

## RFP # 19-024 Regional Partnership Center

### Questions and Answers

**Please note:** The subcontracting limit of thirty percent (30%) has been increased to forty percent (40%). This limit applies to all non-employee direct personal services, including services provided by partner organizations and services provided by MWBEs.

#### Program Questions

- 1. Is the topic of transition limited to school age transition as previously defined, or does it also include assisting with technical assistance/professional development opportunities around transitions from early intervention to preschool to school age and other transition periods a student with a disability may encounter?**

*As described within the context of the RFP, "transition" refers to the transition from school to post-school opportunities. However, Regional Partnership Centers will be required to partner with the Early Childhood and School-age Family and Community Engagement Centers to provide technical assistance and professional development around a number of topics, which may include children transitioning from early intervention to preschool special education and related services and/or preschool students with disabilities transitioning to school-age special education programs.*

- 2. What is the reasoning behind limiting eligible bidders to NYS institutes of higher education for the Special Education Technical Assistance Partnership Center For Equity (and perhaps for the other four TAPs for which the RFPs have yet to be posted)? There are many other training and/or research organizations, including some of the BOCES Professional Development Centers and UCEDDs (University Centers for Excellence in Developmental Disabilities), that have both the required expertise and experience in providing technical assistance and professional development in the identified areas to a variety of stakeholders.**

*Institutes of Higher Education have the resources necessary to create and provide a credit-bearing virtual seminar designed for preservice educators.*

- 3. Would you be able to tell me if these RFPs represent new contracts, or existing programs that are being re-branded and put up for competition? The RFPs are unclear about that issue.**

*The NYSED Office of Special Education Educational Partnership represents a series of new contracts that will be established through the RFP process. It is not a re-branding of existing contracts.*

- 4. It appears that each of the regions in Rest of State that have one of the big five school districts have 3 Behavior Specialists, 3 Transition Specialists and 3 Literacy Specialists with the exception of the Mid-State in which Syracuse City resides. Will there be an opportunity for the successful bidder in the Mid-State region to request additional staff**

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**in future years of the contract should a need be documented based on the intensity of supports provided to the SCSD?**

*No.*

- 5. The RFP, on page 7, Deliverable #4, indicates that the Regional Partnership Center will "provide information and resources to upload to the website for the Partnership. This could include, but is not limited to, upcoming training dates, contact information for local resources, special events or announcements." Is this referring to a state-wide "Partnership" website, or is each Regional Partnership Center expected to fund their own website as part of their budget proposal?**

*A Statewide website for the NYSED Office of Special Education Educational Partnership will be established; Regional Partnership Centers may be asked to contribute content for the website, but they will not be asked to fund the website. Any locally developed website for the purposes of communication, marketing, and/or training registration must be approved by the Office of Special Education. Regional Partnership Center bidders would be responsible for costs associated with a locally-developed website.*

- 6. Deliverable # 3.1.4 states "20 hours of professional development for team members upon hire, as determined by a needs assessment." For budget planning purposes, will this training be held within the region or will travel to Albany be required?**

*The 20 hours of professional development may be addressed virtually, regionally, or in a group setting in another part of the State. To the extent possible, the majority of this work would be done virtually and/or regionally.*

- 7. Define technical assistance please.**

*Technical assistance in the context of this RFP generally involves responding to questions posed by school/program staff, families, community representatives, and other interested parties around a range of topics related to the education of students with disabilities.*

- 8. Is TAP funding available for only equity?**

*All currently available funding opportunities for the OSE Educational Partnership have been posted at [Competitive Procurement Contracts](#). The TAPs for Data, Transition, Behavior and Academics are being addressed by other means.*

- 9. (How) will bidders be notified that NYSED has received submission packets?**

*NYSED does not notify bidders that their submission packets have been received. If you would like confirmation, please utilize certified mail with a return receipt.*

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**10. In the deliverables for RFP 19-024, For budgeting purposes: Deliverable 3.1.1 states “a yearly 2-day meeting in Albany for the whole partnership (beginning in year 2 of the contract).” Is this a requirement for ALL specialists within the RPC? And is this proposed 2-day meeting different than the proposed travel for the Systems Change Facilitator in #4. *travel to Albany for the purpose of regional planning?***

*All members of the Regional Partnership Center would be expected to attend the 2-day meeting in Albany for the whole Partnership. This meeting is separate from the 2-day meeting in Albany for the Systems Change Facilitator.*

**11. Since this contract will require providing trainings to a variety of stakeholders, will the bidder be allowed to provide light refreshments/snacks and/or lunches to participants?**

*Food is not an allowable cost.*

**12. What do you anticipate to be the timeline for bidders to know if they have been awarded the contract?**

*Bidders will be notified of award/non-award as soon as the review process is complete.*

**13. Can RPC Specialist be civil service employees?**

*The only requirements for specialists of the Regional Partnership Centers are that they meet the minimum qualifications as outlined in the RFP.*

**14. Can the bidder create job descriptions that have requirements beyond the minimum qualifications?**

*Yes.*

**15. Regarding the trainings, is SED providing curriculums or do they need to be created?**

*Many of the materials utilized by the OSE Educational Partnership will be developed by the TAPs, and it is likely that members of the FACE Centers and Regional Partnership Centers will provide assistance in the development of such materials. In addition, if resources already exist that are appropriate for the work of the OSE Educational Partnership, they will be reviewed and approved by the Partnership Implementation Team (PIT).*

**16. The RFP states the Systems Change Facilitator will conduct a needs assessment of schools. Does a document or tool already exist or does this need to be created?**

*A needs assessment tool is an example of one of the materials that will be developed by the OSE Educational Partnership. Please see the response to question 15 for more information.*

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**17. Will NYSED set additional qualification parameters for the LS and SDIS positions beyond what is outlined in the position descriptions on pages 3 & 6 or will additional qualifications/background experience be local decisions?**

*The minimum qualifications for staff have been provided in the RFP. If additional experience is desired, that would be a local decision.*

**18. Will NYSED require that the SCF position be an administrative position or will that be a local requirement?**

*Please see the response to question 17, as well as the mandatory requirements and deliverables identified on pages 3, 6, and 7 of the RFP.*

**19. Will Transition Specialists continue to have the technical assistance deliverable of working with 3-5 self-selected school districts on projects based on the NTACT Predictors of Post-Secondary Success?**

*No. This question references a specialist group within a previous RFP; please review the response to question 3. All deliverables for the Regional Partnership Center staff have been outlined in the current RFP.*

**20. Will Transition Specialists continue to be able to prioritize work with SPP 13 & 14 schools through regional training and TA?**

*A regional planning process will be utilized to strategically meet the needs of stakeholders in each area of the State and deploy the resources of OSE Educational Partnership appropriately. Specific topics and methods of delivery would be discussed through the regional planning process.*

**21. What organizations are eligible to apply? Is this limited to an individual district or can a consortium of districts, a non-profit, or a BOCES apply? Are Institutes of Higher Education eligible bidders?**

*Provided all requirements are met, any organization may apply.*

**22. Can we submit our application in person? In the past, we have been required to have a person's name for delivery purposes when we arrived. If we are allowed to hand-deliver applications, can you provide a name that we can use?**

*Bids may be hand-delivered. When bringing bids for delivery, please ask for Jessica Hartjen, Thomas McBride, or Adam Kutryb. All bids must be received no later than 3:00pm on February 12th.*

**23. You ask that we submit an electronic version of the application in Microsoft Office. A few related questions: Does this mean using Excel (such as for the FS-10) is**

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**acceptable? Should we be including all the forms in the electronic version, though they will be unsigned? Can we submit a PDF version of the entire submission, instead of a Microsoft Office version?**

*Bidders should not submit an FS-10 form with their bid. Please use the cost proposal workbook which was posted with the RFP. This document was posted in Excel.*

*The forms in the submission document package may be submitted either as unsigned Word documents or as scanned PDF files or both. However, if possible, the technical proposal narrative and workplan should be submitted in Word, and the cost proposal should be submitted in Excel. Ancillary materials may be submitted in PDF, and bidders may include a PDF version of the entire proposal in addition to the Microsoft Office files.*

**24. Are there any requirements on formatting of the Technical Proposal, such as required font size/style or margins? And is there a maximum number of pages allowed (or advised)?**

*No.*

**25. Do all of the staff required that are listed on page 6 of the RFP need to be full-time?**

*Please review the mandatory requirements on page 3 of the RFP; each required staffing position must be held by one full-time individual.*

**26. According to NYSED's staffing chart, our region is not required to have a "Culturally Responsive Educator." Why not? And is it okay if we include such a staff person, anyway, if we think it will strengthen the program?**

*Staffing decisions for the Regional Partnership Center regions were based on needs and fiscal considerations. If a Culturally Responsive Educator is not identified as a regular staff member in a particular region, such needs would be addressed by a Culturally Responsive Educator in a nearby region.*

**27. Will consultants be allowed, as approved by NYSED, in this contract?**

*It is expected that the primary content expertise will be provided by members of the Partnership. Should additional expertise be required from consultants, prior approval of NYSED is required. Note that consultants are considered subcontractors and included in the 40% subcontracting limit.*

**28. Can we submit applications for both RFP-19-024 (Regional Partnership Center) and RFP 19-025 (FACE Center)?**

*One entity may submit applications for both RFPs; separate proposals are required.*

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**29. Can attachments be included in the proposal and, if so, in what format?**

*It is not clear what is meant by "attachments," but if there are materials relevant to organizational capacity as outlined in the criteria for evaluating bids, they may be submitted in the format outlined in the RFP.*

**30. Can letters of support be included in the proposal, and, if so, is there a limit to how many letters can be submitted by the applicant?**

*Objective descriptions of agency experience and expertise are expected as outlined under the criteria for evaluating bids. Letters of support were not required.*

**31. Is it correct to interpret from the Staffing Schedule (Appendix 5) that the New York City region has a total of 46 FTEs to support the activities in that region?**

Yes.

**32. Is it correct to interpret from Appendix 2 that the five boroughs of New York City comprise one Regional Partnership Center? In other words, a proposal for New York City must cover all five boroughs rather than any single borough, correct?**

Yes.

**33. The RFP indicates that the 2-day trip to Albany is only required beginning in Year Two; however, the Work Plan for Year One includes the Albany trip as a deliverable. Is the 2-day trip required in Year One?**

*The two-day trip to Albany for all members of the OSE Educational Partnership will occur beginning in year two. It is not required in year 1, therefore you may write "beginning in year 2" in the workplan.*

**34. Do all of the FTEs described in the proposal need to be current FTEs or can job descriptions be submitted in lieu of employee names and resumes?**

*Job descriptions may be submitted.*

**35. Should bidders expect that non-consumable items such as laptops, printers, etc. necessary for the specialists to do their work will be transferred to the new Regional Partnership Center awardees from the contracts that are ending (RSE-TASC, Parent Centers, ECDC, PBIS TAC, etc.), or should bidders include start-up costs for purchasing such items in their first year budget? If this should be included as a start-up cost, will SED provide any guidance on this cost as they have done in past RFPs?**

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*The cost of laptops and printers for staff should be included in the budget for year 1 if necessary. As with all expenses, costs budgeted for non-consumable items must be reasonable and necessary for completing the scope of work.*

- 36. The RFP, on page 7, Deliverable #3, indicates that the Regional Partnership Center will utilize tools and training materials provided by the TAPs. Does this mean that the TAPs will provide all materials needed, or should Regional Partnership Center bidders include funds for materials reproduction and other resources to be used during training in their budget?**

*The Regional Partnership Center bidders should include funds for reproduction of training materials. The TAPs will provide the source materials.*

- 37. The RFP, on page 7, Deliverable #4, indicates that the Regional Partnership Center will "provide information and resources to upload to the website for the Partnership. This could include, but is not limited to, upcoming training dates, contact information for local resources, special events or announcements." Is this referring to a state-wide "Partnership" website, or is each Regional Partnership Center expected to fund their own website as part of their budget proposal?**

*A Statewide website for the NYSED Office of Special Education Educational Partnership will be established; Regional Partnership Centers may be asked to contribute content for the website, but they will not be asked to fund the website. Any locally developed website for the purposes of communication, marketing, and/or training registration must be approved by the Office of Special Education. Regional Partnership Center bidders would be responsible for costs associated with a locally-developed website.*

- 38. Can a required staffing position (1 FTE) be shared by two part-time (.5 FTE each) employees?**

*No. Please review the mandatory requirements of page 3 of the RFP.*

- 39. Is SED willing to consider proposals that would include servicing multiple regions?**

*Bidders must be located in the region of New York State that they will serve through this project. Please review the mandatory requirements of page 3 of the RFP. If an entity has offices in multiple regions, they may submit proposals for more than one region, but each proposal must be submitted separately and be located in the specific region to be served.*

- 40. The RFP states that the vendor must be located in the NYS region served. Is that by office address or the location of the PD facilitator/specialist? Can proposers utilize staff located in a different region than the proposed region, thereby creating cost efficiencies and implementation consistency for SED?**

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*Regional Partnership Centers must be located in the region of New York State that they will serve through this project. Staff within the Regional Partnership Center must serve the constituents within that region.*

**41. Is SED willing to consider proposals that would include servicing both school-age and early childhood within the same region?**

*All Regional Partnership Centers will serve both school-age and early childhood constituencies. Regional Partnership Centers will provide technical assistance and professional development to a variety of stakeholders as determined through regional planning. Stakeholders include students, families and staff of early childhood programs/approved preschools, public school districts, approved private day and residential schools, Special Act schools, State-supported, and State-operated schools.*

**42. Under the framework illustrated within OSE's published "Fact Sheet" (attached), will the TAPs be responsible for ensuring a consistent message among all regional centers?**

*The work of the TAPs includes fidelity coaching provided to the Regional Partnership Centers. Consistent messaging will be a priority for and a responsibility of OSE and all members of the OSE Educational Partnership.*

**43. Under the framework illustrated within OSE's published "Fact Sheet" (attached), are regional centers responsible for development of tools and resources, or only implementation of content/supports provided by TAPs?**

*Many of the materials utilized by the Regional Partnership Centers will be developed by the TAPs. However, members of the Regional Partnership Centers will have the opportunity to assist in the development of materials. If a Regional Partnership Center is asked to create a training package, that material would need to be reviewed and approved by OSE.*

**44. Can subcontractors be located outside NYS?**

*It is expected that the primary content expertise will be provided by members of the Partnership. Should additional expertise be required from consultants, prior approval of NYSED is required. The location of such subcontractors would be discussed with NYSED at that time.*

**45. Will the state be releasing separate procurements for the other TAPs cited within the RFP background (Data, Academic, Behavior, Transition)? If not, how does the state envision that work being carried out?**

*All currently available funding opportunities for the OSE Educational Partnership have been posted at [Competitive Procurement Contracts](#). The TAPs for Data, Transition, Behavior and Academics are being addressed by other means.*

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- 46. There seem to be fixed FTEs assigned to roles in the work envisioned to be performed by these Centers. Would NYSED be open to proposals that leverage technology (e.g. online coaching, blended learning) to supplement or in-part replace some of the in person technical assistance, professional development, etc. as a means to being more responsive and cost effective?**

*Please review mandatory requirements outlined on page 3 of the RFP. The staffing schedule is provided in Appendix 5. While alternative opportunities beyond in-person learning will be utilized by the Regional Partnership Centers, these cannot replace the mandatory staffing requirements.*

- 47. The allocation of positions to boroughs does not reflect the current needs or structure of NYC. Can the resources be redistributed in a way that better reflects and supports the current needs and structures of NYC?**

*There must be a Regional Partnership Center team identified for each borough in NYC. There is some flexibility in the distribution of resources throughout the boroughs, as needs dictate, and as determined under the direction of NYSED's Office of Special Education.*

- 48. With the elimination of school-based positions, how will the part of the SSIP work currently led by RSE-TASC be continued?**

*It is not clear what was intended by "the elimination of school-based positions." The work of the SSIP will be folded into the work of the OSE Educational Partnership.*

- 49. Will the role of each NYC Systems Change Facilitator be expected to function as a liaison between NYSED and NYC DOE or will this responsibility be led by one Systems Change Facilitators?**

*Each Systems Change Facilitator will be responsible for carrying out the work identified by their deliverables in the RFP, located on page 7. The NYC Systems Change Facilitators will work together as the leads of the Regional Partnership Center in NYC.*

- 50. The implementation of the Strategic Action Plan for NYC DOE relies heavily on the expertise of RSE-TASC Specialists. With the significant loss of headcount, how will the support for the implementation of the Strategic Action Plan be provided through a state network?**

*The OSE Educational Partnership, including the Technical Assistance Partnerships (TAPs) and the Regional Partnership Centers, will support the Special Education Strategic Action Plans in the Big 5. Each city, through their Action Plan, is charged with identifying and implementing special education initiatives to improve outcomes for students with disabilities under the State Performance Plan indicators. At the conclusion of each school year, the Big 5, in consultation with OSE, will update and revise their Action Plan for the coming year.*

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*During this process, determinations will be made as to how the OSE Educational Partnership can provide support to each city as they identify their special education initiatives.*

#### Fiscal Questions

- 1. When will bidders be notified of awards? If the Centers are expected to be up and running by July 1, notifications will need to be made very quickly so that staff can be hired and work can begin on July 1.**

*Bidders will be notified of award/non-award as soon as the review process is complete.*

- 2. Are clerical/support staff positions allowed in the Regional Partnership Centers? If so, are there guidelines on the amount of clerical support that may be included in this RFP?**

*Clerical and/or support staff positions are allowed to be included in the Regional Partnership Centers and would need to be reasonable and necessary to complete the scope of work outlined in the RFP.*

- 3. In previous RFPs, there was a section labeled "Budget Guidelines" that included information on allowed levels of clerical and administrative support, as well as for Indirect Costs. Will there be such guidelines for this RFP?**

*All budget requirements are included in the RFP as posted or clarified in this Q&A.*

- 4. Does this contract support the salary of administrative supervision? If so, is there a specific percentage of FTE allowed? Does this get documented in the salaries section of the budget proposal?**

*Funds should be used for expenses that are reasonable and appropriate to complete the scope of work.*

- 5. Is it possible to develop a cross contract with another BOCES for one or more of the specialist positions? If so, is this considered subcontracting or purchased services with BOCES?**

*Purchased services include subcontractors, rentals, tuition, or other contractual services. Subcontracting is defined in the RFP as non-employee direct personal services and related incidental expenses. Therefore, staff services purchased from another BOCES are both purchased services with BOCES and subcontracting. Subcontracting is allowed, up to 40% of the total contract budget.*

- 6. Is there a difference between sub-contracting and Purchased Services from another BOCES? For example, a staff member from one BOCES being purchased by the BOCES that holds the contract to fill one of the FTE positions. Is that Sub-contracting or is that**

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**Purchase service from another BOCES and not subject to the 30% and \$100,000 over the life of the contract?**

*Purchased services include all subcontractors, rentals, tuition, or other contractual services. Subcontracting is defined in the RFP as non-employee direct personal services and related incidental expenses, including travel. Staff services purchased from another BOCES are included in the 40% subcontracting limit. Subcontracting is not limited to \$100,000, but any subcontractor that will receive more than \$100,000 over the life of the contract will require a vendor responsibility questionnaire unless they are an exempt entity.*

**7. Page 23 of RFP Submission Document states: 12. Allowable costs will be detailed in the contract. Can that info be provided in the Q&A?**

*All available budget requirements are included in the RFP as posted or clarified in this Q&A.*

**8. Can two BOCES (in the same region) partner for a Regional Partnership Center grant? If so, would they be held to the 30% subcontracting requirement – i.e., so one BOCES would need to be the applicant/fiscal agent, and only 30% of the budget could go to the other BOCES for staffing/other program costs? Or, could one serve as the fiscal agent/applicant, and more than 30% of the budget could go to the other BOCES for staffing/other program costs?**

*This RFP is not designed for joint bids. However, the bidder may propose to subcontract with other entities to provide some of the services required. All subcontracting, including subcontracting from a partner BOCES, is limited to 40% of the total budget.*

**9. In the situation where a BOCES is responding to the RFP and will be posting for a position that may be filled via a cross-contract with another BOCES, should the anticipated salary and benefits be identified in the Salary and the Benefits lines in the budget or in the Purchased Services with Other BOCES line in the budget? If the anticipated salary is captured in the Salary line of the budget but then the position is filled via a cross-contract with another BOCES, will the bidder be able to move the necessary dollar amount between those budget lines rather than being held to the “no more than 10% change in budget line requirement” that applied to past contracts?**

*Bidders should classify costs as salaries and benefits or purchased services based upon the anticipated staffing plan submitted with the proposal. If there are changes to staffing or budget during the contract term, these will be subject to NYSED approval. Any funds moved between budget lines in excess of 10% of the budget category will also require a formal contract amendment.*

**10. If a bidder wishes to subcontract with a BOCES to utilize a current BOCES employee in a required staffing position would the cost for that subcontract be included in budget section 2. Purchased Services, or in budget section 7. Purchased Services with BOCES?**

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*Subcontracts with BOCES should be listed in budget section 7. Purchased Services with BOCES. All subcontractors are included in the 40% subcontracting limit, whether listed in section 2 or 7.*

- 11. If a bidder subcontracts with a BOCES to utilize a current BOCES employee in a required staffing position is that cost included in the calculation for the 30% subcontracting limit?**

*All subcontractors, including BOCES, are included in the subcontracting limit.*

- 12. What is the overhead rate for this RFP?**

*There is no specified overhead rate for this RFP. However, all proposed costs will be reviewed for reasonableness. Please also keep in mind that this RFP employs a "best value" method of procurement, with 30 percent of the overall points awarded based on cost. (See "Criteria for Evaluating Bids" section of the RFP for additional information). Bidders are encouraged to submit budgets that are cost effective.*

- 13. Can the applicant contract with another eligible agency/a partner for some of the required staffing?**

*Bidders may subcontract for required staffing as long as the subcontracted staff meet the minimum requirements stated on page 3 of the RFP.*

- 14. If yes, does this contract with a partnering agency count toward the 30% subcontracting cap?**

*Yes. Any contract for direct personal services will count toward the 40% subcontracting limit.*

- 15. If we identified a vendor to compile workshop materials (i.e. binders, folders, manuals, etc.) would that come from the purchased services section since we will have a contract with the vendor, instead of the supplies/materials section?**

*If the contract is specifically for the purchase of products, this should be listed in the supplies/materials section. If the vendor will be providing services such as designing or editing documents or collating workshop materials, this should be listed under purchased services. Note that all non-employee direct personal services are included within the 40% subcontracting limit.*

- 16. What calculation will be used to compute the relative difference of each proposal against the lowest budget submitted?**

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*As described in the RFP, the cost proposal is worth 30 percent, or 30 points, and is based on the grand total of the five-year budget summary submissions. The lowest cost proposal is awarded 30 points, while the others are calculated according to this formula:  $30 \times (\text{lowest proposal} / \text{proposal being evaluated})$ . For example, Bidder A is the lowest cost at \$1,000,000 and receives 30 points for the cost score. Bidder B is twice the cost at \$2,000,000 and through the formula is awarded 15 points.*

#### **17. What specific costs are allowable expenses?**

*Funds may be used for expenses that are reasonable and necessary to complete the scope of work and are not specifically prohibited.*

#### **18. What items are not allowed and will not be funded?**

*Non-allowable expenses include gifts, contributions, alcoholic beverages, entertainment, expenses that violate the State's Ethics Law, meals or refreshments for training participants, and travel expenses in excess of the NYS rates.*

#### **19. What is the total available funding and funding levels associated with this RFP?**

*There are no set funding levels, but cost proposals are weighed against one another and factor as 30 percent of the overall score for bidders.*

#### **20. What is the available funding level by region associated with this RFP?**

*There are no set funding levels, but cost proposals are weighed against one another and factor as 30 percent of the overall score for bidders.*

#### **21. Is there a minimum or maximum award amount associated with this RFP?**

*There are no set funding levels, but cost proposals are weighed against one another and factor as 30 percent of the overall score for bidders.*

#### **22. Is there a cap on Purchased Services with BOCES?**

*All purchased services that fall within the definition of subcontracting (direct personal services performed by someone other than the prime bidder's employees) are subject to the 40% subcontracting limit.*

#### **23. Are there specific rates for any of the positions identified in the RFP and Appendix 5?**

*No. However, all proposed costs will be reviewed for reasonableness. Please also keep in mind that this RFP employs a "best value" method of procurement, with 30 percent of the overall points awarded based on cost. (See "Criteria for Evaluating Bids" section of the RFP for additional information). Bidders are encouraged to submit budgets that are cost effective.*

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**24. What is the approved restricted indirect cost rate that we should use for the length of this contract?**

*There is no specified approved restricted indirect cost rate for this RFP. However, all proposed costs will be reviewed for reasonableness. Please also keep in mind that this RFP employs a "best value" method of procurement, with 30 percent of the overall points awarded based on cost. (See "Criteria for Evaluating Bids" section of the RFP for additional information). Bidders are encouraged to submit budgets that are cost effective.*

**25. Is a purchased service with another BOCES for project staffing considered subcontracting? Does this count toward the 30% subcontracting limit?**

*Yes. Any contract for direct personal services is considered subcontracting and will count toward the 40% subcontracting limit.*

**26. Are the allocations of positions and funding definitive or will there be an opportunity to apply for additional positions to reflect the current needs and structure of NYC?**

*There must be a Regional Partnership Center team identified for each borough in NYC. There is some flexibility in the distribution of resources throughout the boroughs, as needs dictate, and as determined under the direction of NYSED's Office of Special Education.*

**27. I see (on page 5 of the RFP) that the use of SDVOBs is strongly encouraged, but not required. Will use of SDVOBs be at all taken into account in scoring?**

*No. Bidders are encouraged to utilize SDVOBs, but this is not a factor in scoring the proposals.*

### M/WBE Questions

**1. On the top of page 5 of RFP19024, the first paragraph under Service-Disabled Veteran Owned business Participation, reads "Bidders should consider fulfilling the requirements of this contract through the participation of SDVOBs at a rate of 6%" Is this a requirement or simply a consideration? Will consideration of the award of contracts be negatively impacted if the bidder fails to find appropriate SDVOBs to use to fulfill contract requirements?**

*Bidders are encouraged to utilize SDVOB as subcontractors and/or supplies at a suggested rate of 6%; it is not a requirement.*

**2. Are MWBE vendors who provide a service considered to be "subcontractors" and part of the 30% limit?**

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*The subcontracting limit of 40% includes subcontracts with MWBEs, SDVOBs, and other entities. Proposals that exceed the limit will not be considered for an award.*

*All bidders are required to comply with NYSED's Minority and Women-Owned Business Enterprises (M/WBE) policy and therefore responsible for identifying areas in their budget where an M/WBE can be utilized. M/WBE participation is not limited to subcontracting and includes services, materials, or supplies purchased from minority and women-owned firms certified with the NYS Division of Minority and Women Business Development. The MWBE Coordinator is available to assist bidders throughout the procurement process and can be reached at MWBE@nysed.gov.*

- 3. Is the WMBE partial waiver percentage the percentage we have achieved or the percentage we did not achieve? For example, we achieved 8% WMBE, do we request a waiver of 2% or 8%?**

*Applicants must make good faith effort to solicit MWBE firms to meet participation goals. If efforts are unsuccessful, the applicant may apply for a Partial or Full Request for Waiver. This request MUST be accompanied by documentation demonstrating the efforts made and reasons why the applicant was unsuccessful in obtaining MWBE utilization.*

*The percentage of the waiver granted is based upon the unattained goal, so in the scenario above the submitted waiver documentation would be to waive 2% of the 10% goal.*

- 4. We have identified a MWBE vendor who is nationally accredited but not coming up on the NYS directory. Can this vendor be used in this contract for purposes of achieving MWBE compliance?**

*Only M/WBE firms certified with NYS Empire State Development can be used towards the attainment of the M/WBE Goal.*

- 5. Do bidders need to propose both minority and women-owned business enterprises or can a bidder use only minority or only women?**

*It is NYSED's preference that the vendor strives to meet the goals of 5% minority owned business and 5% women owned business; however, proposals that satisfy the total M/WBE requirement with an alternative percentage distribution will be considered, provided the bidder provides a justification for the alternative distribution.*

- 6. Is it the expectation of NYSED that bidders select MWBEs even if they are more expensive than other provider services that have already been awarded through a formal bid?**

*All applicants must make a good faith effort to solicit NYS certified M/WBE firms as subcontractors and/or suppliers to achieve the goals. Solicitations may include, but are not limited to: advertisements in minority and women-centered publications; solicitation of vendors*

## RFP # 19-024 Regional Partnership Center

### Questions and Answers

*found in the NYS Directory of Certified Minority and Women-Owned Business Enterprises (see <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>); and the solicitation of minority and women-oriented trade and labor organizations.*

*Good faith efforts include actions such as setting up meetings or announcements to make M/WBEs aware of supplier and subcontracting opportunities, identifying logical areas of the grant project that could be subcontracted to M/WBE firms, and utilizing all current lists of M/WBEs who are available for and may be interested in subcontracting or supplying goods for the project.*

*Applicants should document their efforts to comply with the stated M/WBE goals and submit this with their applications as evidence. Examples of acceptable documentation can be found in form M/WBE 105, Contractor's Good Faith Efforts. NYSED reserves the right to reject any waiver request for failure to document "good faith efforts."*

- 7. Just to confirm – there are no exemptions from the M/WBE calculation, correct? The 10% requirement is across all expenses, including staffing costs?**

*The M/WBE Goal is based upon the total contract budget.*

- 8. Is the MWBE target calculated on the overall budget or the non-personal budget?**

*The M/WBE Goal is based upon the total contract budget.*

- 9. If an applicant can meet a minimum 10% MWBE goal, but is only able to meet the 10% with either an MBE or a WBE (not both), is this still meeting the full MWBE compliance goal? Or, must full participation be 5% MBE and 5% WBE?**

*It is NYSED's preference that the vendor strives to meet the goals of 5% minority owned business and 5% women owned business; however, proposals that satisfy the total M/WBE requirement with an alternative percentage distribution will be considered, provided the bidder provides a justification for the alternative distribution.*