

CRIMINAL JUSTICE COMMITTEE MEETING
DISTRICT ATTORNEY AGENDA
JANUARY 24, 2022

COMMITTEE MEMBERS: Supervisors DICKINSON, Geraci, Driscoll, McDevitt and Seeber - Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C (4) of the Rules of the Board.

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Action Agenda/New Business Items:
 1. Request: to apply for Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program
Rationale: Resolution request to apply Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program
- IV. Discussion Items:
- V. Referrals/Pending Items: None.
- VI. Privilege of the floor and public comment (please allow for 15 second delay on live stream meetings)
- VII. Motion to adjourn

Attachments:

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: District Attorney- Victim Assistance Program

DATE: 1-14-2022

- (a) Purpose of Grant:
to fund the Victim Assistance Program beginning 10-01-2022 until 9-30-2025 with a 2 year optional renewal
- (b) Name of Grantor:
New York State Office of Victim Services
- (c) Address of Contractor: **80 South Swan Street, 2nd Floor
Albany , NY 12210-8002**
- (d) Grantor's Contact Person and Telephone Number:
Matt Courcelle 518-457-9022
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? **Attached**
- (f) Effective Date of Grant: **10-01-2022**
- (g) Termination Date of Grant: **9-30-2025 with an optional 2 year renewal**
- (h) Total Dollar Amount Involved (not to exceed): **TBD**
- (i) Deadline to Submit Grant Application and/or Grant Agreement:
3-24-2022
- (j) Is a Budget amendment required? **NO** If yes, also complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? **NO** If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? **YES** If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount **OR** Capital Project **OR** Capital Reserve Project Number and Title and Amount:

MATCH FUNDS- In kind from interns and space- 5% from county for Director

Sample: A.1010 470 Legislative Board – Contract \$xx.xx

Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

*as listed in budget and LOGOS



**Office of
Victim Services**

**REQUEST FOR APPLICATIONS
for
VICTIMS OF CRIME ACT (VOCA)
VICTIM AND WITNESS ASSISTANCE GRANT
PROGRAM**

Kathy Hochul, Governor

Elizabeth Cronin, Director

RFA Release Date: January 11, 2022

Application Due Date: March 24, 2022 @ 2:00 PM EST

Primary Designated Contact:

Matt Courcelle
Phone: (518) 457-9022
Matthew.Courcelle@ovs.ny.gov

Alternate Contact:

Paula Randolph
Phone: (518) 457-3431
Paula.Randolph@ovs.ny.gov

****LATE APPLICATIONS WILL NOT BE ACCEPTED****

Table of Contents	Page
1. INTRODUCTION	4
1.1 Overview	4
1.2 Summary	4
1.3 Mandatory Applicant Qualifications	5
1.4 Key Events	5
1.5 Glossary of Terms	5
2. SCOPE OF WORK	7
2.1 Eligibility	7
2.2 Program Requirements	8
3. SUBMITTING YOUR APPLICATION	11
3.1 New York State Consolidated Funding Application	11
3.2 Pre-Qualification	11
3.3 Online Application	13
3.4 Workplan Overview	13
3.4.1 Workplan Requirement	14
3.4.2 Required Program Specific Question	14
3.5 Budget Overview	15
3.6 Pre-Submission Uploads	16
4. EVALUATION AND SELECTION PROCESS	18
4.1 Application Evaluation	18
4.1.1 Evaluation of Applications	20
4.1.2 Tie Breaker	21
4.2 Notification of Award	22
5. ADMINISTRATIVE INFORMATION	23
5.1 Administering Agency	23
5.2 Method of Award	23
5.3 Funding	23
5.4 Funding Purpose	23
5.5 Funding Priorities	26
5.6 Geographic Need	26
5.7 Term of Contract	26
5.8 Termination	27
5.9 Distribution of Grant Funds	27
5.10 Grant Funding Conditions	27
5.11 Order of Precedence	27
5.12 Grant Recipient Responsibilities	27
5.13 Liability	28
5.14 OVS Inventory	28
5.15 Other Considerations	28
5.16 Special Conditions	29
5.17 Freedom of Information (FOIL)	29
5.18 Debriefing Procedures	29
5.19 Protest Procedures	29
5.20 Agreement Approval	29
5.21 Appropriation and Availability of Funds	30
5.22 Agreement Changes	30
5.23 Periodic Review	30
5.24 Contract Management	30
5.25 Payments	30

5.26 Evaluation Plans	31
5.27 Reporting Requirements	31
5.28 New York State Charities Bureau Registration	31
5.29 Federal Conditions	32
5.30 Required Assurances	32
5.31 Minority and Woman-Owned Business Enterprise Requirements	33
6. APPLICATION SUBMISSION	35
6.1 RFA Questions and Clarifications	35
6.2 Insurance Requirements	35
6.3 Application Preparation	35
6.4 Instructions for Application Submission	36
7. CONTRACT CLAUSES AND REQUIREMENTS	37
7.1 Contract Terms	37
7.2 Indemnification	37
8. OTHER IMPORTANT REQUIREMENTS FOR FUNDING	38

Designated Contact

Matt Courcelle, Contract Management Specialist 2, NYS Office of Victim Services, has been designated as the PRIMARY contact for this procurement solicitation and may be reached by email or voice for all inquiries regarding this solicitation.

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In the event the designated contact is not available; the alternate designated contact is:

Paula Randolph, Auditor 2
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Albany, New York 12210
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1. INTRODUCTION

1.1 Overview

This Request for Applications (RFA) outlines how to apply for funding to support services that meet the immediate and long-term needs of victims of crime under the Victims of Crime Act (VOCA) Victim and Witness Assistance Grant Program. It is expected that contracts resulting from this procurement will be in effect for three years with the option of one two-year renewal period. Applicants are expected to have read and understood the VOCA statute and regulations before applying under this RFA. In addition to the program eligibility requirements stated in the Victims of Crime Act, the Department of Justice has issued Regulations to implement the VOCA funds.

The following resources may be of use to you as you prepare your application:

- [Federal Register](#)
- [Side-by-Side VOCA Victim Assistance Guidelines and Rule](#)
- [VOCApedia](#)

Grant awards under this solicitation are funded by the Federal Victims of Crime Act of 1984, which supports both victim compensation and victim assistance programs in each state. VOCA funds are administered by the Department of Justice.

Please note: the VOCA Victim and Witness Assistance Grant Program is intended to complement program budgets and should not be considered as a principal source of funding for any organization. VOCA stipulates that the federal funds may not be used by grantee agencies to supplant (i.e., replace) State or local funds. A program receiving a grant award may use the funds only to support the services and costs identified in its application and only to the extent these are approved by the Office of Victim Services (OVS) and are allowable within the Federal Register/Rules and Regulations and as further defined by VOCA and the State Administering Agency (SAA).

1.2 Summary

This RFA provides an opportunity for victim service providers to respond to the challenge of finding solutions for serving victims of crime, developing innovative and comprehensive ways of meeting their needs, and reaching underserved populations.

There continues to be a need to expand the body of knowledge surrounding victims' services. This includes statistical data, multi-disciplinary cooperation, evidence-based practices, and program evaluation. Evidence-based practice refers to having a definable outcome that is measurable, practical, tested, and proven effective. We need to continue to serve those victims of crime the system currently reaches, but also find ways to identify those who are not reporting crimes or seeking out services.

OVS encourages innovation in the victim assistance field and seeks to support new ideas and effective approaches that can complement existing practices that are effective. The focus must

be on where the greatest needs are, and importantly, where the gaps in services exist. OVS encourages applicants to consider proposals that are new or represent a different and effective approach to solving an issue facing victims of crime. Providing assistance related to restorative justice, transitional housing, human trafficking, and trauma-informed care are but a few of the services that have the potential to assist victims of crime. Your program is also encouraged to consider services provided to underserved, marginalized, or oppressed victim populations such as older adults, young men of color, victims of hate crimes, persons with disabilities, indigenous peoples, or LGBTQ+. This funding presents a unique opportunity to explore these options and to seek to improve both the reach, and breadth of the system supported with VOCA funds.

1.3 Mandatory Applicant Qualifications

This solicitation is limited to Victim Assistance Programs. These programs can be new or existing, operated by either a unit of local government or a not-for-profit organization.

1.4 Key Events

The Table below outlines the tentative schedule for important action dates.

Action	Date
RFA Release Date:	January 11, 2022
Deadline for Submission of Questions:	February 1, 2022
Response to Questions:	February 22, 2022
Application Due Date:	March 24, 2022, 2:00pm EST
Anticipated Notification of Awards:	May 5th, 2022
Contract Start Date:	October 1, 2022

1.5 Glossary of Terms

- **“Administering Agency”** shall mean the NYS Office of Victim Services.
- **“Applicant”** or **“Offerer”** shall mean any not-for-profit or government entity submitting an application to the State pursuant to this solicitation.
- **“Application”** shall mean any submission in response to this solicitation.
- **“Director”** shall mean the Director of the NYS Office of Victim Services or duly authorized representative.

- **“Evaluators”** shall mean the individual(s) who review(s) applications for NYS OVS funding.
- **“Grant Recipient”** shall mean a successful applicant awarded a contract pursuant to this solicitation.
- **“OAG”** shall mean the New York State Office of the Attorney General.
- **“OSC”** shall mean the Office of the New York State Comptroller.
- **“OVS”** shall mean the New York State Office of Victim Services.
- **“Request for Application”, “RFA”, or “Solicitation”** shall mean this document.
- The **“State”** shall mean the People of the State of New York, which shall also mean the New York State Office of Victim Services.
- **“State Administering Agency” (SAA)** shall mean the State government agency that a formula grant was awarded to. OVS is the SAA for New York State.
- **“Sub-Recipient”** shall mean organizations receiving funding from NYS OVS.
- **“VAP”** shall mean Victim Assistance Program.

2. SCOPE OF WORK

2.1 Eligibility

All victim service providers located in New York State are eligible to apply under this RFA. A VAP can be a new or existing program, operated by either a unit of local government or a not-for-profit organization. Previously awarded programs are not guaranteed an award under this procurement.

The primary purpose of VOCA funding is to provide services to victims of crime. These services may include, but are not limited to, those provided by sexual assault crisis centers, domestic violence shelters, child abuse treatment facilities and community-based victim service organizations.

Other public and not-for-profit organizations that have components which offer services to victims of crime are eligible to receive VOCA funds if they are used to expand or enhance the delivery of services. These include, but are not limited to:

- **Native American Tribes and Organizations on Reservations**
A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and is eligible for funding and services from the Bureau of Indian Affairs.
- **Hospitals and Emergency Medical Facilities**
Eligible services include crisis counseling, support groups, and/or other types of victim services such as trauma-informed mental health services.

OVS may only award VOCA funds to a medical facility for the purpose of performing **Forensic Rape Exams (FRE)** on victims of sexual assault if:

- i. The examination meets the standards established by the State;
- ii. Appropriate crisis counseling and/or other type of victim services are offered to the victim in conjunction with the examination, and
- iii. Funding for forensic medical evidence collection examinations for victims of crime is not available from other funding sources such as State appropriations.

Facilities are encouraged to use specialty trained examiners such as Sexual Assault Nurse Examiners (SANE). **Such a funded facility may not seek any additional reimbursement from OVS under the FRE Direct Reimbursement Program.**

- **Criminal Justice Agencies:**
Police departments, prosecutor's offices, corrections departments, probation and parole authorities. Some examples may include:

- Prosecutor-based victim services such as victim-witness programs, victim notification, court accompaniment, and assisting with victim impact statements for court.
- Corrections-based services such as victim notification, restitution advocacy, victim-offender mediation programs, and victim impact panels.
- Police-based services such as victim crisis units, victim advocates, victim registration, and notification. VOCA funds may be used to provide services to victims of crime that exceed a law enforcement officer's normal duty. ***Regular duties such as crime scene intervention, questioning of victims and witnesses, investigation of crime, and follow-up shall not be paid with VOCA funds.***

Faith-based and Neighborhood Programs

These organizations must ensure that services are offered to **all** victims of crime without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event.

- **Other**

Local public agencies such as mental health service organizations, local public child and adult protective services, not-for-profit legal services agencies, programs with a demonstrated history of advocacy on behalf of domestic violence victims, and public housing authorities that have components specifically trained to serve victims of crime.

2.2 Program Requirements

Data Universal Numbering System (DUNS)

In accordance with the supplement to the Office of Management and Budget (OMB) Circular A-133, subrecipients must obtain a Data Universal Numbering System (DUNS) as part of eligibility for a sub-award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. Obtaining a DUNS number is a free, one-time activity. To obtain a DUNS number call Dun and Bradstreet at 1-866-705-5711 or by apply online at www.dnb.com.

Civil Rights Compliance

All recipients of federal grant funds are required to comply annually with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office for Civil Rights of the Department of Justice's Office of Justice Programs.

Services to Limited-English-Proficient (LEP) Persons

National origin discrimination includes discrimination on the basis of Limited English Proficiency (LEP). To ensure compliance with Title VI of the Civil Rights Act and the Omnibus Crime Control and Safe Streets Act, grant recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including interpretation and translation services, where necessary. Applicants are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.

Programs Providing Legal Services/Attorney Services

Legal services may be provided by an attorney(s) hired to join the applicant's staff or through contracting with an attorney or subcontracting with another entity to provide attorney services. All attorneys providing services to victims of crime will be required to be referral partners to the New York Crime Victims Legal Network (CVLN) and to receive training as required by the Office of Victim Services.

All VAPs awarded a contract under this solicitation for civil legal services must agree to be a referral partner for the CVLN, which is responsible for the New York Crime Victims Legal Help website, and the attorney(s) funded under this grant (whether staff attorney(s) or via a contract) will be required to be their organization's point of contact. They must communicate, coordinate, and collaborate with the CVLN to ensure that victims of crime and survivors are receiving comprehensive services and appropriate responses. The continued and long-term success of the CVLN is an important OVS priority. Victim of Crime Act (VOCA) grant dollars supported the creation of the network and OVS intends for any legal services funding applied for under this solicitation to work with the CVLN in a manner commensurate with the expectations detailed below. The CVLN is intended to be an on-line resource for victims that has many resources and self-help tools that a victim can navigate and use independently. Recognizing that victims of crime may only be able to progress so far in addressing their civil legal needs on their own, the CVLN relies on its partners to take client referrals. Partnerships with the CVLN by providers is key to providing the full scope of legal services to victims of crime. While the referral component is not intended to be the focus of the CVLN, it is an important step in providing the full continuum of services. Any services provided to victims of crime or survivors or work performed in support of the CVLN may be accounted for in proposal budgets.

Please see below for the expectations of referral partners:

1. Accept potential client referrals from the NY Crime Victim Legal Network.
2. Agree to screen and refer clients.
3. Provide advice and assistance.
4. Offer limited scope representation.
5. Provide full legal representation where appropriate and VOCA allowable.
6. Collect, maintain, and report data and statistics, as needed, to the CVLN administrators.

7. Maintain your organization's contact information that is on the CVLN website.
8. Attend meetings of the CVLN as necessary.
9. Receive legal training through CVLN. Note: The budget for the proposal under this solicitation may include a request for funding to participate in CVLN meetings and/or trainings, including all associated travel costs.

Programs Providing Direct Services – OVS Resource Connect

OVS requires that all applicants awarded funding under this solicitation include their program's public information on [OVS Resource Connect](#). OVS Resource Connect is a concern-based search engine designed to help victims of crime locate and connect with resources provided by OVS-funded VAPs.

Programs Receiving OVS-Funding – OVS VAP Connect

OVS strongly encourages all applicants awarded funding under this solicitation to utilize [OVS VAP Connect](#). OVS VAP Connect is a forum for OVS-funded VAPs to come together, network, and share valuable information and best practices with one another, while also staying in touch with the latest updates from OVS. OVS routinely shares updates, information, events, available trainings etc. on this platform.

Programs Receiving OVS-Funding – Victim Services Portal

OVS strongly encourages all applicants awarded funding under this solicitation to utilize the Victim Services Portal (VSP) for submission of compensation claims. The VSP is an online platform that allows users to submit compensation claims to OVS, as well as search for and upload documents to an existing OVS claim. OVS encourages claimants and advocates to utilize the VSP because information is auto populated in the OVS claims processing system which facilitates more timely processing. The portal is the most efficient method for submitting claim applications and providing documentation. In-depth instructions on how to register as a user and submit information can be found at [Victim Services Portal Documents](#).

3. SUBMITTING YOUR APPLICATION

3.1 New York State Consolidated Funding Application

All applications must be submitted through the [Consolidated Funding Application](#) and received electronically **by 2:00 p.m. EST on March 24, 2022.**

PLEASE NOTE: It is recommended that you complete your online application as early as possible prior to the application deadline to allow sufficient time to resolve any technical issues or questions that may arise. Eligible applicants are encouraged to begin the process of applying as soon as possible. **Late applications will not be accepted or reviewed.** Any applicant who experiences issues with the system will be required to provide evidence that that issue was due to system error or the application will not be accepted. OVS has no discretion in this matter. Applicants are strongly encouraged to submit their online application well in advance of the deadline.

3.2 Pre-Qualification for Not-for-Profit Organizations

Not-for-profit organizations must ensure that their prequalification status is current in the Grants Gateway at the time of the application due date. Failure to do so will mean that their application(s) will not be reviewed and will be immediately disqualified. Not-for-profit organizations must maintain their pre-qualification status in the Grants Gateway on a yearly basis by providing up-to-date IRS 990, CHAR 500 and audit review documents.

Please note that the Grants Gateway will be used for awarded applicants to complete the contracting process after all applications have been evaluated and award decisions are made by OVS.

Additional helpful information and links can be found at:

- 2021 Consolidated Funding Application Manual
 - [Consolidated Funding Application Manual.](#)
 - Please note that while this references Regional Councils, this link is provided here only as a resource for using the application and to provide some assistance as you operate within the Consolidated Funding Application.
 - **Please pay particular attention to the information provided on scoring tips. Selecting “Scoring Tips” will provide a detailed explanation or instructions relating to the question or a reference to relevant section of this RFA doc.**
- Gateway Applicant Resources:
 - [Grants Gateway Grant Applications Resources](#)
- Vendor User Guide:
 - [Vendor User Manual](#)

- Grants Opportunities Homepage:
 - [Grants Gateway Grant Opportunities](#)
- Grants Reform Videos (includes a document vault tutorial and an application tutorial) on YouTube:
 - [Grant Reform Videos](#)
- Grants Reform (Grants Gateway) Helpdesk/Technical Questions
 - Phone: 1-518-474-5595
 - Email: grantsgateway@its.ny.gov
- Consolidated Funding Application Technical Assistance

If you experience any technical issues with the Consolidated Funding Application, please contact the system administrators by emailing cfa-tech@ny.gov and copy cfa-programs@ny.gov.
- Training Webinars:
 - [Grants Gateway Training Videos](#)

Although OVS and the Consolidated Funding Application staff will do their best to address concerns that are identified less than 48 hours prior to the due date and time, there is no guarantee that they will be resolved in time for the application to be submitted and, therefore, considered for funding.

During the application process, please pay particular attention to the following:

- The only part of this process occurring in the Grants Gateway is prequalification. Every other part of the application must be conducted in the Consolidated Funding Application.
- Not-for-profit applicants must be prequalified on the application due date for this application submission. Be sure to maintain prequalification status between funding opportunities. Three of a not-for-profit's essential financial documents - the IRS990, Financial Statement and Charities Bureau filing - expire on an annual basis. If these documents are allowed to expire, the not-for-profit's prequalification status expires as well, and it will not be eligible for State grant funding until its documentation is updated and approved, and prequalified status is reinstated to current.
- Grantees should use numbers, letters and underscores when naming their uploaded files. There cannot be any special characters in the uploaded file name. Grantees should ensure that any attachments uploaded with their application are not "protected" or "passworded" documents.

3.3 Online Application

Receipt of an application in the Consolidated Funding Application does not indicate that OVS has pre-determined a program's qualifications to receive a grant award. This determination will be made only after a complete evaluation of the application is conducted and specific requirements and qualifications in this RFA have been satisfied and all applications have been ranked by a final score.

Applicants are encouraged to include all information that they deem pertinent to their application. Applicants may be requested to provide clarification based on the State's evaluation procedure. Any clarification will be considered a formal part of the Applicant's original application. If further clarification is needed during the evaluation period, OVS will contact the Applicant.

Note: OVS reserves the right to request any additional information deemed necessary to ensure that the Applicant is able to fulfill the requirements of the contract.

3.4 Workplan Overview

Applicants must submit one detailed narrative for each of the following sections in the CFA:

- **Problem Statement**

- Applicants should demonstrate the need for services at all locations for which they are requested. Gaps in services should be convincingly identified using evidence and examples of current problems which illustrate the need for services while protecting victim confidentiality. Applicants are encouraged to show how the lack of coordinated services presents undue constraints on VAPs in achieving their goals to assist victims of crime. Strong applicants will persuasively describe what is preventing them from providing the best possible services and how this grant funding will continue or enhance services. Applicants should include all crime or other data that is being used to demonstrate need.

- **Proposed Services, Implementation, and Evaluation**

- Applicants must describe the services and activities to be undertaken with grant dollars, where and when they will take place, and who will be served. How these services and activities address the gap in services described in the problem statement should be clearly explained. Those applicants that convincingly demonstrate how the proposed services will address the need and gaps in services will be rated highly. Applicants should clearly describe how they will implement the services based on the requested funding. Describe in detail how you will implement these activities in all years of this contract. Please pay particular attention to any new activities/services that you plan to implement. Justification for staff and resources should be clear and convincing. This portion of the application should be consistent with the information entered into the Performance Measurement Tool. All applicants must demonstrate the use of an evaluation process that they will use to measure the effectiveness of their program. The evaluation should be structured to address program specific objectives and goals and determine the extent to which they are being achieved.

Evaluations should be used to continuously make any needed adjustments to meet the overall outcome(s). Please note that while VOCA funds can be used for the cost of the project evaluation component and that programs can decide which form of evaluation they prefer to use, research and studies, except for the project evaluation, are prohibited.

- **Organizational Capacity**

- Provide a description of the organization, explaining the applicant's experience in providing services to victims of crime. Applicants should demonstrate their record of providing services to victims of crime, state where services are provided, victim population(s) served, the scope of services provided, staffing and resources available to the victim population, and current collaborative efforts with other community organizations and agencies that are in support of their programs. Strong applicants will describe how they promote coordinated public and private efforts to assist victims of crime within the community.

3.4.1 Workplan Requirement

All applicants must acknowledge that they are required to provide assistance to victims of crime in the completion and submission of compensation applications. Applicants who fail to identify their willingness to provide assistance to victims completing compensation applications will not be considered for an award under this opportunity.

Please note that only applicants providing services which permit a victim of crime or person related to a victim of crime to access information related to important dates and developments relating to criminal proceedings at issue in a timely and efficient manner pursuant to 42 U.S.C. § 10603e will be exempted from the Workplan Requirement and should select the "N/A" option in the CFA.

3.4.2 Required Program Specific Question

All applicants will be required to answer the following Program Specific Question.

- **What percentage of your proposed budget is dedicated to serving victims of gun violence?**

Please note the answer to this question is NOT considered in the scoring of your application and is for OVS informational purposes only.

3.5 Budget Overview

Applicants must submit a budget and narrative for each budget category.

- **Project Budget and Narrative**

- Using the [Budget Form](#), prepare a detailed, proposed budget and upload it to the CFA. A corresponding narrative of annual program costs for the first year for each budget category used should be completed in the “Budget Narrative” question in the CFA. Ensure that sufficient details are provided, that the budget is reasonable, appropriate for the number of positions to be funded, and in compliance with funding restrictions and limitations noted elsewhere in this RFA. The workplan and budget (including narrative) should be tied together in such a way that the funding request is supported by the workplan and justified through the narrative. The total funding for each year of the contract must be identical.
 - Applicants are reminded that VOCA funds are primarily designed to support services to victims of crime. Funds may also be used to support administrative personnel. For information on VOCA allowable administrative expenses, see section 5.4.
 - Applicants are encouraged to keep administrative costs to a minimum.
Applicants must upload an excel spreadsheet containing the second year and third year budgets in the grants gateway. This document can be found under pre-submission uploads.
- **Matching Funds and Policies**
 - Applicants, other than Native American programs as defined in section 2.1, must provide **match from non-federal sources**. The amount of match must be either 20% of the project total, or 25% of the total grant funds. (For Native American tribes or organizations on reservations, there is no matching requirement.) This may be an in-kind contribution, cash contributions, or a combination of both. This matching of funds is also known as cost sharing and represents the portion of the proposed project costs not borne by the federal government.
 - [OVC Match Waiver Policy September 2021](#). Please note that OVS has the authority to grant match waivers within the parameters of an approved Match Waiver Policy. Once the mandatory, federal blanket waiver is revoked, OVS will operate strictly according the currently applicable [Match Waiver Policy](#).
 - **Note that for year 1 (10/1/2022 - 9/30/2023) of any awarded contract these match requirements are waived.** OVS reserves the right to reinstate these match requirements at any time within the parameters of the federal requirements. Individual match waiver requests may be submitted should the match requirements be reinstated.
 - Applicants, unless new, are required to demonstrate a record of providing effective services to victims of crime. This includes community support for services provided, a history of providing services in a cost-effective manner, and financial support from other sources.
 - All new applicants (defined as VAPs that cannot demonstrate a record of providing victim services and are not current OVS contract holders), must demonstrate substantial financial support from sources other than the Crime Victims Fund. This can be demonstrated when at least 25% of the program’s funding in the year of the award or the year preceding the award comes from

sources other than the Crime Victims Fund, which may include other federal funding programs.

- Matching funds may only be used for VOCA allowable purposes. All funds designated as match must be expended within each annual contract period. Applicants should avoid committing more than the required match to the VOCA funded project. Be careful that match funds you are using for another grant are not also being used as match for this grant.
- Match is calculated by taking the VOCA award, dividing by 0.80 and subtracting the amount of the VOCA award from the figure obtained. The balance equals the required match (i.e., $\$30,000/0.8 = \$37,500$ less the $\$30,000$ award amount for a match totaling $\$7,500$).
- Cash or “third party” contributions represent an applicant’s cash outlay and may include non-federal money contributed by public agencies and institutions, private organizations, and individuals. In-kind contributions represent the value of non-cash contributions provided for the benefit of the VOCA funded project such as donation of office equipment, supplies, workspace, and the monetary value of volunteer time spent performing VOCA allowable services.
- Programs that receive VOCA funds must maintain records that clearly show the source, the amount, and the period during which the match was allocated. The basis for determining the value of personal services, materials, equipment, and space must be documented. Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the sub- grantee for its own paid employees.
- Matching contributions must be necessary and reasonable to accomplish the project’s goals, VOCA allowable, and in accordance with all other federal and state requirements. They must be verifiable from the program’s records, not included as a matching contribution for any other federal funds, and not derived from other federal funding sources (except as provided for in the U.S. Department of Justice’s Office of Justice Programs [Financial Guide](#)).
- Matching contributions need not be applied at the same exact time or in proportion to the obligation of VOCA grant funds. **The full matching share must be obligated within each annual contract period for which the VOCA grant funds have been made available.**
- Failure to provide the required match may compromise a recipient’s eligibility and result in suspension or termination of future grant awards.

3.6 Pre-Submission Uploads

Applicants are **REQUIRED** to complete and upload the following documents as part of the application:

- **Performance Measurement Tool Form:** When completing this form please indicate the anticipated number of times each task is to be performed annually. The numbers that will be provided on this form should be equal to the proposed services and activities as described in the Proposed Services and Implementation section in the workplan overview, Section 3.4. The number entered in section 3.4.1 must match question #6 in the Performance Measurement Tool form.

- **Volunteer Form:** Use this form to show the use of a volunteer, or volunteers, at your organization. Note that volunteer(s) do not need to be working directly for the VAP. Additionally, if you don't have an active volunteer you must verify that your organization is seeking one.
- **Annual Funding from All Other Sources Form:** Use this form to document and demonstrate your financial support that comes from sources other than the VOCA Crime Victims Fund. Please note, all new applicants must demonstrate substantial financial support from sources other than the Crime Victims Fund.
- **Position Description Form:** All applicants must complete the Position Description Form for the position(s) to be supported with these funds. Each Position Description Form should clearly indicate the projected percent of time the employee is expected to perform each activity. For each position, the total percent of time must equal 100% even if the position is not entirely funded through this RFA.
- **Future Funding Form:** An excel spreadsheet with two tabs that explains the budget for years 2 and 3 is required.
- **Program Information Form:** All applicants must complete this document.
- **Priority Categories Form:** All applicants must complete the Priority Categories Form that shows the percentage of funds that your organization anticipates using to serve each priority category(s) from this grant award. The total of the percentages entered must equal 100%.
- **Budget Worksheets - Prorating Form & Annual Fringe Benefit Form:** Use these forms to document fringe rates and/or your preferred method of proration including but not limited to your expenses, space, and phone costs. **This is only applicable if you are using these forms.**
- **Application Checklist:** This form is included to ensure that the applicant has provided all required documents.
- **Counties Served Form:** All applicants must complete the Counties Served Form that shows the percentage of services that your organization anticipates offering in each New York State county. The total of the percentages entered must equal 100%. Only those services that would be performed with the funding applied for under this application, or used as match, should be represented here.

4. EVALUATION AND SELECTION PROCESS

4.1 Application Evaluation

The Application will be evaluated and scored based upon the criteria set forth in this section. Applications will be evaluated as best value to the State.

There will be a two-step evaluation of each application. Applicants will only be able to submit a valid application for evaluation if the following conditions have been satisfied:

- Application was submitted on time.
 - **The deadline for application submission is 2:00 pm EST on March 24, 2022.**
- The applicant is an eligible organization as described in Section 2.1.
- The applicant has submitted all required responses to the application questions.

Pass/Fail Evaluation

This evaluation will assess whether applications satisfy the minimum “pass/fail” criteria for funding consideration. All applications will initially be screened by OVS evaluators to see if all required materials are submitted and if all pass/fail checks have been met. Any application that does not meet each of the following criteria will be immediately disqualified from further review.

The application is complete when it includes:

- Work Plan Overview Section
- Problem Statement
- Proposed Services, Implementation & Program Evaluation
- Organizational Capacity
- Project Budget with Narrative Section
- Prequalification in Grants Gateway (Remember: Not-for-Profit applicants **must** be prequalified at the time of the application due date).
- **Performance Measures:** When completing this form please indicate the anticipated number of times each task is to be performed annually. **Applicants must complete and upload the “Performance Measurement Tool Form” as part of the online application to document the anticipated number of services provided annually.**
- Per VOCA requirements, all successful applicants must demonstrate that they use at least one (1) volunteer in their agency. As previously mentioned, if you don't have an active volunteer you must verify that your organization is seeking one. **(Applicants must complete and upload the “Volunteer Form” into as part of the online application to document use of volunteers.)**

- All successful applicants must demonstrate financial support from sources other than the Office of Victim Services. **(Applicants must complete and upload the “Annual Funding from All Other Sources” Form as part of the on-line application to document other financial support).**
- However, all **new** applicants (defined as applicants that are not a current OVS contract holder), that have not yet demonstrated a record of providing services may be eligible to receive VOCA funding, if they can demonstrate that 25% of their program’s funding in the year of the award or the year preceding the award comes from sources other than the Crime Victims Fund, which may include other federal funding programs. **(Applicants must complete and upload the “Annual Funding from All Other Sources” Form as part of the online application to document other financial support).**
- **Position Description Form:** All applicants must complete the Position Description Form for the position(s) to be supported with grant and/or match funds. Each Position Description Form should clearly indicate the projected percent of time the employee is expected to perform each activity. For each position, the total percent of time must equal 100% even if the position is not entirely funded through this RFA. **(Applicants must complete and upload the Position Description Form as part of the online application to document the projected percent of time the employee is expected to perform each activity.)**
- **Futurefunding.xls:** An excel spreadsheet with two tabs that explains the years 2 and 3 budgets is required. The total funding for each year of the contract must be identical. **(Applicants must complete and upload the Future Funding Form as part of the online application to document requests for future funding.)**
 - Please note that match must be provided, or it must be shown how it will be provided in the years 2 and 3 budgets.
- **Priority Categories Form:** All applicants must complete the *Priority Categories* Form that shows the percentage of funds from the proposed year 1 budget that your organization anticipates allocating to providing services to each priority category of the victim of crime population as listed in the RFA. **(Applicants must complete and upload the “Priority Categories Form” as part of the online application).**
- **Counties Served Form:** All applicants must complete the Counties Served Form that shows the % of services that your organization anticipates offering in each New York State county. **(Applicants must complete and upload the “Counties Served Form” into the Grants Gateway as part of the online application).**
- **Budget Worksheets - (Prorating Form/Annual Fringe Benefit Budget Form)** Use these forms to document fringe rates and/or your preferred method of proration including but not limited to your expenses, space, and phone costs. This is only applicable if you are using these forms.

All applications that satisfy the pass/fail check will proceed to be reviewed by a panel of evaluators. Each application will be reviewed by 2 individuals, with an additional evaluator in the event of a disparate score. A standard rating tool will be used by all evaluators to score each application. The maximum score will be 50 points prior to applying a weighted formula. Each category (Problem Statement; Proposed Services, Implementation, and Evaluation; Organizational Capacity; and Budget with narrative) within an application will be scored and those category scores will be totaled for a combined overall score.

The evaluation score will be an average of the 2 evaluators' scores unless there is disparate score. The score will be determined by averaging evaluator's overall scores for each proposal and then score weighting if utilized. Also, in the event of a substantial scoring disparity, defined as greater than 10 of the total available points, between evaluator's overall scores, an additional reviewer may rate the affected proposals and the average of all the scores will determine the average score of the proposal.

If, based upon the applications received, OVS determines that there is a need to ensure proper geographical coverage or that all required priority category allocations are satisfied, such factors may also be weighed, at OVS' discretion. Geography weighting would occur first if necessary, followed by Priority Category weighting if deemed necessary.

Awards will be made to those applications receiving the highest final overall scores. If there are insufficient funding requests to meet a particular county allocation (and if needed, priority category allocation), those funds will be distributed until funds are exhausted or all successful applications are funded.

4.1.1 Evaluation of Applications

1. Problem Statement (10%):

Applicants should demonstrate the need for services at all locations for which they are requested. Gaps in services should be convincingly identified using examples of current problems which illustrate the need for services while being sure to protect victim confidentiality. Applicants are encouraged to show how the lack of coordinated services presents undue constraints on VAPs in achieving their goals to assist victims of crime. Strong applicants will persuasively describe what is preventing them from providing the best possible services and how this grant funding will continue or enhance services. Applicants should include all crime or other data that is being used to demonstrate need.

2. Proposed Services, Implementation, & Program Evaluation (40%):

Applicants should describe the services and activities to be undertaken with grant dollars, where and when they will take place and who will be served. How these services and activities address the gap in services and/or continuation of services described in the problem statement should be clearly explained.

Proposed services should be aligned with the tasks documented in the Performance Measurement Tool. Applicants should clearly describe how they will implement the services based on the requested funding. Describe in detail how you will implement these activities in all years of this contract. Please pay particular attention to any new

activities/services that you plan to implement. Justification for staff and resources should be convincing.

All applicants must demonstrate the use of an evaluation process that they use or will use to measure the effectiveness of their program. The evaluation should be structured to address specific program objectives and goals and determine the extent to which they are being achieved. Evaluations should be used to continuously make any needed adjustments to meet the overall outcome(s).

3. Organizational Capacity (20%):

Provide a description of the organization, explaining the applicant's experience in providing services to victims of crime. Applicants should demonstrate their record or qualifications to provide services to victims, state where services are provided, staffing and resources available to the victim population, and current collaborative efforts with other community organizations and agencies that are in support of their programs. Strong applicants will describe how they promote coordinated public and private efforts to assist victims of crime within the community.

4. Budget, including Budget Narrative (30%)

Using the forms provided in the online application, prepare a detailed, proposed budget and narrative of annual program costs for the first year for each budget category used. Ensure that sufficient detail is provided, that the budget is reasonable, appropriate for the number of positions to be funded, and in compliance with funding restrictions and limitations noted elsewhere in this RFA. The workplan and budget (including narrative) should be consistent with each other.

While providing match information for year 1 is optional, all budget forms must include the required proposed match component **beginning in year 2**.

Applicants must upload an excel spreadsheet containing the second year and third year budgets. These forms must include the required, proposed match component for the applicable period. This document (futurefunding.xls) can be found.

4.1.2 Tie Breaker

In the event that two or more of the applications have a tied score after final calculation of all categories, the application with the higher score in Proposed Services, Implementation & Evaluation will prevail. If the scores still remain tied, the second tie breaker will be the application with the highest score in Budget, including Budget Narrative.

4.2 Notification of Award

After the evaluation, all Applicants will be notified of awards and for successful candidates, that a contract will be forthcoming for execution. The original application and any additions or deletions to the application become part of the contract.

Public announcements or news releases pertaining to any contract resulting from this solicitation shall not be made without prior written approval from OVS.

5. ADMINISTRATIVE INFORMATION

5.1 Administering Agency

The Office of Victim Services (OVS) is the State Administering Agency for the State of New York through which VOCA Victim and Witness Assistance Program Grants are awarded across the State.

The mission of the Office of Victim Services (OVS) is to provide compensation to victims of crime, their families, and other eligible individuals in a timely, efficient and compassionate manner; fund direct services to victims of crime and their families through a network of programs across New York State; and advocate for the rights and benefits of all victims of crime.

5.2 Method of Award

This is a multiple award solicitation.

Each response will be evaluated based on the information submitted by the applicant connected to the categories referenced in section 4.1.1.

Upon determination of the best value applicants, a Grant Contract Agreement will be completed. This contract will be executed via the Grants Gateway to be forwarded for all necessary signatures and State approvals. Upon final approval, a fully executed copy will be available to the grant recipient via the Grants Gateway.

Awards may be made until all designated funds of \$330,000,000 for the three-year period have been exhausted.

5.3 Funding

All Agreements and funding are subject to the availability of funds. Funding is not guaranteed. Modifications or additional requirements may be imposed during the Agreement period. The primary source of VOCA funding is the Federal Crime Victims Fund which is largely funded from offender-generated revenues, such as criminal fines, fees, surcharges and forfeited bail bonds. This revenue source does not guarantee a consistent funding level year-to-year and cannot be considered automatically renewable from one year to the next. OVS is, however, committed to sustaining grant-funding levels contingent upon adequate federal funding and state budget appropriations.

All awarded applicants will be notified which federal award will support each contract year.

5.4 Funding Purpose

The primary purpose of the VOCA Victim and Witness Assistance Grant Program is to provide assistance to victims of crime.

Services may include but are not limited to:

- Crisis intervention services that meet urgent emotional, psychological, or physical needs of victims of crime (e.g., 24- hour hotline); accompanying victims to hospitals for medical examinations; hotline counseling; safety planning.
- Social workers and case managers serving victims of gun violence by addressing the exposure to violence affecting youth and families in communities impacted by gun violence.
- Emergency food, shelter, clothing, transportation for victims to receive services and to participate in criminal justice proceedings or legal assistance to file for restraining orders; certain short-term in-home care and supervision services; certain short-term nursing-home, adult foster care, or group-home placement; window, door or lock replacement or repair to ensure a victim's safety.
- Support services including reassurance; personal advocacy and emotional support; case management; traditional, cultural, and/or alternative therapy/healing; mental health counseling and care; peer support; guidance and help resolving practical problems created by victimization; interacting on a victim's behalf with other social services, legal, and criminal justice agencies; assistance in the swift return of property being kept by police as evidence; language interpretation; intervention, as appropriate, with landlords or employers; and referral to other sources of assistance as needed.
- Court-related services that assist victims of crime in participating in criminal justice proceedings including transportation to court, interpreter services, accompaniment to court and childcare.
- Legal services including but not limited to divorce, custody, and support proceedings that arise out of the victimization.
- Forensic Medical Exams and Interviews.
- Public awareness presentations that are made in schools, community centers, or other public forums, and that are designed to identify victims of crime and provide or refer them to needed services.
- Transitional housing for victims of crime who cannot safely return to their previous housing due to the circumstances of their victimization.
- Relocation expenses including but not limited to reasonable moving expenses, security deposits on housing, rental expenses, and utility start-up costs.
- Coordination of activities that facilitate the provision of direct services such as activities that include but are not limited to: Statewide coordination of victim notification systems, crisis response teams, multi-disciplinary teams, coalitions to support and assist victims, and such other programs, and salaries and expenses of such coordination.

- Supervision of service providers including the payment of salaries and expenses of supervisory staff in a project when the SAA determines that such staff are necessary and effectively facilitate the provision of direct services.
- Multi-system, interagency, and multi-disciplinary responses to victims of crime's needs. Activities that support a coordinated and comprehensive response to victims of crime's needs by service providers, including, but not limited to, payment of salaries and expenses of direct service staff serving on child and adult abuse multi-disciplinary investigation and treatment teams, coordination with federal agencies to provide services to victims of federal crimes and/or participation on Statewide or other task forces, work groups, and committees to develop protocols, interagency, and other working agreements.
- Contracts for professional services which include contracts for specialized professional services (e.g., psychological/psychiatric consultation, legal services, interpreters), at a rate not to exceed a reasonable market rate, that are not available within the organization.
- Automated systems and technology necessary for the facilitation and/or provision of direct services.
- Trainings for volunteers on how to provide direct services when such services will be provided primarily by volunteers.
- Restorative justice opportunities for victims of crime to meet with perpetrators if such meetings are requested or voluntarily agreed to by the victim and have possible beneficial or therapeutic value to the victim.

Allowable Sub-Recipient Administrative Costs May Include:

- Personnel costs, skills training for staff, training-related travel, organizational expenses, equipment and furniture, lease or purchase of vehicles, maintenance repair or replacement of essential items, project evaluation.
- Operating costs include but are not limited to supplies, equipment use fees, property insurance, printing, photocopying, postage, courier service, brochures that describe available services, books and other victim-related materials, computer backup files/tapes and storage, security systems, design and maintenance of websites and social media; and essential communication services, such as web hosts and mobile device services.
- VOCA Administrative Time (limited to 20%) allows for costs of administrative time spent performing the following:
 - completing VOCA-required time and attendance sheets and programmatic documentation, reports, and statistics;
 - collecting and maintaining victims of crime's records;
 - conducting victim satisfaction surveys and needs assessments to improve victim services delivery in the project;

Listed below are some resources that may provide additional information:

- [Federal Register](#)
- [Side-by-Side VOCA Victim Assistance Guidelines and Rule](#)
- [VOCApedia](#)

5.5 Funding Priorities

VOCA Guidelines require that New York State allocate at least 10% of each Federal VOCA victim and assistance grant award to each of four priority categories.

VOCA Funding Priorities

- 1. Victims of Domestic Violence**
- 2. Victims of Sexual Assault**
- 3. Victims of Child Abuse**
- 4. Underserved Victims of Crime**

Underserved victims are defined as survivors of assault, robbery, gang violence, gun violence, hate or bias crimes, victims of DUI/DWI, human trafficking, elder abuse, adult survivors of child abuse, victims of arson, bullying, burglary, identity theft/fraud/financial crime, kidnapping, vehicular victimization, stalking/harassment, teen dating victimization, and victims of other violent crime such as homicide.

Underserved victims may be further defined by specific characteristics such as whether they are elderly, disabled, deaf/hard of hearing, homeless, immigrants, refugees, asylum seekers, LGBTQ+, veterans, or non-English speaking.

5.6 Geographic Need

OVS has identified a need for a VAP serving each of the 62 counties in New York State. OVS, via this solicitation, seeks to provide services to victims of crime across New York State.

5.7 Term of Contract

This contract will commence on October 1, 2022 and will be in effect for three (3) years with the option of one two-year renewal period.

5.8 Termination

The State of New York retains the right to cancel any resulting contract for convenience, provided that the Grant Recipient is given at least thirty (30) days written notice of OVS' intent to cancel. Any cancellation by OVS under this section shall in no event constitute or be deemed

a breach of any contract resulting from this Solicitation and no liability shall be incurred by or arise against OVS, its agents and employees therefore for lost profits or any other damages resulting there from. This provision should not be understood as waiving the State's right to terminate the contract for cause or stop work immediately for unsatisfactory work but is supplementary to that provision.

5.9 Distribution of Grant Funds

All payments will be strictly on a quarterly reimbursement basis.

Please note, no advance payments will be allowed under any contracts resulting from this solicitation.

5.10 Grant Funding Conditions

Total federal funding available for the entire (3) three-year period shall not exceed \$330,000,000. All awards made under this solicitation shall have identical annual award amounts for the three-year term.

5.11 Order of Precedence

The Order of Precedence for any Agreement resulting from this RFA is as follows:

- Master Grant Contract
- Appendix A-1, Program Specific Requirements
- Appendix A-2, Federal Special Conditions
- Request for Applications
- Application
- Budget Form

5.12 Grant Recipient Responsibilities

The State will contract only with the successful Applicants who are the Grant Recipients. The Administering Agency considers the Grant Recipient the sole Contractor with regard to all provisions of the solicitation, and the contract resulting from the solicitation.

No subcontract entered into by the Grant Recipient shall relieve the Grant Recipient of any liabilities or obligations in this solicitation or the resultant contract. The Grant Recipient accepts full responsibility for the actions of subcontractors who carry out any of the provisions of any contract resulting from this solicitation.

All persons/contractors hired, paid and/or supervised by the Grant Recipient shall be the Grant Recipient's employee or its subcontractor's employee and not the State's employee.

5.13 Liability

OVS shall not be held liable for any costs incurred by any party for work performed in the preparation of and production of an application or for any work performed prior to the formal execution of a contract.

5.14 OVS Inventory

Any equipment valued at \$1,000 or more purchased with funds provided by this Agreement shall be assigned a unique inventory number. OVS will provide the Recipient with inventory tags (decals), which the Recipient must place on all equipment purchased with these funds.

5.15 Other Considerations

OVS reserves the right to:

- Reject any or all applications received with respect to this RFA.
- Make corrections to mathematical errors.
- Waive or modify minor irregularities in applications received.
- Utilize any or all ideas submitted in the applications received unless those ideas are covered by legal patent or proprietary rights.
- Request additional information as deemed necessary to evaluate an application more fully.
- Amend the program's specifications after the release of this RFA, with appropriate written notice to all potential applicants by posting amendments on the Office's web site (www.ovs.ny.gov) with the RFA.
- Select only certain portions of applications for funding.
- Make all final decisions with respect to the amount of funding and the timing of payments to be provided to an applicant. Such final determinations will be made by the Director of OVS, or their designee.
- Negotiate the terms of the budget.

All applications submitted in response to this RFA will become the property of the New York State Office of Victim Services.

5.16 Special Conditions

By accepting an award from OVS under this RFA, the recipient agrees to comply with all federal special conditions which are provided annually to all contract holders.

5.17 Freedom of Information Law (FOIL)

All applications submitted and all related Agreements and reports may be subject to disclosure under the Freedom of Information Law.

5.18 Debriefing Procedures

Pursuant to section 163(9) (c) of the State Finance Law, any non-awarded applicant may request a debriefing regarding the reasons that the Application submitted by the applicant was not selected for award. Requests for a debriefing must be made within fifteen (15) calendar days of written notification by OVS that the Applications submitted by the applicant was not selected for award. Requests must be submitted to ovsgrants@ovs.ny.gov.

5.19 Protest Procedures

Applicants who receive a notice of non-award may protest the award decision by filing a protest with OVS. All protests must be filed within ten (10) business days of receipt of a debriefing, or ten (10) business days of receipt of the notice of non-award, whichever is later. The protest letter must be submitted to ovsgrants@ovs.ny.gov. Include the title of this solicitation in your correspondence.

OVS will review and consider the merits of the protest and will decide whether the protest is approved or denied. The applicant will be provided with written notification of the review decision within seven (7) business days of receipt of the protest. The original protest and decision will be filed with the Office of the State Comptroller (OSC) when the contract procurement record is submitted for approval and OVS will advise OSC that a protest was filed.

5.20 Agreement Approval

OVS will negotiate and develop a grant Agreement with successful applicants. The grant Agreement is subject to approval by the New York State Office of the Attorney General and the Office of the State Comptroller before grant funding may actually be disbursed. In the event that OVS and the successful applicant cannot execute an Agreement within 180 days of the start of the Federal Fiscal Year (10/1), OVS reserves the right to rescind the award and redistribute the grant funds.

5.21 Appropriation and Availability of Funds

All funded programs will be required to submit an updated annual budget at the start of each contract year. Funding for the duration of any Agreement with OVS is contingent upon New York State's Federal VOCA Victim Assistance award and appropriation by the New York State Legislature.

5.22 Agreement Changes

The State reserves the right to renegotiate the terms and conditions of the Agreement in the event applicable New York State or Federal laws, statutes, rules, regulations, policies and/or guidelines are altered from those existing at the time the Agreement is approved by the Attorney General of the State of New York and the Comptroller of the State of New York State in order to be in continuous compliance therewith. In addition, the Agreement awarded as a result of this RFA may be executed, extended, increased, decreased, terminated, renewed, amended, or renegotiated at the discretion of the Director, or the Agency Counsel, of the Office of Victim Services based on a grantee's performance, changes in project conditions or otherwise. The Agreement is subject to other amendments only upon mutual consent of the Parties and approval by the Attorney General and Comptroller.

5.23 Periodic Review

The U.S. Department of Justice and the Office of the New York State Comptroller conduct periodic reviews of the financial policies, procedures, and records of state VOCA administrators and sub-recipient programs. Therefore, upon request, both OVS and all VOCA funded programs must allow authorized representatives to access and examine all records, books, papers, case files, or documents related to the grant and all sub-awards. Each VOCA funded program must provide OVS access to the aforementioned documents related to any cost or activity supported, in whole or in part, by this Agreement.

5.24 Contract Management

Each VOCA funded program shall be monitored consistent with the [OVS Management Assessment Plan \(MAP\)](#). The MAP is subject to change. OVS staff monitoring/visiting VOCA funded programs may review documents including, but not limited to employment records, time and attendance records, personnel activity reports, financial records, financial and audit reports, policies, and procedures governing the organization and the use of VOCA funds, programmatic records of victims' services including client case files and any other supporting documentation for costs and activities supported by VOCA funds. Each VOCA funded program must provide OVS access to the previously referenced documents relating to any cost or activity supported, in whole or in part, by this Agreement.

5.25 Payments

Awarded projects will be eligible to receive grant funds quarterly on a reimbursement basis. Grant funds will be disbursed only after the Agreement is fully executed, i.e., has been signed by all involved parties, and approved by the Office of the Attorney General and the Office of the State Comptroller. A payment schedule will be included in Attachment D of the Master Grant Contract.

5.26 Evaluation Plans

Grantees must comply with the development and implementation of the Evaluation Plan included in their response to the RFA. In addition to collecting the data as identified in the Evaluation Plan, the data may be requested by OVS for the purpose of evaluating grantee performance.

5.27 Reporting Requirements

VOCA recipients are required to maintain appropriate programmatic and financial records that fully disclose the amount and use of VOCA funds received (i.e., daily time and attendance records specifying time devoted to specific victim services, client files); the total cost of the project; the portion of the project supplied by other sources; and other records. Grant funded programs must maintain all financial records in accordance with Generally Accepted Accounting Principles (GAAP).

Failure to comply with reporting requirements may result in administrative action such as withholding of payments, or termination of the Agreement.

OVS may request information for the purpose of evaluating grantee performance, including but not limited to:

- Number of OVS claim applications submitted vs. the number of OVS claim applications that were anticipated to be submitted.
- Total claim applications rejected.
- Total claim applications recovered.
- Program objectives (services provided).
- Technical site visit findings.
- Fiscal reporting documentation.
- Data related to services provided by facility or location at any local jail, prison facility or any other juvenile or other facility where services are provided with VOCA funds.

5.28 New York State Charities Bureau Registration

All not-for-profit organizations entering into an Agreement with the State must be registered with the New York State Charities Bureau, unless a proper exemption is obtained. All applicants must, therefore, provide either:

- the organization's charitable registration number; or
- a statement from the applicant that the organization is exempt pursuant to one of the categories indicated on the Office of Attorney General's Request for Registration Exemption (Schedule E). The statement must identify the specific category under which the charitable organization is exempt.

If you have questions regarding the statutory requirements for registration, contact the New York State Office of the Attorney General, Bureau of Charities Registration [Bureau of Charities Registration](#), 120 Broadway, New York, NY 10271-0332, or call (212) 416-8401, email charities.bureau@ag.ny.gov.

5.29 Federal Conditions

Funds for this program will be provided to OVS pursuant to an agreement with the United States Department of Justice, Office for Victims of Crime. Successful applicants will be required to comply with all applicable Federal statutes, regulations, and policy requirements. A list of applicable statutes, regulations and policy requirements can be found in the Federal Register/Rules and Regulations available at: [Federal Register Rules and Regulations](#). A

summary of federal conditions can also be found in Attachment A-2 of the Master Grant Contract.

5.30 Required Assurances

Eligible Victim Assistance Programs that receive OVS funding are required to and/or attest to:

- Maintain such data and information, submit such report(s), and take such action(s) as may be necessary to comply with the equal employment opportunity requirements of New York State Executive Law §15-A, "Participation by Minority Group Members and Women with Respect to State Contracts" and 9 N.Y.C.R.R. Subtitle N.
- Certify 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 New York State Labor Law §201-g of the labor law. Provide the name of a civil rights contact person who has lead responsibility for ensuring that all applicable civil rights requirements are met and who will act as a liaison in civil rights matters with the U.S. Office for Civil Rights, Office of Justice Programs.
- Comply with all applicable non-discrimination requirements.
- Provide assurance that appropriate accounting, auditing, and monitoring procedures will be employed and that records will be maintained to assure fiscal control, proper management, and efficient disbursement of the VOCA victim assistance funds.
- Produce proof of Workers' Compensation and Disability Insurance in a form satisfactory to the New York State Workers' Compensation Board prior to the execution of the agreement. Please refer to the Workers' Compensation and Disability Insurance Requirements posted on the OVS website www.ovs.ny.gov under the heading of this RFA or visit the New York State Workers' Compensation Board website, www.wcb.ny.gov for more information.
- Comply with Certifications and Assurances including: Federal Certification Regarding Debarment, Suspension, Ineligibility, and Involuntary Exclusion, Certification Regarding Lobbying (for awards over \$100,000), and Drug-Free Workplace Certification (New York State agencies only). Submission of this application represents adherence with these certifications and assurances.
- Complete a Vendor Responsibility Questionnaire or certify that the questionnaire was completed on-line if you are a not-for-profit organization. This will only be required for awarded applicants. For more information, go to:
 - http://www.osc.state.ny.us/vendrep/login_vendors.htm.
- Provide a DUNS (Data Universal Numbering System) number as part of your Agreement if you receive federal funding. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities

receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and sub-recipients. The DUNS number will be used throughout the grant life cycle. One can be obtained by calling 1-866-705-5711 or by applying online at <http://fedgov.dnb.com/webform>.

- Register with the System for Award Management (SAM). SAM combines federal procurement systems and the Catalog of Federal Domestic Assistance into one system and includes the functionality from the following systems:
 - Central Contractor Registry (CCR)
 - Federal Agency Registration (Fedreg)
 - Online Representations and Certifications Application
 - Excluded Parties List System (EPLS)

Registration can be obtained at no charge by applying online at www.sam.gov.

5.31 Minority & Woman-Owned Business Enterprise Requirements

Pursuant to New York State Executive Law Article 15-A, the New York State Office of Victim Services (“OVS”) recognizes its obligation to promote opportunities for maximum feasible participation of certified minority- and women-owned business enterprises and the employment of minority group members and women in the performance of OVS contracts.

In 2016, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in State contracting. The findings of the study were published in June 2017, under the title “State of New York 2016 MWBE Disparity Study”. The report found evidence of statistically significant disparities between the level of participation of minority- and women-owned business enterprises in State procurement contracting versus the number of minority and women-owned business enterprises that were ready, willing, and able to participate in State procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the Statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that OVS establish goals for maximum feasible participation of New York State Certified minority- and women-owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, the New York State Office of Victim Services hereby establishes a goal of 30% as follows:

- 1) For Not-for Profit Applicants: Eligible expenditures include any subcontracted labor or services, equipment, materials, or any combined purchase of the foregoing under a contract awarded from this solicitation.
- 2) For-Profit and Municipality Applicants: Eligible expenditures include the value of the budget in total.

The goal on the eligible portion of this contract will be 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs and outreach efforts to certified MWBE firms). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that OVS may withhold payment pending receipt of the required MWBE documentation. For guidance on how OVS will determine “good faith efforts” refer to 5 NYCRR §142.8.

The directory of New York State Certified MWBEs can be viewed at: <https://ny.newnycontracts.com>. The directory is found in the center of the webpage under “NYS Directory of Certified Firms” and accessed by clicking on the link entitled “Search the Directory”. Engaging with firms found in the directory with like product(s) and/or service(s) is strongly encouraged, and all communication efforts and responses should be well documented.

By submitting an application, a grantee agrees to complete an MWBE Utilization plan, if required. OVS will review the submitted MWBE Utilization Plan. If the plan is not accepted, OVS may issue a notice of deficiency. If a notice of deficiency is issued, Grantee agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt. OVS may disqualify a Grantee as being non-responsive under the following circumstances:

- If a Grantee fails to submit a MWBE Utilization Plan.
- If a Grantee fails to submit a written remedy to a notice of deficiency.
- If a Grantee fails to submit a request for waiver (if applicable).
- If OVS determines that the Grantee has failed to document good-faith efforts to meet the established OVS MWBE participation goals for the procurement.

In addition, successful awardees will be required to certify they have an acceptable Equal Employment Opportunity policy statement.

6. APPLICATION SUBMISSION

6.1 RFA Questions and Clarifications

All questions about the requirements contained in this RFA must be submitted via email by February 1st, 2022 to: ovsgrants@ovs.ny.gov

A list of questions about the RFA which are received from potential applicants, answers to those questions, as well as any changes, additions, or deletions to the RFA, will be posted at <https://ovs.ny.gov/2022-voca-rfa> under the heading "2022 VOCA RFA", along with the electronic version of this RFA, no later than 5:00 p.m. EST on February 22nd, 2022.

Applicants are urged to check the OVS website frequently during this application period for notices of any changes, additions, deletions, or updates regarding the RFA.

All questions should cite the page and section where applicable. Please submit questions as early as possible following receipt of the RFA. Questions received after the deadline may not be answered.

6.2 Insurance Requirements

Successful applicants will be required to submit the following documents prior to contract execution:

- Vendor Responsibility Questionnaire
 - The awarded applicant may be subject to a vendor responsibility review prior to contract execution. Any applicant found not responsible by the Office of Victim Services may not be provided with funding pursuant to this RFA.
- Proof of Workers' Compensation & Disability Insurance
 - Workers' Compensation, Employer's Liability, and Disability Benefits meeting all New York State statutory requirements are required. If coverage is obtained from an insurance company through an insurance policy, the policy shall provide coverage for all states of operation that apply to the performance of the contract.
- **PLEASE NOTE - ACORD forms are NOT acceptable proof of workers' compensation coverage.**

6.3 Application Preparation

All applications must be completed & submitted in the Consolidated Funding Application. Applications submitted via other methods (postal mail, e-mail, or fax) will **not** be accepted.

6.4 Instructions for Application Submission

All submissions must be received in the Consolidated Funding Application by 2:00 pm EST on March 24, 2022. Only those Applicants who furnish all required information and meet the mandatory requirements will be considered.

MAIL, E-MAIL OR FAX APPLICATION SUBMISSIONS ARE NOT ACCEPTABLE AND WILL NOT BE CONSIDERED.

The State of New York will not be held liable for any cost incurred by the Applicant for work performed in the preparation and production of, or for any work performed prior to the formal execution and approval of a contract.

Applications must be submitted in the Consolidated Funding Application on or before 2:00 PM EST on the date indicated in Section 1.4 - Key Events. Applicants assume all risks for timely, properly submitted deliveries.

***NOTE* Late Applications will NOT be accepted.**

7. CONTRACT CLAUSES AND REQUIREMENTS

7.1 Contract Terms

Any contract resulting from this Solicitation shall not be deemed executed, valid, or binding unless and until approved in writing by the Attorney General and the Comptroller of the State of New York.

7.2 Indemnification

The Grant Recipient shall assume all risks of liability for its performance, or that of any of its officers, employees, subcontractors 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 Agreement 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 Grant Recipient, its officers, agents, subcontractors or employees, or the failure by the Grant Recipient, its officers, agents, subcontractors 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.

8. OTHER IMPORTANT REQUIREMENTS FOR FUNDING

- All successful applicants must provide the services funded through this RFA at no charge as part of their executed contract.
- All successful applicants must provide a valid DUNS (Data Universal Numbering System) number in order to execute a contract.
- All successful applicants must be currently registered with SAM (System for Award Management) in order to execute a contract.
- All successful not-for-profit applicants **must be prequalified** in the Grants Gateway **at the time of the RFA submission deadline**. In keeping with this requirement, any application from a non-governmental nonprofit which has a status other than one of the following at the time and date that the application is due shall not be considered for funding: a) Document Vault Prequalified; b) Document Vault Prequalified Open; c) Document Vault Prequalified/In review, or d) Document Vault Open for PQS edits.
- All applicants must complete and upload the Performance Measurement Tool Form. **This is a pass/fail element of this procurement.**
- All successful applicants must demonstrate that they use and/or are actively seeking volunteers. (Applicants must complete and upload a Volunteer Form as part of the online application to document use of volunteers.) **This is a pass/fail element of this procurement.**
- All successful applicants must demonstrate financial support from sources other than the Crime Victims Fund. (Applicants must upload the Annual Funding from All Other Sources Form as part of the online application to document other financial support). **This is a pass/fail element of this procurement.**
- All successful **NEW** applicants must demonstrate substantial financial support from sources other than the Crime Victims Fund. This can be demonstrated when at least 25% of the program's funding in the year of the award or the year preceding the award comes from sources other than the Crime Victims Fund, which may include other federal funding programs. (Applicants must upload the Annual Funding from All Other Sources Form as part of the online application to document other financial support.). **This is a pass/fail element of this procurement.**

- All successful applicants must complete and upload the Position Description Form as part of the online application. **This is a pass/fail element of this procurement.**
- All successful applicants must complete and upload the Future Funding Form as part of the online application. **This is a pass/fail element of this procurement.**
- All successful applicants must complete and upload the Program Information Form as part of the online application. **This is a pass/fail element of this procurement.**
- All successful applicants must complete and upload the Priority Categories Form as part of the online application. **This is a pass/fail element of this procurement.**
- All successful applicants must complete and upload the budget worksheet (Annual Fringe Benefit Budget Form & Prorating Form) as part of the online application. **This is a pass/fail element of this procurement.**
- All successful applicants (except as noted otherwise in Section 3.4.1) must provide a response for the one required objective and task that is listed in the Workplan Overview Section. **This is a pass/fail element of this procurement.**
- All applicants must complete the Counties Served Form that shows the percent of services that your organization anticipates offering in each New York State county. (Applicants must complete and upload the Counties Served Form as part of the online application). **This is a pass/fail element of this procurement.**
- All successful applicants will have completed the Application Checklist as part of the online application. **This is a pass/fail element of this procurement.**