



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF ADMINISTRATION
BUDGET AND FISCAL MANAGEMENT BUREAU

PURCHASING MEMORANDUM

DATE: August 14, 2020

PLEASE ADDRESS INQUIRIES TO:

Stephanie Folk, *Contract Management Specialist*
Telephone Number: (518) 776-2129
E-Mail: purchase@ag.ny.gov

REQUEST FOR APPLICATIONS (RFA) NO.: 20-001

TITLE: COVID-19 Tenant Legal Assistance Initiative

RFA DUE DATE: August 25, 2020 5:00PM

CONTRACT PERIOD: October 1, 2020 – September 30, 2021, with one (1) one-year renewal option.

SUBJECT: Answers to Questions/Inquiries

TO: **ALL PROSPECTIVE BIDDERS**

In reference to the above Request for Quote, the following questions/inquiries were submitted by the deadline indicated in the IFB. We are hereby providing answers to each question below:

1. **QUESTION:** On Page 8, under B. Evaluation Criteria, 1. A. it is written, "Please provide a list of current staff, including titles and resumes " We have over 40 staff members and most will have no role in this project. Do you want the resumes for all 40+ people, only those involved with this project, or only the key staff for this project?

ANSWER: Only resumes for key staff are required.

2. **QUESTION:** Section IV. B. 1. A. ("ORGANIZATION DESCRIPTION AND EXPERIENCE"). Can 2 organizations submit a joint application? In the alternative can one organization have a sub grant with a 2nd organization? If either of the 2 proceeding questions are answered in the affirmative, how/where should the co-applicant/sub grantee's costs be reflected in the budget, Appendix II-1?

ANSWER: Subcontracting will be allowed under the awarded grants. One application is to be submitted by the Primary Grant Applicant with a budget (Appendix II 1and/or 2) indicating any subcontracted amounts. A separate budget should be submitted for each subcontractor as part of the Primary Grant Applicant's submission as well as all required documents including Appendix III for each subcontractor. The Primary Grant Applicant must explain the relationship with the subcontractor(s). All grantees, including subcontractors must meet all minimum threshold eligibility criteria in Section IV. An application with subcontractors, if awarded, will result in a single grant contract set up under the Primary Grant Applicant.

BUREAU OF BUDGET AND FISCAL MANAGEMENT
PURCHASING TEAM

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A subcontractor shall be defined as any firm or person who is not a full-time employee of the Primary Grantee, engaged or assigned to perform work under the Grant Contract. All agreements between the Primary Grantee and its subcontractors shall be by bona fide written contract. A subcontractor cannot subcontract work under the resulting contract. Any costs associated with subcontracting are the obligation of the awarded Primary Grantee. Primary Grantee shall be fully responsible to OAG for the acts and omissions in the performance of services under the Grant Contract of the subcontractor and/or persons either directly or indirectly employed by it or by the subcontractors, as it is for the acts and omissions in the performance of services under the Grant Contract or persons directly employed by the Primary Grantee. The Primary Grantee shall not in any way be relieved of any contractual or financial responsibility under the Grant Contract by its agreement with any subcontractor or by an OAG approval of such an agreement with a subcontractor. The State reserves the right to reject any proposed subcontractor for bona fide business reasons, which may include, but are not limited to: that the proposed subcontractor is on the Department of Labor's debarred list; the State determines that the entity is not qualified; unsatisfactory contract performance or service has been previously provided.

3. QUESTION: Section IV. B.1. A. 1. ("ORGANIZATION DESCRIPTION AND EXPERIENCE"). This section requests applicants to provide: 'a list of current staff, including titles and resumes, and a list of your Board of Directors'. Are you requesting resumes from all staff of the applicant, even those not involved in the project? For example, for our program that would be approximately 80 resumes. Also, are the 2 lists included in the 5 page limit or are they separate attachments and not counted toward the 5 page limit?
ANSWER: See answer to question 1. Resumes and staff lists will not be considered in the page limitation.

4. QUESTION: Section II. A. ("PROGRAM DESCRIPTION.....VOLUNTEER ATTORNEY PROGRAMS"). This section states that "Grantees will provide direct representation to tenants" while Section IV. B. 1. B. 3. ("Outcomes and Deliverables") requests applicants to provide "the staffing plan including any staff who will represent tenants under this program". This question seeks to clarify that the program will fund staff who will develop and maintain a pro bono program where pro bono attorneys will be the counsel appearing in court with the tenant clients and that the program will not be funding the applicant's staff attorneys to appear in court and represent tenant clients.

ANSWER: This program will fund staff to develop and maintain a volunteer attorney program and referral network to tenants. However, an organization may propose to have the staff that manage the volunteer network also provide direct representation as needed or to refer some tenants encountered through this program internally for representation. Additionally, applicants may plan to supervise pro-bono attorneys in representation. Organizations should include how they will provide representation to tenants in their proposal and if they are planning to refer internally or provide direct representation please include this information in the proposal.

5. QUESTION: Section IV. B. 1.C. ("Budget/Appendix"). Can the budget show in kind contributions, showing more staff time than this RFP would otherwise pay for, thereby showing a total budget greater than \$107,000?

ANSWER: Please limit the Appendix II budget to funds intended to be utilized by this grant. If applicants are planning to provide in kind contributions, please explain and include in the narrative portion of the application.



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6. QUESTION: Is it acceptable for us to include a staff list with resumes and a board list as an attachment at the end of our application narrative?

ANSWER: Yes, these will not be considered as part of the page limitation.

7. QUESTION: Is it acceptable for us to include letters of support from partner organizations as additional attachments?

ANSWER: Yes, these will not be considered as part of the page limitation.

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

VENDOR: _____

ADDRESS: _____

SIGNATURE OF BIDDER: _____

DATE: _____