

NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS

**REQUEST FOR APPLICATIONS (RFA) SETT-23001
Comprehensive Low-Threshold Buprenorphine Services**

EXPECTED TIMETABLE FOR KEY EVENTS:

	DATE	TIME
RFA Release Date	1/20/2023	
Applicant Conference	2/1/2023	10:00 AM to - 12:00 PM EST
Deadline for Submission of Applicant's Inquiries	2/3/2023	5:00 PM EST
Anticipated Release of Inquiries & Answers by OASAS	2/8/2023	
Application Submission Due Date and Time	2/22/2023	5:00 PM EST
Anticipated Notification of Award	3/13/2022	

ALL INQUIRIES TO:

OASAS.sm.Grants@oasas.ny.gov

Subject: RFA - **SETT- 23001**

EMAIL SUBMISSION OF APPLICATIONS TO:

OASAS.sm.Grants@oasas.ny.gov

Subject: RFA - **OASAS SETT-23001, "Provider Name"**

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1 INTRODUCTION

1.1 Purpose

The Office of Addiction Services and Supports (OASAS) is seeking applications for the development of Comprehensive Low-Threshold Buprenorphine Services in New York State (NYS) as part of a comprehensive approach to reduce the trend of fatal overdoses throughout New York. The purpose of this proposal is to increase access to person centered comprehensive substance use disorder (SUD) treatment and Medication for Opioid Use Disorder (MOUD) services.

Buprenorphine is a safe and effective treatment for opioid use disorder, but only a fraction of New Yorkers who would benefit from this treatment receive it. One reason for this is that many buprenorphine treatment providers have high threshold requirements for initiation and long-term treatment, limiting the number of people who receive medication. Low-threshold services are guided by the following principles: same-day treatment entry; harm reduction approach; flexibility in prescribing; and wide availability in locations where people with opioid use disorder are. Through Comprehensive Low-Threshold Buprenorphine Programs, individuals will be offered same day, immediate enrollment in buprenorphine treatment and care management services. These programs will offer services to individuals who seek this type of service in a safe and nonjudgmental environment, despite continued drug use or lapses in care.

1.2 Funding Available

- \$7,500,000 is currently available to support Comprehensive Low-Threshold Buprenorphine Programs through a maximum of 15 awards; each award may be up to \$500,000; an additional two years of funding may be provided as available.
- OASAS seeks to award at least one program in each of the 10 Empire State Development (ESD) Region. The 10 Regions can be found at: <https://esd.ny.gov/regions>

1.3 Eligible Applicants

Eligible applicants are a non-profit or governmental entity that meets one of the following criteria:

1. Voluntary agencies that operate OASAS-certified, funded, or otherwise authorized SUD treatment programs
2. Voluntary agencies that operate OMH-licensed mental health services programs
3. Hospitals
4. Syringe Services Programs (SSP)
5. Federally Qualified Health Centers (FQHC)

In addition, Eligible applicants must meet all of the following:

- Have a NYS licensed provider (APN, MD/DO, PA)

- Have a federal DEA registration.

Applicants are advised that OASAS may not fund an application where the applicant is an OASAS-certified treatment provider that is not in good standing at the time an award is made.

1.4 Glossary of Terms

For purposes of this solicitation, the following definitions may apply:

OASAS-Certified: Pursuant to Article 32 of the New York State Mental Hygiene Law, possession of operating certificate(s) issued by the OASAS commissioner to engage in the provision of Outpatient and Opioid Treatment Services as defined in 14 NYCRR Part 822.

Local Governmental Unit: As defined in New York State Mental Hygiene Law, section 41.03 paragraph 5, local governmental unit “means the unit of local government given authority in accordance with this chapter by local government to provide local services.”

Voluntary Agencies: As defined in New York State Mental Hygiene Law, section 41.03 paragraph 11, a voluntary agency means a corporation organized or existing pursuant to the not-for-profit law for the purpose of providing local services.

In Good Standing: All of a provider’s operating certificates which are subject to a compliance rating must have a current compliance rating of partial (2 years) or substantial (3 years) compliance.

“Bidder” and “Applicant”: Terms that may be used interchangeably meaning the entity responding to this solicitation.

“Bid”, “Application” and “Proposal”: Terms that may be used interchangeably meaning the documentation submitted by an entity in response to this solicitation.

1.5 Applicant Conference

An Applicant conference is scheduled for this procurement and will take place virtually VIA Webex on the date and time found on the cover page of this proposal.

Participation details will be posted on the OASAS website under this procurement 24 hours before the event. Attendance is not mandatory.

Official responses to questions received during the applicant’s conference will be included with the Applicant Inquiries and Clarifications response.

1.6 Applicant Inquiries and Clarifications:

Any inquiries or requests for clarification about this RFA must be received in writing by the Deadline for Submission of Applicant’s Inquiries Due Date and Time found on the cover page of this document **and** must be submitted by email to OASAS.sm.Grants@oasas.ny.gov and should have the subject line **“RFA – SETT-23001”**

The Applicant Inquiries and Clarifications response will be posted to the OASAS Procurement web page on or around the “Anticipated Release of Inquiries & Answers by OASAS” date found on the cover page of this document.

In the event it becomes necessary to clarify any portion of this RFA, a clarification will be posted to the OASAS website.

2 OASAS PRIORITIES: INTEGRATION OF MENTAL HEALTH AND SUD AND DIVERSITY

2.1 Integration of Mental Health and Substance Use Disorder

Applicant should have the ability to provide a full range of evidence-based practices that integrate treatments for both addictions and mental health conditions. Care should be organized around the individual’s presenting problem and goals. Individuals should expect and receive competent screening, assessment, and comprehensive care for addictions and mental health conditions regardless of where they access care.

Individuals often present to an addiction treatment program with goals that are driven by their addiction but who also have mental health conditions that cannot be separated from and treated independently of the addiction. Both must be addressed simultaneously for the presenting problem to resolve and patient goals to be reached. Rather than considering severity or primacy of diagnoses, treatment is organized around the patient’s presenting problem, assessed and planning includes the presenting problem and all addictions or mental health conditions. Integrated care activities that should be considered include (list is not comprehensive):

- Evidence-based prevention that addresses a range of mental health, physical health and addiction across the lifespan;
- Harm reduction strategies to reduce the harm of substance use, chronic health conditions and behaviors associated with mental health disorders;
- A recovery orientation where all individuals are expected to thrive in their community;
- Screening for mental health and addiction conditions;
- Comprehensive Assessment including Psychosocial Evaluations in treatment settings;
- Evaluation for and management of medications to treat mental health conditions and addiction in treatment settings;
- Individual, group, and family Psychotherapy/Counseling, including the use of evidence-based treatments;
- Peer involvement;
- Skills-building group or individual counseling to manage symptoms of all presenting concerns;
- Trauma-informed care including assessment of trauma;
- Treatment of trauma including skills-building; and,
- Coordination of services.

2.2 Equity and Diversity

Applicants are expected to affirmatively address and advance justice and equity and to create and enhance diversity and inclusive practices. Decades of disinvestment coupled with historical and current inequities in access for communities of color, especially Black, Indigenous and Latinx communities, rural communities, LGBTQI+ and other underserved communities require establishing practices that: demonstrate the entity's commitment to equity, identify efforts to reduce disparities in access to services and address opportunities to recruit and retain a diverse workforce. Since bias plagues our systems and flourishes in unexpected and unanticipated ways, progress toward equity requires a multi-faceted approach.

3 SCOPE OF WORK/DELIVERABLES

The applicant shall:

- A. Be responsible for performing a medical evaluation and prescribing buprenorphine to individuals with opioid use disorder (OUD).
- B. Provide buprenorphine (minimum 14-day prescriptions) to individuals with OUD seeking low-threshold buprenorphine treatment.
- C. Provided low-threshold services at initiation and for long-term use.
- D. Assess individuals for diagnostic criteria for OUD and as appropriate candidates for buprenorphine treatment using program inclusion and exclusion criteria.
- E. Ensure individuals receive a Clinical Opioid Withdrawal Scale/Subjective Opioid Withdrawal Scale (COWS/SOWS) and be educated on dosing of buprenorphine for initiation and stabilization.
- F. Ensure practitioners will write a 14-day prescription for buprenorphine, which must be filled in a community pharmacy. The individual will be given written instructions for home initiation and follow-up care.
- G. Any self-report of diversion, or a urine sample consistent with diversion, will be evaluated and discussed with the individual.
- H. Facilitate access to treatment for individuals who desire SUD treatment services and meet exclusionary criteria for Low-Threshold Buprenorphine, ensuring that pregnant individuals receive priority treatment services.
- I. Include, at a minimum, care management services to address barriers and to refer individuals to care through a facilitated referral which would include a warm-handoff whenever possible.
- J. Develop affiliation agreements with SUD treatment programs that can provide continued care with buprenorphine, including but not limited to: an OTP for methadone if it becomes apparent that methadone may be a better medication option; FQHC; or SUD outpatient treatment program directly provides MOUD.

Applicant will have the capacity to make a facilitated referral to the treatment program, share information as necessary, assist in overcoming barriers to engagement and follow-up with both treatment provider and client. Submit signed agreements with proposal.

- K. Provide services in a non-judgmental, person-centered manner that meets the individual where they are. Applicants will utilize motivational interviewing techniques that meet the criteria fidelity to the model based on use of manuals and fidelity tools. Applicant describes the process for ensuring fidelity.

4 APPLICATION REQUIREMENTS AND SUBMISSION

Applications should be emailed to OASAS.sm.Grants@oasas.ny.gov. The subject of the email should read: RFA - SETT-23001, "Provider Name."

Complete applications must be received by NYS OASAS by the Application Submission Due Date and Time found on the cover page of this proposal.

If a provider is applying for multiple ESD Regions one application must be submitted separately for each Region.

APPLICATION FORMAT AND CONTENT

The submission must include the following:

A. Administrative/Fiscal Application:

Each Bidder should submit a complete Administrative/Fiscal Application. The Administrative/Fiscal Application must include all of the following.

- 1. Proposal Cover Letter** – A cover letter will transmit the application to OASAS. It should:
 - Be completed, signed, and dated by an authorized representative of the Applicant
 - Include the Applicant's designated contact name, phone number, e-mail and physical address
 - Include the ESD Region within which the program resides <https://esd.ny.gov/regions>.
 - Detail how the applicant meets the eligibility requirements of this solicitation presented in Section 1.3, including:
 - Identification of Eligible Applicant type
 - OASAS Provider Number or OMH Article 31 License Number, if applicable
 - NYS licensed provider (APN, MD/DO, PA) number
 - Federal DEA registration number

2. ATTACHMENT 3 - Budget and Budget Narrative (see Below)

3. **ATTACHMENT 4** – Vendor Assurance of No Conflict of Interest or Detrimental Form
4. **ATTACHMENT 8** – Executive Order 177 Certification
5. **ATTACHMENT 9** – §139-I Statement on Sexual Harassment
6. **ATTACHMENT 10** – Executive Order 16
7. **ATTACHMENT 11** – Integration of Mental Health and SUD Response
8. **ATTACHMENT 12** – Equity and Diversity Response

Budget and Budget Narrative

Total annualized funding is up to \$500,000 per year, subject to State appropriations. The budget and budget narrative should be reasonable and include all costs associated with the completion of the project.

Applications must include:

1. A detailed budget using Attachment 3 is required. Budget should include the following: fully annualized operating costs to satisfy the scope of work detailed in the RFA and revenues, and; proposed one-time start-up costs, if any.
2. A Budget Narrative attached to the Attachment 3 Budget that should:
 - a. Describe the applicant’s sustainability plan for the project at the end of the contract. Include a timeline indicating how the program will transition from this grant funding to sustainability through any other types of income that are available.
 - b. Include budget notes that detail and explain the proposed budget methodology and estimates and assumptions made for expenses and the calculations/computations to support the proposed budget. The State’s proposal reviewers need to fully understand the applicant’s budget projections from the information presented in its proposal. Failure to provide adequate information could result in lower ranking of the proposal.
 - c. For all proposed personnel, identify the staff position titles being allocated, and total hours per work week.
 - d. Identify the number of hours per clinical provider.
 - e. Include written assurance that if the applicant receives an award pursuant to the RFA, it will pursue all available sources of revenue and support upon award and in future contracts.

B. Program Narrative Application

The Program Narrative Application should be typed, double-spaced, single sided on 8 ½ x 11-inch paper. Pages should be paginated, and font should be 12-point Times New Roman, and all margins should be .5 inch wide. The Program Narrative Application should address all the following sections, in order:

Applicant History and Experience

1. Describe the applicant’s history, mission, purpose, current licenses and modalities, and record of accomplishments. Explain the work with the target

- population, the number of years' experience working with the target population and any collaboration with other SUD and medical providers.
2. Describe why the applicant is the most appropriate and best qualified to implement this program in the target service area.
 3. Summarize the applicant's administrative and organizational capacity to establish and implement the medication component of a MOUD program and ability to provide long term treatment and counseling. Attach a one-page copy of the applicant's organizational chart showing the location of the proposed project and its link to the organization.
 4. Demonstrate applicant's commitment to cultural responsiveness and diversity.
 5. Describe the applicant's status and compliance with contract commitments regarding programmatic performance and level of service, if applicable.

Project Description

Provide an overview of how the services detailed in the scope of work will be implemented and the timeframes involved, specifically addressing the following:

1. Describe how applicant's philosophy of care will assure services are nonjudgmental and person-centered. Attach as an appendix any applicable policies and procedures.
2. Provide inclusionary and exclusionary criteria for the proposed service. Provider describes assessment process and admission criteria.
3. Describe how the program will respond to individuals who are: not adherent with appointments or referrals; who continue to use other substances; who appear to be diverting medications.
4. Describe how the applicant will assure flexible scheduling and access that will meet participant needs, including: programmatic schedule, how initial and follow up visits will be accommodated, how applicant will accommodate appointments and walk-ins, how applicant will minimize "no show" appointment times and assure full utilization of staff time.
5. Describe how individuals will be tracked, and any follow-up or outreach procedures.
6. Describe policies and procedures for individual discharge from the program.
7. Include the number of individuals that can be treated through this program and how applicant will manage referrals if the program is at capacity.
8. Describe how care will be coordinated with other treatment providers.
9. Describe procedures to assess individuals for diagnostic criteria for OUD and as appropriate candidates for buprenorphine treatment, including the medical evaluation.
10. Attach as an appendix the written instructions for home initiation and follow up care that will be provided to clients.
11. Describe urine toxicology testing procedures, including laboratory services.
12. Describe procedure to minimize diversion risk.
13. Describe procedures for services of those individuals who do not meet admission criteria for buprenorphine treatment.
14. Identify how your program will incorporate integrate mental health and substance use treatment.

Outcome(s) and Evaluation

1. Describe staffing, policies and procedures to assure that applicant will report all required data.
2. Provide assurance that the applicant will complete the data collection tool developed by OASAS.
3. Provide details on how the program is going to track the following outcomes: retention rates in treatment; outcomes at six months post-intake; outcomes at discharge.
4. Provide detail on how applicant plans to conduct an evaluation of the proposed programs and experience conducting program evaluation.

Staffing

Applicants must determine staff structure to satisfy the contract requirements. Applicants should describe the proposed staffing structure and identify how many staff will be hired to meet the needs of the program.

1. Describe the composition and skill set of the proposed medical program team and support staff, including staff qualifications.
2. Provide details of the Full Time Equivalent (FTE) and Part Time Equivalent (PTE) staffing required to satisfy the contract scope of work.
3. Describe the proposed method for procuring the medical services described such as hire, constricted, consulting, and how you will assure proper credentials and their role on the treatment team.
4. Describe the number of individuals served per medical staff hired.
5. Describe the ratio of billable vs. non-billable time for medical staff.
6. A list of names of consultants the applicant intends to utilize for the contract, as it relates to medical services, resulting from the RFA, including each consultant's professional licensure and organizational affiliation(s). Confirm that no member of the Board of Directors is employed in a consultant capacity to the bidder.
7. Provide copies of job descriptions – limited to two (2) pages each – for proposed staff.
8. Provide the applicant's hiring policies, including background and credential checks, as well as handling of prior criminal convictions.
9. Describe the approach for supervision of staff.
10. Provide a list of the applicant's board member and current team, each member's professional licensure and organizational affiliation(s). The applicant's proposal must identify each board member who is also an employee of the applicants or an affiliate of the applicant. The proposal shall indicate if the Board of Directors votes on contract-related matters.

Facilities, Logistics, Equipment

1. Describe the plan for private treatment space within agency, vehicle needs, and any needs specific to this project.
2. Describe how the applicant will manage the service delivery if provided at more than one program site.
3. Describe the plan for telehealth needs specific to this project.
4. Describe the way tangible assets, i.e. computers, phones, other special service equipment, etc., will be acquired and allocated.

5. Describe the applicant's American with Disabilities Act (ADA) accessibility to its facilities and/or offices for individuals with disabilities.
6. Describe the applicant's accessibility to language access programs to its facilities and/or offices.

4.1 Completeness Review/Non-Responsive Applications

Applications submitted in response to this RFA shall first undergo a completeness review. Those determined to be responsive and complete shall continue in the evaluation process. Conversely, those submissions deemed as incomplete and non-responsive shall be removed from further consideration.

To pass the completeness review, an application must meet the mandatory requirements as follows:

- A. Was the Application received by OASAS by the submission deadline date as set forth in the RFA or is there good cause for the delay?
- B. Is the bidder entity eligible to apply as set forth in "Eligible Applicants" section of this RFA?
- C. Was the bidder prequalified in Grants Gateway on the submission due date?
- D. The Bidder included an **Administrative/Fiscal Application**, and all required sections as defined in the Administrative/Fiscal Application section of this opportunity.
- E. The Bidder included a **Program Narrative Application**.

4.2 Evaluation Process

Applications passing the Completeness Review will be evaluated and ranked in order of highest score based on an evaluation of each applicant's submission, and awards will be made to the highest successful Application in each designated area for each ESD Region. After the initial awards are made the remaining applicant pool will be combined into a single state award pool and ranked. The remaining awards will be made to the highest successful Applicants.

Scoring will be as follows:

1. Program Narrative - Applicant History and Experience (5 points)
2. Program Narrative - Project Description (30 points)
3. Program Narrative - Outcome(s) and Evaluation (10 points)
4. Program Narrative - Staffing (10 points)
5. Program Narrative - Facility, Logistics, Equipment (5 points)
6. Attachment 3 - Budget and Budget Narrative (20 points)
7. Attachment 11 - Integration of Mental Health and SUD Response (10 points)
8. Attachment 12 - Equity and Diversity Response (10 points)

TOTAL: 100 Points

If two or more Applications have the same highest overall final score within a designated area, the following tie breaker criteria will be applied to determine which Application will be ranked highest:

- A. The Application(s) with the highest Attachment 3 - Budget and Budget Narrative score will be ranked highest.
- B. If the Attachment 3 - Budget and Budget Narrative score are tied the Application(s) with the highest total Program Narrative score will be ranked highest.
- C. If the above scores are tied, The Application(s) with the highest Attachment 12 - Equity and Diversity Response score will be ranked highest.

All provisions of this RFA and the resulting contract award are contingent upon the availability of NYS funds.

5 ADMINISTRATIVE INFORMATION

5.1 OASAS Reserved Rights

OASAS reserves the right to:

- Reject any or all applications received in response to this Requests for Funding.
- Not make an award to any applicant who is not in good standing or who proposes to subcontract with an entity that is not in good standing at the time a contract is awarded.
- Not make an award to any applicant who proposes to subcontract with any entity that OASAS determines does not meet the criteria of a responsible vendor.
- Withdraw the RFA at any time, at OASAS's sole discretion.
- Make an award under this RFA in whole or in part.
- Make awards based on geographical or regional consideration to serve the best interests of the State.
- Make awards in a culturally humble and ethnically diverse manner as determined necessary and appropriate in the sole discretion of OASAS to serve best the interests of the State.
- Negotiate with the successful applicant within the scope of the RFA in the best interests of the State.
- Disqualify any applicant whose conduct and/or application fails to conform to the requirements of this RFA.
- Seek clarifications and revisions of applications.
- Use application information obtained through site visits, management interviews and the State's investigation of an applicant's or its proposed subcontractor's qualifications, experience, ability or financial standing, and any material or information

submitted by the applicant in response to the OASAS's request for clarifying information in the course of evaluation and/or selection under the RFA.

- Amend the RFA to correct errors of oversight, or to supply additional information as it becomes available.
- Direct applicants to submit application modifications addressing subsequent RFA amendments.
- Make additional awards in excess of the posted amount if additional funding is made available.
- Change any of the scheduled dates.
- Eliminate any mandatory, non-material specification that cannot be met by all of the prospective applicants.
- Waive any requirement that is not material.
- Conduct contract negotiations with the next successful applicant, should the OASAS be unsuccessful in negotiating with the selected applicant.
- Utilize any and all ideas submitted in the applications received.
- Require correction of simple arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an applicant's application and/or to determine an applicant's compliance with the requirements of the solicitation.
- Accept applications after the due date for submissions, if OASAS in its sole discretion, determines there is good cause shown for the delay in the submissions.

5.2 Prequalification Requirements For Not-For-Profit Bidders

Pursuant to the NYS Division of the Budget Bulletin H-1032 Revised, dated July 16, 2014, NYS has instituted key reform initiatives to the grant contract process, which require that **not-for-profits must register in the NYS Grants Gateway and complete a Vendor Prequalification process.**

Applicants must be pre-qualified in the NYS Grants Gateway when submitting their application. In addition, any award is contingent on the Applicant(s) being pre-qualified at the time of contract execution. (See: <http://grantsgateway.ny.gov/>)

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. The Vendor User Manual in the Grants Reform Website details the requirements and can be found at <https://grantsmanagement.ny.gov/grantee-documents>.

1. Register for the Grants Gateway.

- On the Grants Reform Website, download a copy of the Registration Form for Administrator. A signed, notarized original form must be sent to the Division of

Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.

If you have previously registered and do not know your Username, please email grantsreform@budget.ny.gov. If you do not know your Password, please click the [Forgot Password](#) link from the main log in page and follow the prompts.

2. Complete your Prequalification Application.

- Log in to the [Grants Gateway](#). **If this is your first-time logging in**, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.
- Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be referred to your agency representative or to the Grants Reform Team at grantsreform@budget.ny.gov.

3. Submit Your Prequalification Application

- After completing your Prequalification Application, click the **Submit Document Vault Link** located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes, you will receive email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Failure to prequalify and maintain your prequalification status will serve as a bar to grant eligibility. If you have any questions about prequalification, please go to the Grants Reform website or contact OASAS.sm.Grants@oasas.ny.gov.

5.3 Compliance Requirements

All activities performed with funds from this solicitation must be carried out in a manner that complies with all applicable federal and New York State laws and regulations.

5.4 Reporting Requirements

Applicants will be required to report a series of data elements that will enable OASAS to determine the impact of the program on opioid use, and opioid-related morbidity and mortality. Applicants will be required to report client-level data on elements including but not limited to: diagnoses, demographic characteristics, substance use, services received, types of medication-assisted treatment received; length of stay in treatment; employment status, criminal justice involvement, and housing. Additional data elements will be provided after award. Applicants are required to ensure all data reported are accurate.

6 CLAUSES AND REQUIREMENTS

6.1 MWBE and EEO Requirements

Business Participation Opportunities for NYS Certified Minority-and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women Requirements and Procedures

NEW YORK STATE LAW

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, the New York State Office of Addiction Services and Supports (NYS OASAS) is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of NYS OASAS contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, the NYS OASAS hereby establishes an overall goal of 30% for MWBE participation, 10% for New York State-certified Minority-owned Business Enterprise (“MBE”) participation and 20% for New York State-certified Women-owned Business Enterprise (“WBE”) participation (based on the current availability of MBEs and WBEs). A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFA, the respondent agrees that the NYS OASAS may withhold payment pursuant to any Contract awarded as a result of this RFA pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how NYS OASAS will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The Successful Bidder understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be

applied towards the achievement of the applicable MWBE participation goal. **[FOR CONSTRUCTION CONTRACTS** – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60% of the total value of the contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE]. **[FOR ALL OTHER CONTRACTS** - The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25% of the total value of the contract]

In accordance with 5 NYCRR § 142.13, the respondent further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a Contract resulting from this RFA, such finding constitutes a breach of contract and NYS OASAS may withhold payment as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

In the event a determination has been made which requires the payment of liquidated damages and such identified sums have not been withheld by NYS OASAS, the Contractor shall pay such liquidated damages to NYS OASAS within sixty (60) days after they are assessed. Provided, however, that if the Contractor has filed a complaint with the Director of the Division of Minority and Women’s Business Development pursuant to 5 NYCRR §142.12, liquidated damages shall be payable only in the event of a determination adverse to the Contractor following the complaint process.

By submitting a bid or Application, a respondent agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a respondent may arrange to provide such evidence via a non-electronic method by contacting the NYS OASAS Designated Contact identified in this RFA.

Additionally, a respondent will be required to submit the following documents and information as evidence of compliance with the foregoing:

- A. An MWBE Utilization Plan, (Attachment I -Form #1) and/or Request for Waiver (Attachment I -Form #2), with their bid, Application, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised

MWBE Utilization Plan and submitted to the NYS OASAS for review and approval.

The NYS OASAS will review the submitted MWBE Utilization Plan and advise the respondent of the NYS OASAS acceptance or issue a notice of deficiency within 30 days of receipt.

- B. If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the NYS OASAS Opportunity Programs Unit at: OpportunityPrograms@oasas.ny.gov, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the NYS OASAS to be inadequate, the NYS OASAS shall notify the respondent and direct the respondent to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or Application.

The NYS OASAS may disqualify a respondent as being non-responsive under the following circumstances:

- a) If a respondent fails to submit an MWBE Utilization Plan;
- b) If a respondent fails to submit a written remedy to a notice of deficiency;
- c) If a respondent fails to submit a request for waiver; or
- d) If the NYS OASAS determines that the respondent has failed to document good faith efforts.

The successful respondent will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver (Request for Waiver- MWBE Attachment I - Form #2) of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the NYS OASAS but must be made no later than prior to the submission of a request for final payment on the Contract.

The successful respondent will be required to submit a quarterly M/WBE Contractor Compliance & Payment Report (Attachment I -Form #3) to the NYS OASAS, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

Offeror's should consult the New York State M/WBE Directory in order to identify potential firms to partner with to meet their M/WBE goals. The directory may be reached with the following link: <https://ny.newnycontracts.com>. NYS OASAS's Opportunity Programs Unit is readily available to provide technical assistance in identifying potential partners.

Questions regarding the certification process or the New York State M/WBE program in general should be addressed to the Empire State Development Corporation at (518) 292-5250.

Questions regarding the NYS OASAS M/WBE program or requests for technical assistance should be addressed to the Opportunity Programs Unit at OpportunityPrograms@oasas.ny.gov.

Equal Employment Opportunity Requirements

By submission of a bid or Application in response to this solicitation, the respondent agrees with all of the terms and conditions of Appendix A – Standard Clauses for All New York State Contracts including Clause 12 - Equal Employment Opportunities for Minorities and Women (https://ogs.ny.gov/system/files/documents/2019/10/AppendixA_0.pdf) OR Authority equivalent to Appendix A] The respondent is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the respondent, shall undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

The respondent will be required to submit a Minority and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement, (Attachment I – Form #6) to the NYS OASAS with their bid, Application, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award.

The respondent is required to submit an Equal Opportunity Staffing Plan, Form #4 (Attachment I) with their bid, Application, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award with the bid or Application, identifying the anticipate work force to be utilized on the Contract.

If awarded a Contract, respondent shall submit a Workforce Utilization Report and shall require each of its Subcontractors to submit a Workforce Utilization Report, Form #5 (Attachment I), in such format as shall be required by the NYS OASAS on a quarterly basis during the term of the contract.

Pursuant to Executive Order #162, contractors and subcontractors will also be required to report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the Workforce Utilization Report on a quarterly basis.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual

orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

6.2 New York State Certified Service-Disabled Veterans PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED SERVICE-DISABLED VETERAN-OWNED BUSINESSES

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”), thereby further integrating such businesses into New York State’s economy. NYS OASAS recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of NYS OASAS contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders/Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, NYS OASAS conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/veterans/>

Bidder/Contractor is encouraged to contact the Office of General Services’ Division of Service-Disabled Veteran’s Business Development at 518-474-2015 or VeteransDevelopment@ogs.ny.gov to discuss methods of maximizing participation by SDVOBs on the Contract.

6.3 NYS Vendor Responsibility

The OSC has issued Vendor Responsibility Standards, Procedures and Documentation requirements, which are intended to provide reasonable assurance that a proposed

contractor is a responsible vendor. Consistent with these requirements, a Vendor Responsibility Questionnaire must be completed prior to the execution of a contract.

NYS Agencies are required to undertake an affirmative review of the responsibility of any Contractor to whom they propose to make a contract award. Such review is designed to provide reasonable assurances that the proposed Contractor is responsible. A responsibility determination will involve a review of the following four major categories: legal authority, integrity, financial and organizational capacity, and previous contract performance.

NYS OASAS recommends that Contractors file the required Vendor Responsibility Questionnaire online via the NYS VendRep System. To enroll in and use the NYS VendRep System, see the VendRep System Instructions available at https://www.osc.state.ny.us/vendrep/info_vrsystem.htm or go directly to the VendRep System online at <https://onlineservices.osc.state.ny.us/Enrollment/login?0>

Contractors must provide their NYS Vendor Identification Number when enrolling.

To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at (866) 370-4672 or (518) 408-4672 or by email at: ciohelpdesk@osc.state.ny.us.

Contractors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website http://www.osc.state.ny.us/vendrep/forms_vendor.htm or may contact NYS OASAS or OSC's Help Desk for a copy of the paper form.

If paper format is chosen, the printed Vendor Responsibility Questionnaire must be signed and returned with this Bid. The online format may be submitted electronically through the VendRep System. Regardless of which format is chosen, the questionnaire will be used by NYS OASAS to make a responsibility determination for the purposes of this Bid.

The Successful Bidder agrees that if it is found by the State that the Bidder's responses to the Questionnaire were intentionally false or intentionally incomplete, on such finding, NYS OASAS may terminate the Contract. In no case, shall such termination of the Contract by the State be deemed a breach thereof, nor shall the State be liable for any damages for lost profits or otherwise, which may be sustained by the Successful Bidder as a result of such termination.

6.4 Ethics Compliance

The Successful Bidder and its Subcontractor(s) and their employees must comply with the requirements of §§73 and 74 of the Public Officers Law, other state codes, rules, regulations, and executive orders establishing ethical standards for the conduct of business with New York State. In signing the Contract, the Successful Bidder certifies full compliance with those provisions for any present or future dealings, transactions,

sales, contracts, services, offers, relations, etc., involving New York State and/or its employees. Failure to comply with those provisions may result in disqualification from the bidding process, termination of contract, and/or other civil or criminal proceedings as required by law.

The Successful Bidder and its Subcontractor(s) shall not engage any person who is, or has been at any time, in the employ of the State to perform services in violation of the provisions of the New York Public Officers Law, other laws applicable to the service of State employees, and the rules, regulations, opinions, guidelines or policies promulgated or issued by the New York State Joint Commission on Public Ethics, or its predecessors (collectively, the "Ethics Requirements"). The Successful Bidder certifies that all of its employees and those of its subcontractor(s) who are former employees of the State and who are assigned to perform services under the Contract shall be assigned in accordance with all Ethics Requirements. During the term of the Contract, no person who is employed by the Successful Bidder or its subcontractor(s) and who is disqualified from providing services under the Contract pursuant to any Ethics Requirements may share in any net revenues of the Successful Bidder or its Subcontractor(s) derived from the Contract.

The Successful Bidder shall identify and provide the State with notice of those employees of the Successful Bidder and its subcontractor(s) who are former employees of the State that will be assigned to perform services under the Contract, and make sure that such employees comply with all applicable laws and prohibitions. The State may request that the Successful Bidder provide it with whatever information the State deems appropriate about each such person's engagement, work cooperatively with the State to solicit advice from the New York State Joint Commission on Public Ethics, and, if deemed appropriate by the State, instruct any such person to seek the opinion of the New York State Joint Commission on Public Ethics. The State shall have the right to withdraw or withhold approval of any subcontractor if utilizing such subcontractor for any work performed hereunder would be in conflict with any of the Ethics Requirements. The State shall have the right to terminate the Contract at any time if any work performed hereunder is in conflict with any of the Ethics Requirements.

6.5 Indemnification

The Successful Bidder shall assume all risks of liability for its performance, or that of any of its officers, employees, or agents, of any contract resulting from this solicitation and shall be solely responsible and liable for all liabilities, losses, damages, costs or expenses, including attorney's fees, arising from any claim, action or proceeding relating to or in any way connected with the performance of this contract and covenants and agrees to indemnify and hold harmless the State of New York, its agents, officers and employees, from any and all claims, suits, causes of action and losses of whatever kind and nature, arising out of or in connection with its performance of any contract resulting from this solicitation, including negligence, active or passive or improper conduct of the Successful Bidder, its officers, agents, or employees, or the failure by the Successful Bidder, its officers, agents, or employees to perform any obligations or commitments to

the State or third parties arising out of or resulting from any contract resulting from this solicitation. Such indemnity shall not be limited to the insurance coverage herein prescribed.

6.6 Worker's Compensation and Disability Benefits Certifications

Section 57 and 220 of the New York State Workers Compensation Law (WCL) provide that NYS OASAS shall not enter into any contract unless proof of workers' compensation and disability benefits insurance coverage is produced. Prior to entering into a contract with NYS OASAS, Successful Bidder will be required to verify for NYS OASAS, on forms authorized by the New York State Workers' Compensation Board, the fact that they are properly insured or are otherwise in compliance with the insurance provisions of the WCL. The forms to be used to show compliance with the WCL are listed below. The Successful Bidder must submit the following documentation before a contract may take effect.

ONE of the following forms as Workers Compensation documentation:

Proof of Workers' Compensation Coverage:

- **C-105.2 – Certificate of Workers' Compensation Insurance;** contractors insured through the New York State Insurance Fund should send form **U-26.3**;
- **SI-12 – Certificate of Workers Compensation Self-Insurance;** or
- **GSI-105.2 – Certificate of Participation in Workers' Compensation Group Self-Insurance;** or
- **CE-200, Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities.**

ONE of the following forms as Disability Insurance documentation:

A. Proof of Disability Insurance Coverage:

- **DB-120.1 – Certificate of Disability Benefits Insurance;**
- **DB-120.2 – Certificate of Participation in Disability Benefits Group Self Insurance;** or
- **DB-155 – Certificate of Disability Benefits Self Insurance;**
- **CE-200, Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities.**

6.7 Public Officers Law

Contractors, consultants, vendors, and subcontractors may hire former State Agency or Authority employees. However, as a general rule and in accordance with New York Public Officers Law, former employees of the State Agency or Authority may neither appear nor practice before the State Agency or Authority, nor receive compensation for services rendered on a matter before the State Agency or Authority, for a period of two years following their separation from State Agency or Authority service. In addition, former State Agency or Authority employees are subject to a “lifetime bar” from appearing before the State Agency or Authority or receiving compensation for services regarding any transaction in which they personally participated, or which was under their active consideration during their tenure with the State Agency or Authority. Any questions about the appropriateness of employing or utilizing a former State Agency or Authority employee should be resolved by obtaining an advisory opinion from the NYS Joint Commission on Public Ethics (JCOPE) which can be contacted at <https://jcope.ny.gov>.

6.8 Conflict of Interest

The Bidder shall submit, as part of the bid, a completed **Vendor Assurance of No Conflict of Interest or Detrimental Effect Form (Attachment 4)** signed by an authorized representative providing an attestation that its performance of the services outlined in this RFA does not and will not create a conflict of interest with nor position the Bidder to breach any other contract currently in force with the State of New York. Furthermore, the Bidder shall attest that it will not act in any manner that is determinantal to any State project on which the Bidder is rendering services.

6.9 Executive Order 177

In accordance with Executive Order (EO) No. 177, the Bidder shall certify that it does not 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 status under the Human Rights Law. Such certification shall be made utilizing **Attachment 4**.

Executive Order No. 177 does not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

6.10 Executive Order 16

In accordance with Executive Order No. 16, State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia. On March 24, 2022, the United States, in coordination with the European Union and the Group of Seven (G-7), imposed sanctions on an additional 400 Russian individuals and entities. The federal sanctions include efforts to block moves by Russian entities and individuals to evade the sanctions imposed or to use international reserves. While the federal sanctions seek to target specific entities and

individuals within Russia, Executive Order No. 16 is intended to ensure that New York State is not entering into contracts with entities conducting business in Russia and thereby indirectly supporting Russia's unjustified war against the Ukrainian people. In order to comply with Executive Order No. 16, State Entities must obtain a certification from applicants as part of a solicitation for a new contract or extension of an existing contract. Such Applicant certification shall be made utilizing Attachment 10.

6.11 State Finance Law, Article 9- §139-I Statement on Sexual Harassment

In accordance with New York Consolidated Laws, State Finance Law, Article 9- §139-I Statement on Sexual Harassment, Bidder shall certify that it 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. Such certification shall be made utilizing **Attachment 9**.

A bid shall not be considered for award nor shall any award be made to a bidder who has not complied with subdivision one of §139-I; provided, however, that if the bidder cannot make the foregoing certification, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor.

Any bid hereafter made to the state or any public department, agency or official thereof, by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where such bid contains the statement required by subdivision one of this section, shall be deemed to have been authorized by the board of directors of such bidder, and such authorization shall be deemed to include the signing and submission of such bid and the inclusion therein of such statement as the act and deed of the corporation.

7 REQUIRED ATTACHMENTS AT BID SUBMITTAL

All attachments in this section will be required to be completed and submitted with all bid proposals. All attachments in this section will have a fillable version of these forms available on the OASAS website under this opportunity.

Missing or skipped numbered attachments indicate that a particular attachment will not be required by this particular procurement and was therefore omitted.

7.1 Attachment 3: Budget

REQUEST FOR APPLICATIONS OASAS PROJECT NO. SETT-23001 (Start-up and Annual Operating Budgets)

1. Printed Legal Name of Bidder Entity:		
2. Bidder's OASAS Provider or OMH License Number:		
3. Bidder's Street Address/P.O. Box:		
4. Bidder's City/Town/Village:	5. Postal Zip Code:	6. Date Prepared:
7. Printed Name of Bidder Contact Person:	8. Contact Telephone #:	
9. Printed Title of Contact:	10. Contact Email:	

PART II - OPERATIONAL FUNDING REQUEST

	(Column A) PROPOSED START-UP OPERATING BUDGET	(Column B) PROPOSED ANNUAL OPERATING BUDGET
REQUESTED OPERATING BUDGET FOR APPLICATION		
1. Gross Expense Budget (see instructions for details): Round amounts to the nearest \$1 (no cents)		
Personal Services		
Fringe Benefits		
Non-Personal Services		
Equipment		
Property/Space		
Agency Administration		
TOTAL GROSS EXPENSE BUDGET		
2. Revenue Budget (see instructions for details): Round amounts to the nearest \$1 (no cents)		
Patient Fees		
SSI and SSA		
Public Assistance (Safety Net & TANF)		
Medicaid		
Medicare		
Third Party Insurance/Private Pay		
Food Stamps		
Closely Allied Entity Contributions		
Donations		
Other: Specify:		
Specify:		
Specify:		
TOTAL REVENUE BUDGET		
3. NET OPERATING COST		
4. OASAS State Aid Funding Requested		
5. Full-Time Equivalent (FTE) Staff Requested:		
Bidder Official:		
Printed Name:	Printed Title:	
Signature:	Date:	

**Instructions for Completing the Initiative Funding Request Form (IFR)
(Start-up and Annual Operating Budgets)**

PROVIDER INFORMATION

1. **Printed Legal Name of Bidder Entity** – Print the incorporated or legal name of the agency submitting the Initiative Funding Request on the IFR and on any additional pages that are attached. **Do not enter the common name or acronym.**
2. **Bidder's OASAS Provider Number** – Enter the unique five-digit number that identifies the agency and that is used for reporting purposes to OASAS. This number is the same as the **Agency Code** number used when submitting Consolidated Fiscal Report (CFR) documents.
- 3-5. **Bidder Address** – Enter the mailing address, including zip code, where the administrative office of the bidder entity is located.
6. **Date Prepared** – Enter the date the IFR was prepared.
- 7-10. **Bidder Contact Person** – Enter the printed name and title, the telephone number (including area code), and email address of the person who can answer questions concerning the information provided on the IFR.

PART II – OPERATIONAL FUNDING REQUEST

Anticipated Operating Budget for Proposals

Requested operating budget amounts must represent:

Column A – **PROPOSED START-UP OPERATING BUDGET**: The start-up or part year costs, net deficit and OASAS State aid funding requested for one-time costs necessary to start the program effort. Start-up costs are one-time expenses only and must be reasonable and necessary for program implementation. The start-up budget is limited to one quarter (1/4) of the full annual State Aid. Start-up costs may include but are not limited to the following: equipment; office supplies; furniture; rental deposits/securities; and staff recruitment. Agency administration is not an allowable expense for start-up.

Column B – **ANNUAL OPERATING BUDGET**: The 12-month, full annual costs, revenues, net deficit and OASAS State aid funding requested. Awards to the selected bidders will be prorated for the first fiscal period based on the initiative start date identified above.

ALL AMOUNTS REQUESTED FOR INITIATIVE FUNDING MUST BE ROUNDED TO THE NEAREST DOLLAR (\$1.00)

1. **Gross Expense Budget** – Bidders should refer to the Consolidated Fiscal Reporting (CFR) Manual for a more detailed general description of the following expense items which should be entered in Columns A and B:

- Personal Services
- Fringe Benefits
- Non-Personal Services (i.e. Other than Personal Services (OTPS))
- Equipment
- Property/Space
- Agency Administration (**not allowable for start-up budget**)

2. **Revenue Budget** – Bidders should refer to the CFR Manual for an explanation of each revenue category, and enter applicable start-up and annual projected amounts that they anticipate receiving to offset costs attributable to the initiative in Columns A and B.

If the bidder does not anticipate receiving any additional revenue to offset costs of its proposal it should so indicate by entering \$0 for each category in Columns A and B.

3. **Net Operating Cost** - Enter the amount obtained by subtracting **Total Revenue Budget** from **Total Gross Expense Budget in Column A and B**.

4. **OASAS State Aid Funding Requested** – Enter the amount of OASAS State aid Start-Up funding being requested for the initiative in Column A. This amount **should equal** the Start-Up **Operating Budget Net Deficit** amount.

5. **Number of Direct Service Full-Time Equivalent (FTE) Staff** – Enter the total number of direct service FTE staff. A direct service FTE is defined as: a minimum of 35 hours depending on your agency's established work week.

Bidder Official – Enter the printed name and title of the bidder agency representative submitting the IFR application.

Signature and Date – The IFR should be signed and dated by the bidder agency representative.

Attachment 4: Vendor Assurance of No Conflict of Interest or Detrimental Effect

A separate fillable version of this form is available under this opportunity

The Bidder offering to provide services pursuant to this RFA, as a contractor, joint venture contractor, subcontractor, or consultant, attests that its performance of the services outlined in this RFA does not and will not create a conflict of interest with nor position the Bidder to breach any other contract currently in force with the State of New York.

As such, the Bidder will disclose any existing or contemplated relationship with any other person or entity, including relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated Contractor, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Bidder or former officers and employees of the Bidder or their Affiliates, in connection with your rendering services pursuant to this RFA.

If a conflict does or might exist, describe how the Bidder would eliminate or prevent it.

Indicate what procedures will be followed to detect, notify OASAS of, and resolve any such conflicts.

In addition, the Bidder must disclose whether it, or any of its members, shareholders of 5% or more, parents, affiliates, or subsidiaries, have been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission"), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

Furthermore, the Bidder attests that it will not act in any manner that is detrimental to any State project on which the Bidder is rendering services. Specifically, the Bidder attests that:

The fulfillment of obligations by the Bidder, as proposed in the response, does not violate any existing contracts or agreements between the Bidder and the State;

1. The fulfillment of obligations by the Bidder, as proposed in the response, does not and will not create any conflict of interest, or perception thereof, with any current role or responsibility that the Bidder has with regard to any existing contracts or agreements between the Bidder and the State;

2. The fulfillment of obligations by the Bidder, as proposed in the response, does not and will not compromise the Bidder's ability to carry out its obligations under any existing contracts between the Bidder and the State;
3. The fulfillment of any other contractual obligations that the Bidder has with the State will not affect or influence its ability to perform under any contract with the State resulting from this RFA;
4. During the negotiation and execution of any contract resulting from this RFA, the Bidder will not knowingly take any action or make any decision which creates a potential for conflict of interest or might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;
5. In fulfilling obligations under each of its State contracts, including any contract which results from this RFA, the Bidder will act in accordance with the terms of each of its State contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to the State as a whole including, but not limited to, any action or decision to divert resources from one State project to another;
6. No former officer or employee of the State who is now employed by the Bidder, nor any former officer or employee of the Bidder who is now employed by the State, has played a role with regard to the administration of this contract procurement in a manner that may violate section 73(8)(a) of the State Ethics Law; and
7. The Bidder has not and shall not offer to any employee, member or director of the State any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

Bidders responding to this RFA should note that the State recognizes that conflicts may occur in the future because a Bidder may have existing or new relationships. The State will review the nature of any such new relationship and reserves the right to terminate the contract for cause if, in its judgment, a real or potential conflict of interest cannot be cured.

Name _____, Title: _____

Signature: _____, Date: _____

This form must be signed by an authorized executive or legal representative.

7.2 Attachment 8: EO 177 Certification

A separate fillable version of this form is available under this opportunity

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not 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 status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Contractor: _____

Signature: _____

Name: _____

Title: _____

Date: _____, 20__

7.3 Attachment 9: Statement on Sexual Harassment Certification

(New York Consolidate Laws, State Finance Law, Article 9–§139-l)

A separate fillable version of this form is available under this opportunity

By 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.

Any bid hereafter made to the state or any public department, agency or official thereof, by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where such bid contains the statement required by §139-l, shall be deemed to have been authorized by the board of directors of such bidder, and such authorization shall be deemed to include the signing and submission of such bid and the inclusion therein of such statement as the act and deed of the corporation.

Contractor: _____
Signature: _____
Name: _____
Title: _____
Date: _____, 20__

If the bidder cannot make the foregoing certification, such bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor.

7.4 Attachment 10: Executive Order 16

A separate fillable version of this form is available under this opportunity

Certification Under Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found [here](#).

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

1. No, Vendor does not conduct business operations in Russia within the meaning of Executive Order No. 16.

2.a. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)

2.b. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)

3. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16.

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor’s business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Vendor Name:
(legal entity) _____

By:
(signature) _____

Name: _____

Title: _____

Initiative Name: _____

Date: _____

**7.5 Attachment 11: Integration of Mental Health and Substance Use Disorder
Response**

**REQUEST FOR APPLICATIONS
OASAS PROJECT NO. SETT-23001
LOW-THRESHOLD BUPRENORPHINE SERVICES**

**A separate fillable version of this form is available under this opportunity
If additional space is required write see attached and attach additional documents.**

1. Describe how your program incorporates the principles of harm reduction into mental health and substance use disorder services as detailed in Section 2.1 of this RFA. Identify the care that the program provides to patients to utilize harm reduction approaches, incorporate peers and recovery principles, screen, assess, directly provide or coordinate care for individuals.
2. Describe how program ensures comprehensive services to address the holistic needs of persons served.
3. Describe how program provides a full continuum of services for addiction, mental health or physical health needs of persons served either directly or through coordination with other providers.
4. Describe training on assessment of co-occurring conditions and referral to care.

7.6 Attachment 12: Equity and Diversity Response

**REQUEST FOR APPLICATIONS
OASAS PROJECT NO. SETT-23001
LOW THRESHOLD BUPRENORPHINE SERVICES**

A separate fillable version of this form is available under this opportunity

1. Describe the population in the catchment area served by this initiative including the demographic composition of the population (race, ethnicity, gender and gender identity, sexual orientation, language, disability, etc.).
2. Describe how your agency meets the cultural and linguistic needs of the population(s) to be served by your agency as part of this initiative.
3. Describe any efforts your agency has taken to reduce disparities in access to services for marginalized and/or underserved individuals/communities.
4. Describe any efforts your agency has taken to reduce disparities in access to services for marginalized and/or underserved individuals/communities.
5. Does your agency mission statement, vision statement and/or values statement reflect a commitment to serving marginalized or underserved communities and/or regions? Provide the statement(s).
6. Identify the staff person responsible for addressing justice, equity, diversity and inclusion within your agency, including their name, title, background/education and contact information.
7. Describe any committees or workgroups developed within your agency to address justice, equity, diversity and inclusion, as well as the staff and/or patients/clients who participate in those committees, including how often they meet and impact on the agency. A general description of the participants is satisfactory, do not name patients or clients participating any specific committees or workgroups.
8. Provide information on any external committees or workgroups related to justice, equity, diversity and inclusion that your staff participate in. Provide the name of the committee or workgroup, including a general description of the focus, attendees and how often the group meets.
9. Supporting diversity in the workforce:

- a. Describe agency efforts to recruit, hire and retain staff representative of, or experienced in working with, the dominant cultural groups of the individuals served by your agency and the community in which your agency is located.
- b. Describe the leadership structure of your agency and how leadership are representative of, or experienced in working with, the dominant cultural groups of the individuals served by your agency and the community in which your agency is located.

10. Describe staff training requirements related to justice, equity, diversity and inclusion.

8 REQUIRED ATTACHMENTS BEFORE CONTRACT EXECUTION

All Attachments in this section will be required to be completed by successful bidders only. They may be included as part of the bid submission or bidders may choose to submit them only after receiving an award and before contract execution.

Missing or skipped roman numerals indicate that a particular attachment will not be required by this particular procurement/contract.

9 APPENDIXES

All Appendixes are informational and do not have to be completed by the vendor.

Missing or skipped letters indicate that a particular appendix is not relevant to this particular procurement/contract.

