



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF ADMINISTRATION
BUDGET AND FISCAL MANAGEMENT BUREAU

Purchasing Memorandum

DATE: November 14, 2023

PLEASE ADDRESS INQUIRIES TO:

Joe Carucci, *Contract Management Specialist*
Telephone Number: (518) 776-2128
E-Mail: purchase@ag.ny.gov

REQUEST FOR APPLICATIONS NO.: 23-005

TITLE: 23-005 - Expanding Fair Housing Testing and Enforcement in New York State

BID DUE DATE: ~~November 29, 2023~~ **December 15, 2023 by 5:00PM EST**

SUBJECT: Answers to Questions/Inquiries

TO: **ALL PROSPECTIVE BIDDERS**

In reference to the above Request for Applications, the following questions/inquiries were submitted by the November 10, 2023 deadline. We are hereby providing answers to each question below:

1. QUESTION: In starting a new fair housing testing program, there is more than one model to consider, 1) an existing organization that makes fair housing a permanent program (even if their organizational mission does not presently include “eliminating housing discrimination”) or 2) an existing organization that incubates a fair housing program until it has secured adequate funding and an organizational structure to become self-sufficient and operate as an independent fair housing organization. Does the OAG have any preference or expectation regarding the outcome of this process?
ANSWER: No, the OAG does not have a preference to the model developed by the grantee.

2. QUESTION: If an EFHP is a legal services program or any program that exclusively serves low-income people, will the OAG require that the organization refrain from applying income tests to victims of housing discrimination who file complaints with the organization?
ANSWER: There are no income limit requirements for this program. The OAG would encourage any grantee to accept complaints and to the best of their capacity serve all New Yorkers experiencing discrimination under the fair housing laws.

a) Similarly, will the OAG require EFHPs to serve people possessing any of the protected characteristics under fair housing laws?

ANSWER: Please see OAG response to Question #2. The OAG encourages grantees to the best of their ability serve all New Yorkers experiencing housing discrimination.

b) Finally, if the EFHP is a tenant-oriented organization, will the OAG require that the emerging fair housing program is willing to work in all segments of the housing market (e.g., rental, sales, lending, etc.)?

ANSWER: Please see OAG response to Question #2. The OAG encourages grantees to the best of their ability serve all New Yorkers experiencing housing discrimination.



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3. QUESTION: From the RFA, it appears that the EFHP can only be for a City or County and not a multiple county region as exists in the Albany area. Would it be a more prudent and efficient use of resources to find an organization willing to serve a metropolitan area if that area is currently unserved by any fair housing program?
ANSWER: **This is not stated in the RFA. The applying organization can serve multiple cities or counties within their selected region, or only one. However, if multiple applicants apply for the same City or County, only one will be selected.**
4. QUESTION: The RFA indicates that Long Island is only served by one QFHO? Long Island Housing Services and the Fair Housing Justice Center serves this area and have even collaborated on investigations in the past. We recommend the list be revised to reflect accurate information about existing organization (QFHO) service areas.
ANSWER: **Priority Two, Section III.B.1. of the RFA, has been updated to read “Regions with no more than two QFHO, FHAP or FHIP serving multiple counties that are not consolidated into one municipality.” This will add additional eligible counties in the Hudson Valley- Rockland, Putnam, Orange, Ulster and Sullivan.**
- a) It was brought to the attention of the OAG that there may be organizations that serve Priority One counties.
ANSWER: **After reviewing, the OAG determined that no QFHOS, FHAPS or FHIPS are operating full-service programs with an office in the region. The counties listed in Priority One, Section III.B.1 of the RFA, will remain the same.**
5. QUESTION: According to the RFA (Section IV.A.2), an applicant may only subcontract with other agencies if a pre-existing relationship exists, and the sub-grantee meets all minimum threshold eligibility criteria in Section IV. Our organization has had a strong pre-existing relationship with another organization since 2012 in the form of a well-established national training program for test coordinators called Investigative Support for Testing & Enforcement Programs (ISTEP). Half of the ISTEP trainers come from this organization. Would our organization be foreclosed from entering into a subcontract with this organization to bring the full expertise, training curriculum, tools, resources and technical assistance currently provided by ISTEP trainers simply because that organization does not have an office in New York?
ANSWER: **The OAG can make an exception to the minimum requirement of being located in NY if the subcontracted organization is providing training support under this grant.**
6. QUESTION: For the EFHP (Section II.A), one criteria is stated as “Create a process for direct advocacy on behalf of complainants by engaging with entities accused of fair housing violations, attempting to resolve complaints;” We recommend the OAG better define what it means here.
ANSWER: **“Direct advocacy,” in this instance, relates only to resolving the specific complaint made by the complainant, this does not include advocating for agency funding.**
7. QUESTION: Most fair housing organizations are consumed right now with making applications for federal funds under HUD’s Fair Housing Initiatives Program (FHIP) which also has a late November application deadline. We ask that the OAG extend the deadline for responses to this RFA in consideration of the burden placed on smaller non-profit organizations to meet the November deadline and the need to clarify and address some of the substantive questions and comments.
ANSWER: **The OAG will extend the response deadline to December 15, 2023 by 5PM EST.**



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8. QUESTION: Most fair housing organizations are consumed right now with making applications for federal funds under HUD's Fair Housing Initiatives Program (FHIP) which also has a late November application deadline. We ask that the OAG extend the deadline for responses to this RFA in consideration of the burden placed on smaller non-profit organizations to meet the November deadline and the need to clarify and address some of the substantive questions and comments.

ANSWER: Existing QFHOs are not eligible to apply for funding under the Emerging Fair Housing Program portion of this grant, even as a subcontractor. Existing QFHOs can apply to be Fair Housing Trainers which will provide training and assistance to the Emerging Fair Housing Programs.

All other RFA #23-005 terms and conditions remain the same.

This Purchasing Memorandum is to be signed, submitted and made a part of your proposal. If you have any questions, do not hesitate to contact the person listed on top of this memorandum.

VENDOR: _____

ADDRESS: _____

SIGNATURE OF BIDDER: _____

DATE: _____