

**Title:** **Solicitation of Interest (SOI) # 1133**  
**Daycare Registration Services for Erie and Monroe Counties**

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

**Contract Number:** TBD

**Project Term:** 1/1/2024 – 12/31/2028

**Date of Issue:** 9/1/2023

**Due Date/Time:** **9/29/2023 by 4:00 PM Eastern Time**

**Counties:** Erie and Monroe

### **Background**

New York State (NYS) Office of Children & Family Services (OCFS) announces a Solicitation of Interest (SOI) opportunity for qualified entities that have experience with NYS Child Care regulations and statutes to deliver registration services, including complaint investigations and enforcement, in Erie and Monroe counties to all School-Age programs and Family Day Care providers. Currently, in Erie County there are approximately 65 Family Day Care Programs and 86 School-Age Child Care programs who would be served under this solicitation. In Monroe County, there are approximately 287 Family Day Care Programs and 44 School-Age Child Care Programs who would be served under this solicitation. This does not include new Family Day Care or School-Age programs that may wish to open in these counties. This advertisement is public notice that OCFS is seeking to contract with two organizations, one in Erie County and one in Monroe County, to provide these services. Please see the **Eligibility Criteria** and **Scope of Work** sections for additional information.

The purpose of this SOI 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 should be received no later than the deadline specified on the first page of this announcement. Please see the **How to Respond** section for additional information and submission requirements.

Through this announcement, OCFS is exploring the availability of vendors who have the expertise to provide the services required by OCFS. The results of this announcement are intended to determine if this opportunity will be competitively bid. If too few responses are received, OCFS may pursue other procurement options for this project.

### **Scope of Work**

Funded organizations will provide registration and inspection services to both Family Day Care and School-Age Child Care programs, as part of a federal mandate to regulate child care in New York State (with the exception of day care centers in NYC). Federal law ([42 USC 9858c\(c\)\(2\)\(E\)](#)) and regulations ([45 CFR 98.40 and 98.41](#)) require, as a condition

of receiving federal funds from the Child Care Development Fund (CCDF), that the State certify that it has in effect licensing requirements applicable to child care services and programs, and that all providers of child care services funded under the CCDF comply with all applicable licensing and regulatory requirements.

The core functions of the registration programs are rooted in law and cover the following activities:

- Licensing and Registration, initial and renewal applications.
- Complaint investigations.
- Regulatory Compliance Monitoring.
- Training Compliance Monitoring.
- Enforcement Monitoring.
- Fingerprinting and Criminal History Reviews.
- Statewide Central Register of Child Abuse and Maltreatment (SCR) Database Checks.
- Enforcement Actions: suspensions, revocations, denials, fines, limitations, restrictions, stipulations, and settlements.
- Testifying at Hearings.
- Meet prescribed licensing and investigation timelines.
- Responding to inquiries from parents regarding regulatory compliance by childcare providers.

### **Eligibility Criteria**

Funded organizations must:

- Agree to provide the required services in one of the two defined counties.
- Have five (5) or more years of experience with NYS Child Care regulations and delivering registration services, including complaint investigations and enforcement, for both Family Daycare and School-Age Programs.
- Have the required number of staff (5 FTE for Erie County, 8 FTE for Monroe County) available to perform work in the county proposed to be served.
- Describe their technological ability to support the required electronic database (or similar experience); MATCH, a Web-based information management software to assist local Child Care Resource & Referral Agencies (CCR&Rs) and the Early Care and Learning Council in providing accurate data and statistics for childcare.
- Agree to participate in all necessary trainings which may occur virtually or in person and may include a requirement to travel up to 4 times annually to attend mandated trainings by the Office of Children & Family Services.
- Describe their ability to meet the program requirements listed in the “Scope of Work” section of this announcement.
- Be eligible to do business with New York State.
- Be headquartered within the region being served or have program operations in that region.

## **Funding Details**

Funding for this project is contingent on the availability of funds in the state and/or federal budgets and the number of eligible applicants that respond to this announcement. In making awards, OCFS must ensure geographic coverage of the counties proposed.

Current annual funding levels for performing this work are as follows:

- \$367,714 for Erie County
- \$911,449 for Monroe County

Annual funding levels for performing this work in the future may be subject to change based upon amounts available in relevant NYS budget appropriations and are contingent upon approvals from the NYS Division of the Budget (DOB).

For a description of performance standards that must be met for this project, please see **Attachment 3 – Registration Performance Standards**.

## **Term of Contract**

The project term for this initiative is anticipated to be **five (5) years**. The anticipated start date is **1/1/2024**, and the anticipated end date is **12/31/2028**. Funding is anticipated to be available for the first year of the contract. There is no guarantee that funding will be available for subsequent years. All contracts are subject to approval by the New York State Office of the State Comptroller (OSC) and the Office of the Attorney General (AG).

## **How to Respond**

To be considered responsive, interested parties should complete and submit all required documents in conformance 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 solicitation.

**Responses must be emailed to [RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov) and should be received by the due date and time specified on the first page of this announcement. Please be sure to put “SOI # 1133 Daycare Registration Services” in the subject line.**

**Interested parties should complete and provide the following documents:**

- **Attachment 1 – Letter of Interest**
- **Attachment 2 – Submission Checklist**
- **Attachment 3 – Registration Performance Standards**

The subject line of the email submission of your response should include the following information: **SOI # 1133 Daycare Registration Services for Erie and Monroe Counties**. Additionally, please clearly identify the vendor’s name 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 6 page(s), Arial 12-point font, single line spacing and one-inch margins. Please see the **Attachment 1 – Letter of Interest** provided for your reference. A Letter of Interest is required however use of this template letter is optional. You may use another letter format in lieu of **Attachment 1**.

OCFS will provide a confirmation email that the submission has been received. OCFS will not be liable for any costs incurred by interested parties in the preparation of documents submitted in response to this solicitation. Vendors may modify, in writing, or withdraw the content of any submission at any time prior to the due date and time.

### **Questions**

Questions should be submitted via e-mail to [RFP@ocfs.ny.gov](mailto:RFP@ocfs.ny.gov) prior to the due date and time specified on the first page of this announcement. The subject line should include the following information: **SOI # 1133 Daycare Registration Services for Erie and Monroe Counties**. Please submit your question(s) with adequate time for response. OCFS recommends allowing at least five (5) business days. **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**

This solicitation 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. The procurement vehicle used by OCFS to implement this project may vary and will depend upon the number of interested and qualified organizations who respond to this solicitation.

OCFS may require additional information from an organization before deciding whether the interested organization is qualified and can supply the requested services. If OCFS requests additional information, it must be provided within five (5) business days from request or as otherwise directed in the request.

OCFS reserves the right to withdraw this announcement and pursue other alternatives if the number of interested and eligible organizations exceeds that which can be reasonably accommodated by available funds and/or project needs. For any vendor selected for to provide these services, OCFS may request a work plan and budget with justifications in addition to other documents necessary to develop contracts

Participation in this project is also contingent upon vendors maintaining and certifying a [Vendor Responsibility Questionnaire](#). Vendors must be found responsible and cannot be listed on the OGS prohibited vendors list.

## **OCFS Reserved Rights**

OCFS reserves the right to withdraw, amend or postpone this solicitation, 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 solicitation;
- make an award under this solicitation in whole or in part;
- disqualify any applicant whose conduct and/or LOI fails to conform to the requirements of this solicitation;
- reject any LOI if, in the sole discretion of OCFS, it determines the applicant is not a responsible vendor;
- request all applicants who submitted LOIs to present supplemental information clarifying their proposals either in writing or by formal presentation;
- direct all organizations who submitted LOIs to prepare modifications addressing solicitation amendments;
- make funding decisions that maximize compliance with and address the outcomes identified in this solicitation;
- 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;
- eliminate any solicitation requirements unmet by all applicants, upon notice to all parties that submitted LOIs;
- waive procedural technicalities, or modify minor irregularities, in LOI received, after notification to the applicant involved;
- correct any arithmetic errors in any proposal, or make typographical corrections to LOIs, with the concurrence of the applicant;
- negotiate with the eligible applicant(s) prior to contract award;
- require that all LOIs 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 LOIs received in response to this solicitation. However, issuance of this solicitation does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted;
- use the LOI submitted in response to this solicitation 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;
- utilize any and all ideas submitted in the LOI received where an award is ultimately made;
- 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 solicitation, 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 LOI. This includes, but is not limited to, proposed changes to the standard terms and conditions of the resulting contract(s).

## **Contract Documents**

Interested parties 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 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 this announcement, your organization agrees to comply with all provisions of Appendix A. Please review the sample non-grant contract templates provided here: <https://ocfs.ny.gov/main/contracts/samples.php>

In addition, the following documents may be required during the contract development process:

- [Vendor Responsibility Questionnaire](#) (if applicable)
- [Proof of Workers' Compensation Insurance](#) (if applicable)
- [Proof of Disability Benefits Coverage](#) (if applicable)
- [ST-220-CA Contractor Certification to Covered Agency](#) (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](#)
- [SDVOB 100, Service-Disabled Veteran-Owned Business Utilization Plan](#) (if applicable)

## **Diversity**

OCFS is committed to identifying, addressing, and reducing disproportionality and to eliminating racial and ethnic disparities in our systems of care and custody. Authentic partnerships and joint decision-making with families and communities promote social justice and race equity to address disproportionality and disparities in the provision of services to children and families. OCFS strongly encourages qualified minority-owned, women-owned, and veteran-owned businesses to submit a letter of interest in response to this announcement.

## **Contact Information**

### **Primary 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)

### **Submit to 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)

## **Attachments**

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

- **Attachment 1 – Letter of Interest\***
- **Attachment 2 – Submission Checklist\***
- **Attachment 3 – Registration Performance Standards**

\* Attachments marked with an asterisk **must** be completed and included with your response submission.