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Program Specific Terms and Conditions

Program Name: Infant Toddler Regional Resource Centers

The Office of Children and Family Services (OCFS) administers grant funds received under the Child Care Development Fund. The New York State (NYS) Office of Children and Family Services (OCFS) awarded, qualified not-for-profit organizations in each of seven regions across NYS for Infant Toddler Regional Resource Centers, will act as lead infant/toddler agencies to address the unique needs of the infant/toddler population. This includes promoting an understanding of the importance of, and strategies for, improving the quality of care for infants and toddlers and support for their caregivers, thereby increasing opportunities for the historically underserved Infant and Toddler population and their caregivers.

LOCAL SHARE MATCH REQUIREMENT:

- There is no required local share match.
- Programs are encouraged to provide their entire program operation cost in their budget as in-kind for reporting.

DESIGNATED PAYMENT OFFICE:

All reports, claims for reimbursement, and claims to account for the advance payment (if applicable), must be logged and completed on-line in the Contract Management System (CMS).

ADMINISTRATIVE CAPS:

Federal Awards:

- OCFS will reimburse the federally approved indirect cost rate for federally funded contracts up to any statutory caps required by the funding streams and in accordance with the terms and conditions of the federal award. A copy of the federally approved indirect cost agreement, with narrative, addendum, and an expiration date must be submitted as part of the proposal.
- If your agency does not have a federally approved indirect cost agreement, and your agency is a non-Federal entity that has never received a negotiated indirect cost rate, except for a governmental department or agency unit that receives more than \$35 million in direct Federal funding, you may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC). Please see federal regulations at 2 CFR 200.414(f) for the applicable legal requirements for this option.
- MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subcontract. MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subcontract in excess of \$25,000.
- Use of a federally approved indirect cost rate, or the de minimis rate, as described above, if applicable, must be in accordance with all applicable federal rules to include 2 CFR Part 200.

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- No additional Administrative Expenses will be allowed beyond the federally approved indirect cost rate or, if applicable, the de minimis rate.
- All costs claimed under the contract must be directly attributable to the project. State Finance Law and Generally Accepted Accounting Principles require that any expense incurred over more than one funding source or program must be charged proportionately, and the method of allocation must be documented, and such documentation must be provided to OCFS upon request.

ALLOWABLE AND NON-ALLOWABLE COST:

All allowable and non-allowable costs for federal awards can be found in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements are located under 45 CFR Part 75. In accordance with 45 CFR §75.101 Applicability, this program must comply with 45 CFR Part 75 in its entirety.

Allowable Cost include but are not limited to:

- Staffing, fringe benefits.
- Vendors may use funds for staff recruitment, retention and longevity bonuses unless prohibited by the funding source, statute related to the funding or program, or prohibited by the vendor's employment policy(ies).
- Project equipment and furniture.
- Computers and appropriate software for the project.
- Supplies, mailing and printing costs of project related flyers/pamphlets, educational materials.
- Staff travel costs, including per diems while in travel status, at the approved state travel rate. State rates are available at the following web address:
<http://www.osc.state.ny.us/agencies/travel/travel.htm>.
- Telephone installation and monthly billing.
- Consultants retained by a formal agreement.
- Rental of space.
- Training.
- Family and Group Event Supplies which include meals and refreshments for clients at events that are supported by workplan, goals/targets.
- Payroll and Audit fees (these are 100% administrative expense in your budget if charged).

This is not a comprehensive list. Any questions should be directed to OCFS.

Non-Allowable Cost include but are not limited to:

- Major capital expenditures such as acquisition, construction, or structural renovation of facilities.
- Interest costs, including costs incurred to borrow funds.
- Costs for preparation of continuation agreements and other proposal development costs.
- Costs of organized fundraising.
- Legal fees to represent agency/staff.

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- Advertising costs, except for recruitment of project personnel, program outreach and recruitment of participants.
- Entertainment costs, including social activities for program and staff, unless directly associated with the project.
- Costs for dues, attendance at conferences, or meetings of professional organizations, unless attendance is necessary in connection with the project.

This is not a comprehensive list. Any questions should be directed to OCFS.

These contracts are funded with Child care Development Funds (CCDF) and are subject to federal regulations that can be found at ([2 CFR Part 200](#)).

Funds made available through this grant shall be used to supplement and not supplant other Federal, State, tribal, and local public funds expended to provide services and activities that promote the objectives of this procurement.

ADDITIONAL PROGRAM REQUIREMENTS:

The Contractor will submit an annual Attachment B Budget for each subsequent year of the contract (2025, 2026, 2027, and 2028) to reflect alignment of these services with community needs and Federal and/or State directives which evolve over time. The submitted plan will be based upon outcomes during the prior year and as directed by OCFS. Submission of annual Attachment B Budgets are due no later than the deadline established by OCFS and will be reviewed and approved by OCFS prior to implementation. The deliverables and established rates listed above will not change until formal OCFS written approval is sent to the Contractor. The Quality Child Care Regional Infant Toddler Specific Strategies should support the required Milestones and be incorporated into the deliverable based cost. However, in accordance with the NYS Contract for Grants Standard Terms and Conditions, Section I.D., if the budget submissions results in a transfer of funds among program deliverables that totals equal or greater than 10% of the total contract value, the request will be subject to the approval of the AG and OSC. If the Contractor fails to submit a new plan for any year of the contract periods by the deadline specified by OCFS, the most recent OCFS approved Attachment B Budget will apply. Non-compliance with this requirement may result in Termination or Suspension of the contract as stated in the NYS Contract for Grants Standard Terms and Conditions, Section II.A.

All performed milestones must be recorded in the NYS approved database systems, currently MATCH and MITCH. This software is available through the OCFS-assigned lead agency (currently Early Care Learning Center, ECLC). The software must be used by all OCFS-funded IT Regional Resource Centers in accordance with OCFS guidelines and supported by ECLC as the OCFS-assigned lead agency.

Additionally, all contractors with subcontracts will provide oversight that minimally includes review of all program and fiscal reports and claims on a quarterly basis. On-site reviews will be conducted as needed. The contractor will identify the person(s) responsible for this oversight. The subcontract agreement will include this requirement and will also include as applicable information regarding referrals of participants and respective responsibilities of

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the contractor and subcontract.

This Contract incorporates by reference the solicitation provisions set forth in the Request for Proposal RFP #1104, inclusive of the Questions and Answers, applicant's proposal, and any/all amendments hereby referred to as "RFP". The vendor agrees to adhere to the provisions contained within the RFP with the same force and effect as if they were given in full text. The full text of a solicitation provision may be accessed electronically at this address: [Funding Opportunities | Contracts, Grants and RFPs | OCFS \(ny.gov\)](#).