Care agencies, the Children's Medicaid Managed Care transition, Child and Family Treatment and Support Services, and Home and Community Based Services;
- be an organization affiliated with an agency that provides Voluntary Foster Care services;
- agree to extensively review laws, regulations and guidelines produced by OCFS and the Department of Health (DOH) in order to achieve knowledge and expertise in the Children's Medicaid Managed Care Transition, Child and Family Treatment Support Services and Home and Community Based Services;
- maintain staff that have extensive knowledge of the above topic areas to conduct the trainings must; and
- be sufficiently staffed to provide up to 178 training days (including combinations of half day sessions, full day sessions, and evening sessions as needed) throughout the state at various sites.

This advertisement is public notice that OCFS is seeking to contract with one (1) organization to provide a comprehensive training program for Voluntary Foster Care Agency (VFCA) staff, Children and Family Treatment Support Service (CFTSS) providers, Home and Community Based Service (HCBS) providers, Health Home staff, and Local Department of Social Services (LDSS/ACS) staff.

The selected organization will be responsible for conducting up to approximately 178 training days of Medicaid Service Provider Training using a curriculum developed by the

organization and approved by OCFS. These trainings will include but are not limited to:

- Medicaid Service Specific Trainings that address and disseminate information on Children and Family Treatment and Support Services and Home and Community Based Services, including but not limited to: Community Psychiatric Supports and Treatment, Psychosocial Rehabilitation, Caregiver/Family Support and Services, Community Self Advocacy Training and Support, Prevocational Services, Supported Employment and Respite Services (Planned and Crisis);
- Medicaid Managed Care philosophies, policies, and procedures including but not limited to: Trauma Informed Care, Engagement, Person Centered Care Planning, Documentation/Smart Goals, Co-Occurring Disorders, Personal Safety/Safety in the Community, and Working with and Advocating for LGBTQ youth; and
- Article 29-I VFCA Health Facilities Licensure and Medicaid Managed Care information and service planning guidance to address and disseminate this information.

All trainings are expected to be conducted in-person at sites located throughout New York State unless prior approval is given by OCFS to conduct trainings electronically. The method for conducting trainings that are not done in-person must be approved by OCFS. The organization is expected to develop and provide the required trainings in accordance with OCFS guidelines and to create all materials necessary for the delivery and completion of such trainings. The organization is expected to extensively review laws, regulations and guidelines produced by OCFS, DOH and the Office of Mental Health (OMH) in order to achieve knowledge and expertise in the Children's Medicaid Managed Care Transition, Child and Family Treatment Support Services and Home and Community Based Services. The trainings and all material contained within must be consistent with all applicable laws, regulations and guidelines. The staff that conduct the trainings must have extensive knowledge of the above topic areas. The organization must be able to update, and revise trainings based on OCFS request and the needs of Voluntary Agency staff within a four-week time period.

For all trainings, the selected organization will be expected to:

- identify, arrange and pay for training space for up to 178 training sessions. Training space must accommodate up to 50 participants per session and include provisions for providing reasonable accommodations/modifications to persons who are disabled.
- develop, print, maintain and distribute current necessary and appropriate handouts for training sessions. All handouts are to be approved by OCFS prior to distribution.
- advertise the availability of training sessions through distribution lists approved by OCFS.
- develop and maintain registration processes, including a confirmation process.
- inform OCFS of the number of participants registered for each session no later than one (1) week prior to the offering. OCFS reserves the right to request that the organization cancel offerings due to limited enrollment. OCFS will not provide

reimbursement for cancelled sessions.

- take attendance each day of training, maintain all sign in lists and provide OCFS with a list of individuals who have attended each training session at least quarterly, annually or as requested by OCFS. These lists will be provided to OCFS in a written format.
- require trainees to complete evaluations and provide OCFS with copies of all these evaluations in written format at least quarterly, and when requested by OCFS
- develop, administer and analyze pre and post tests and communicate the results to OCFS at least quarterly, unless requested by OCFS in written format.
- provide Certificate of Attendance to participants and will verify these certifications when requested by OCFS.
- notify OCFS of the outcomes of the trainings, including promising practices, concerns, and problems.
- modify trainings as requested by OCFS, to meet the more intensive and individualized needs of the audience in each region. OCFS will not provide additional reimbursement for modified trainings.
- update trainings and materials as requested by OCFS to coincide with federal and state guidance and/or requirements. OCFS will not provide additional reimbursement for updated trainings.
- modify subsequent trainings upon request by OCFS to address any, identified concerns or problems. OCFS will not provide additional reimbursement for modified trainings.

The purpose of this opportunity 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 use the results of this announcement to determine if this opportunity will be competitively bid. Please see the **How to Apply** section for additional information and submission requirements.

**To be considered responsive to this opportunity, respondent's LOI must provide:**

- A completed **Attachment 1 – Letter of Interest** that describes and demonstrates your organization's willingness and ability to provide all of the services outlined above in the Background section of this announcement.
- Additionally, the LOI submitted must include the following:
  - proof of respondent's knowledge and experience in providing relevant trainings within the last three (3) years, regarding the services provided under the Article 29-I Voluntary Foster Care Agency Health Facilities License, Medicaid Managed Care transition activities, Children and Family Treatment Support Services and Home and Community Based Waiver Services. Include the service dates and names of organizations to which the training was provided to demonstrate the quantity of required experience.

- a list of services, inclusive of dates, the respondent has provided, related to Children and Family Treatment Support Services, Home and Community Based Waiver Services, Medicaid Managed Care Transition and other Medicaid funded programs.
- a list of trainings and dates the respondent has provided, related to the curriculum of relevant programs including Medicaid funded programs, Children and Family Treatment and Support Services, Home and Community Based Waiver Services and Medicaid Managed Care Transition, including attendee counts and the agencies that have received the trainings.
- Resumes of all trainers that will provide training on the content.
- Sample handouts created by the organization to be used for training on Child and Family Treatment Support Services, and Home and Community Based Services and Services Planning.
- A copy of a past billing claim of an agency training that is related to the curriculum of relevant programs including Medicaid funded programs, Children and Family Treatment and Support Services, Home and Community Based Waiver Services, or Medicaid Managed Care Transition that were conducted within the past 12 months. Include proof of payment.
- A copy of a pre-test, post-test, and evaluation form for a training conducted within the past 12 months.
- An Organizational Chart – A diagram that shows the structure of your organization.

### **Funding Details**

Funding for this project is contingent upon the availability of funds in the state and/or federal budgets. In making awards, OCFS must verify geographic coverage of the regions proposed.

The awarded contract is anticipated to be for a period of five (5) years. Annual funding availability is anticipated to be approximately \$410,000 per year.

The organization is expected to conduct up to 178-training days (including combinations of half day sessions, full day sessions and evening sessions, as needed). OCFS may request cancellations of sessions if the attendance is not sufficient. The organization will obtain evaluations from each training participant, analyze the evaluations and submit results of these evaluations in a report to OCFS quarterly, annually and at the request of OCFS. During the first week of each month, the organization will also submit a report of all trainings held the prior month and a list of trainings scheduled for the current month. Payment will be made after each training has been successfully completed, and OCFS has received reviewed and approved all required documentation, including the matters specified above, and documentation that any concerns and

problems identified have been addressed and that any requested changes have been made to the subsequent trainings.

### **Term of Contract**

Contract(s) awarded in response to this announcement will be for **five (5) years** the anticipated start date is **1/1/2022**, and the anticipated end date is **12/31/2026**. Funding is anticipated to be available for the first year of the contract. The award of a contract does not guarantee that funding will be available for subsequent years. 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 responsive, interested parties must complete and submit all required documents to this solicitation 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 **Background** section of this announcement.

**Each applicant is required to complete and provide the following documents:**

- **Attachment 1 – Letter of Interest which includes:**
  - **proof of knowledge and experience with providing relevant trainings**
  - **a list of services that the applying organization has provided**
  - **a list of trainings related to the curriculum of other relevant programs**
- **Resumes of trainers**
- **Sample handouts (maximum of ten)**
- **Copy of a past billing claim, within the last three years, and confirmation of payment**
- **Copy of a pre-test, post-test, and evaluation form**
- **Organization Chart**

Refer to the **Background** section of this announcement for detailed information regarding how to complete these required documents. **Omissions in the information provided in response to any of the requirements will not be resolved in the proposer’s favor.**

**Applicants must 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 “**LOI # 1042 Voluntary Foster Care Agency Medicaid Training**” 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 **30** page(s), 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 must 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 business days. Be sure to put “**LOI # 1042 Voluntary Foster Care Agency Medicaid Training**” in the subject line. **Late questions may not be addressed.**

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

### **Evaluation Process**

An internal review by OCFS will evaluate LOIs submitted in response to this announcement. This announcement is not a guarantee or promise of funding. OCFS may require additional information from an organization before deciding whether the interested organization is responsive and can supply the requested commodities or services. If OCFS requests additional information, it must be provided within five business days from request. OCFS intends to use the results of this announcement to determine if this opportunity will be competitively bid.

### **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:

- place a monetary cap on the funding amount made in each contract award;
- change any of the schedule dates stated in the LOI;
- make an award under the LOI in whole or in part;
- disqualify any applicant whose conduct and/or response fails to conform to the requirements of the LOI;
- reject any LOI if, in the sole discretion of OCFS, it determines the applicant is not a responsible vendor;
- request all bidders who submitted proposals to present supplemental information clarifying their proposals either in writing or by formal presentation;
- direct all organizations who submitted LOIs to prepare modifications addressing announcement amendments;
- make funding decisions that maximize compliance with and address the outcomes identified in this announcement;

- fund only one portion, or selected activities, of the selected applicant's response and/or adopt all or part of the selected applicant's response based on federal and state requirements;
- eliminate any LOI requirements unmet by all applicants, upon notice to all parties that submitted LOIs;
- waive procedural technicalities, or modify minor irregularities, in proposals received, after notification to the applicant involved;
- correct any arithmetic errors in any proposal, or make typographical corrections to proposals, with the concurrence of the applicant;
- negotiate with the eligible applicant(s) prior to contract award;
- 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;
- 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;
- use the LOI submitted in response to this announcement as part of an approved contract. At the time of contract development, awardees will be asked to provide budget and program information for the final contract;
- make inquiries of third parties, including but not limited to applicant's references, regarding the applicant's experience or other matters deemed relevant by OCFS. By submitting an LOI in response to this announcement, the applicant gives its consent to any inquiry made by OCFS;
- 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;
- when applicable consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals; and
- reject any extraneous terms, alternate activities/work to be performed, added conditions, or exceptions stated by applicants within their response. This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

### **Contract Documents**

The applicant must review the contract terms and conditions of the contract template 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 LOI 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 LOI, your organization agrees to comply with all the provisions of Appendix A. Please review the sample non-grant contract template, which includes 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)
- [ST-220-TD, Contractor Certification](#) (if applicable, for reference only)
- [ST-220-CA, Contractor Certification to Covered Agency](#) (if applicable)
- [Attachment A-2, Federal Assurance and Certifications](#) (if applicable)
- [OCFS-4822, Procurement Lobbying Act – Offerer Certification Form](#) (if applicable)
- [OCFS-4631, MWBE Utilization Plan Form](#) (if applicable)
- [OCFS-4629, Project Staffing Plan Form](#)
- [OCFS-3460, Equal Employment Opportunity \(EEO\) Policy Statement](#)
- [OCFS-2647, EO 177 Certification](#)
- [OCFS-4821, CMS User Authorization](#)

### **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, 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, 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 & 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 & 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.