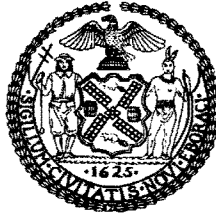


The City of New York
Department of Homeless Services
Office of Procurement



REQUEST FOR PROPOSALS

TO PROVIDE TENANCY PRESERVATION LEGAL AND RELATED SERVICES
FOR AT RISK FAMILIES

PIN#: 071-11S-03-1368

RELEASE DATE: January 15, 2010

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AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Department's authorized contact person for all matters concerning this RFP is:

Calvin Pitter
Deputy Agency Chief Contracting Officer
33 Beaver Street, Room 1312
New York, New York 10004
cpitter@dhs.nyc.gov
Telephone: (212) 361-8413
Fax: (917) 637-7067



SECTION I – TIMETABLE

A. Release Date of the Request for Proposals **January 15, 2010**

All questions and requests for additional information concerning this RFP should be directed to Calvin Pitter, the Authorized Contact Person, at:

Telephone # 212-361-8413
Fax # 917-637-7067
E-Mail address cpitter@dhs.nyc.gov

In the event Mr. Pitter is not available please contact Kayona Wall at 212-361-8439

B. Pre-Proposal Conference:

- ◆ **Date:** January 28, 2010
- ◆ **Time:** 2:00 pm
- ◆ **Location** Department of Homeless Services, 33 Beaver Street, 17th Floor
Conference Room New York, NY 10004

* Attendance is optional but proposers are strongly encouraged to attend.

C. Proposal Due Date and Time and Location:

- ◆ **Date:** February 18, 2010
- ◆ **Time:** 2:00 p.m.
- ◆ **Location** NYC Department Of Homeless Services
Office of the Agency Chief Contracting Officer
33 Beaver Street, 13th Floor New York, New York 10004

Proposals shall be hand delivered to Calvin Pitter, no later than 2:00 p.m. on February 18, 2010. **E-mailed or faxed proposals will not be accepted by the Agency.**

Proposals received at this location after the Proposal Due Date and Time are late and will not be accepted by the Agency, except as provided under New York City's Procurement Policy Board Rules, section 3-03 (f)(5).

The Agency will consider requests made to the Authorized Agency Contact Person to extend the proposal due date and time prescribed above. However, unless the Agency issues a written addendum to the RFP that extends the Proposal Due Date and Time for all proposers, the Proposal Due Date and Time above shall remain in effect.

D. Anticipated Contract Start Date: July 1, 2010

SECTION II – SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of RFP

The Department of Homeless Services (“DHS”, “Agency” or “Department”) is seeking appropriately qualified legal services provider(s) to provide “Tenancy Preservation Legal Services to assist in fulfilling its mission to prevent homelessness and shelter entry. The services required are to provide an array of legal and related services to help ensure that low income families facing eviction or other potential loss of housing remain housed to avoid becoming homeless and entering shelter. The provider(s) will serve households who are self-referred, as well as families referred by housing court personnel and city and private agencies. The program services under this RFP will be provided citywide to at-risk families.

DHS also intends to provide funding for the provision of an Innovative Court-Based Homelessness Prevention Project program located in Housing Court that would: 1) target at-risk tenants from a specific zip-code(s); and 2) provide ongoing social services case management to families, to the extent appropriate. DHS is seeking one provider to serve all three boroughs for this program option.

There will be two separate program competitions. **DHS anticipates awarding up to 10 contracts for Option # 1 and one provider to provide services citywide for Option # 2.** A proposer may propose to provide more than one program cited above; however, a separate and complete proposal package must be submitted for each program.

Background

Over the past decade, the City has fundamentally transformed the provision of emergency shelter and other support services provided to homeless individuals and families. While providing quality services to those clients in need of shelter is a tremendous accomplishment, DHS recognizes that one of its principal goals must be to prevent homelessness before it occurs.

DHS data shows that when families or individuals receive legal assistance to address their housing problems, they are overwhelmingly successful in avoiding homelessness. Since July 2004, DHS legal services providers have served over 23,000 families; 98 percent retained their housing and did not enter the shelter system.

Currently, anti-eviction legal services contractors provide a broad range of comprehensive, flexible and individualized legal and related services citywide to ensure that low income households remain in their homes. Services include appearances at judicial and administrative hearings trials, appeals, and other such forums as required to settle or try eviction cases; factual investigations; inquiries regarding correct rent level, conditions which require repair, and whether these constitute defenses to a proceeding; legal research; preparation and filing of required agency and court papers; drafting briefs; ongoing client contact, including follow-up interviews, when appropriate; institution of appropriate remedial actions; assistance with pro se documents; drafting letters; and negotiations with landlords or other advocacy assistance. DHS anticipates the qualified vendor to achieve successful performance milestones by the way of preventing homelessness of families represented.

To maximize the efficiency and effectiveness of its contracts, DHS intends to work collaboratively with service providers to enhance the delivery of anti-eviction legal services and other services, in order to preserve the tenancy of families most at risk of entering the shelter system. DHS is seeking to better connect its anti-eviction legal services to the city's overall homelessness prevention network. DHS envisions a seamless network between the contractor and other agency homeless prevention programs, including Homebase and the Homelessness Prevention Fund, as well as other city-funded programs such as HRA Diversion, the Center for New York City Neighborhoods and various anti-eviction programs. Earlier this year, DHS launched a public awareness campaign to educate the public about where to turn in the event of a housing crisis. The campaign directed individuals and families at risk of entering shelter to call 311 to find the appropriate resources. The agency sees the contractor as an extension of such a message, and anticipates strong linkages to established services through referrals by existing programs and 311.

Innovative Court-Based Homelessness Prevention Project

The genesis of the Innovative Court-Based Homelessness Prevention Project is the Housing Help Program (HHP). In January 2005, the United Way of New York City (UWNYC) launched the HHP in partnership with the Civil Court of the City of New York. When it was created, HHP was a new, innovative program model that responded to the homelessness crisis by bringing together partners from the court system and the human services field. This unique approach produced a model that could address the diverse challenges facing families struggling to avoid eviction.

In 2003, the UWNYC assumed a leadership role in the City's Task Force on Ending Chronic Homelessness, which included public, private and nonprofit sector experts from the fields of homelessness, housing, social services and criminal justice. The task force worked together to study the causes of homelessness, learn about existing programs and flag systemic inefficiencies or service gaps. Through these efforts, a consensus about the potential solutions to the homelessness crisis emerged.

The task force focused on two key areas that could have a significant and immediate impact: 1) Provide mediation assistance to tenants and landlords and access emergency financial assistance required to avoid eviction; and 2) Improve low-income leaseholders' access to the economic and social supports required to remain in their homes.

B. Target Population

This program will target families who are homeless or at-risk of homeless and whose household income does not exceed 200% of the federal poverty level. At its discretion, DHS may also allow contractors to serve single adults in receipt of Social Security Income (SSI). Contractors will be required to certify that households served under this program meet the financial and household composition requirements for eligibility.

DHS will make referrals as needed. DHS will require contractors to prioritize households referred by the agency and/or its designees (DHS funded service providers, HRA, ACS, etc.) which may include individuals seeking shelter as well as those transitioning from the city shelter system.

C. Anticipated Contract Term

DHS anticipates that the term of the contract(s) awarded from this RFP will be from July 1, 2010 through June 30, 2013. The contract(s) may additionally include one option to renew for three (3) years. Funding for all years of service is subject to appropriations. Prior to the contract award(s), DHS reserves the right to determine the length of the initial contract term and each option to renew, if any.

D. Program Options/Anticipated Maximum Available Annual Funding

Proposers may propose to provide either: Program Option # 1; Program Option # 2; or both.

- ***Program Option # 1 (Tenancy Preservation Legal Services)*** will be provided citywide.

DHS anticipates the maximum available funding for the contracts awarded from this RFP under Program Option # 1 will be \$14,500,000 during the three year term with \$5,500,000 available during the first year, FY 2011. A portion of the available funding for this program may be provided through the American Recovery and Reinvestment Act; selected proposers would have to comply with all federal rules and regulations. DHS anticipates awarding approximately 10 contracts, with programs in each of the five boroughs.

There will be a separate competition for each borough, as well as a citywide competition. It should be noted that Staten Island has been included with the Brooklyn competition. Proposers must propose a minimum of 300 cases per year; this minimum may be achieved through subcontracting with other providers. Within each competition, DHS anticipates making awards that result in a mix of diverse programs (see page 19, Section V C, Basis for Contract Award). DHS reserves the right to award less than the full amount of funding requested by proposers.

Proposers may propose programs in more than one competition, but must submit a separate proposal for each proposed service area. Where a proposer is eligible for awards to operate more than one program option, DHS reserves the right to determine, based on the proposer's demonstrated capability to successfully provide program services and in the best interests of the City, respectively, how many and for which option(s) the proposer(s) will be awarded a contract.

As set forth in the table below, \$7,250,000 will be allocated for the citywide competition. The remaining \$7,250,000 will be allocated across boroughs based on shelter demand in each borough, relative to the City as a whole. DHS reserves the right to modify the allocation percentages in the best interests of the City. Awards made under Program Option # 1 to a single proposer will not exceed 25% of the total funding available for Program Option # 1.

Program Option # 1 (Tenancy Preservation Legal Services) Summary: Options							
	FY11		FY12		FY13		
	Total Funding	Targets	Total Funding	Targets	Total Funding	Targets	Total Funding
City-Wide	\$2,750,000	2,750	\$2,250,000	2,250	\$2,250,000	2,250	7,250,000
Bronx	\$1,119,250	1,119	\$915,750	916	\$915,750	916	2,950,750
Brooklyn & Staten Island	\$959,750	960	\$785,250	785	\$785,250	785	2,530,250
Manhattan	\$349,250	349	\$285,750	286	\$285,750	286	920,750
Queens	\$321,750	322	\$263,250	263	\$263,250	263	848,250
Total	\$5,500,000	5,500	\$4,500,000	4,500	\$4,500,000	4,500	14,500,000

- ***Program Option # 2 (The Innovative Court-Based Homelessness Prevention Project)*** will target specific neighborhoods with the highest demand for shelter. DHS is seeking one provider to provide services citywide. Proposers must propose a minimum of 1,500 cases per year. Once awarded, the Department reserves the right to modify service targets, funding, and the contract.

DHS anticipates the maximum available funding for the contract awarded from this RFP under Program Option # 2 will be \$4,500,000 during the three year term with \$1,500,000 available during the first year. A portion of the available funding for this program may be provided through the American Recovery and Reinvestment Act; selected proposers would have to comply with all federal rules and regulations.

A proposer may propose to provide more than one program cited above; **however, a separate and complete proposal package must be submitted for each program option** (See Proposal Cover Letter - Attachment A). Where a proposer is eligible for awards to operate more than one program option, DHS reserves the right to determine, based on the proposer's demonstrated capability to successfully provide program services and in the best interests of the City, respectively, how many and for which option(s) the proposer(s) will be awarded a contract.

E. Maximum Cost Per-Case

The maximum cost per case is \$1,000 for both Options.

F. Anticipated Payment Structure

It is anticipated that the payment structure for the contract(s) awarded from this RFP will be based on a combination of line item budget reimbursement and performance outcome measures and related financial disincentives, (see Budget Summary, Appendixes C).

The Department reserves the right to assess liquidated damages of up to 10% of the contractor's annual budget for failure to meet services targets. DHS will consider proposals to structure payments in a different manner and reserves the right to select any payment structure that is in the City's best interest. Specific details of the liquidated damages will be subject to negotiations with the selected proposers.

G. Minimum Qualification Requirement

The following is the minimum qualification requirement of the RFP. Proposals that fail to meet this requirement will be determined by the agency to be nonresponsive and will not be further considered.

All Proposers:

- Proposer(s) must have tax exempt status under 501(c) (3) of the Internal Revenue Code, as documented by a copy of the exemption certificate, and/ or be legally incorporated as a not for-profit entity, as documented by the Certificate of Incorporation or show proof of filing for such status with the New York State Department of State,. Append a copy of the applicable documentation. (see Attachment A)

H. General Procurement Information

The Department reserves the right, prior to contract registration and during the term of the contract, to change the program service size, program type, model and/or gender of its population depending on the needs of the system. Likewise, should funding not be available for any of the program's components and/or services, the Department reserves the right to make all necessary changes to the scope of services of the contracts to be awarded from this RFP. Should a change to the scope of services be required, the contractors would ensure a smooth transition to the new program model, including the potential transfer of existing clients to more appropriate program settings if necessary.

I. Subcontracting

Subcontracting is allowed, however, selected contractor(s) shall not enter into any subcontract(s) for the performance of its obligations, in whole or part, without the prior written approval of DHS. Two copies of each proposed subcontract(s) must be submitted to DHS with the **selected contractor(s)** written request for approval.

SECTION III – SCOPE OF SERVICES

A. Agency Program Goals and Objectives

The Agency's goals for the **Tenancy Preservation Legal Services (Program Option # 1)** and the **Innovative Court-Based Homelessness Prevention Project (Program Option # 2)** is to prevent homelessness through the provision of legal services to prevent evictions and shelter entrance. The three key objectives are:

- Reducing citywide demand for shelter for families who have been evicted
- Avoiding shelter for families served under the program
- Maximizing resources to exceed service targets

B. Agency Assumptions Regarding Organizational Capability

DHS's assumptions regarding the contractor organization are:

- The contractor(s) would be fiscally sound and capable of managing the proposed programs.
- The contractor(s) would engage in successful joint efforts with other organizations providing services to the target population.
- The contractor(s) would ensure client satisfaction.
- The contractor(s) would have the capacity to integrate the proposed program into its overall operations.
- The contractor(s) internal monitoring system would be effectively used to identify program, personnel, and fiscal issues and provide corrective action procedures.

C. Agency Assumptions Regarding Program Approach

DHS's assumptions regarding the best approach for achieving the goals and objectives set out above are as follows:

Contractor/Staff Qualifications & Experience

- The contractor(s) would have at least three years of demonstrated experience in the last six years working with and providing anti-eviction legal and related services to low-income families, including at-risk families (relevant references will be required).
- Personnel would have the appropriate qualifications to effectively provide the requisite services (case levels and win rates will be required for the past three years).
- The contractor would employ adequate staffing (attorneys, social workers, paralegals, clerical support, etc.) to ensure operational success.
- All staff members would have the appropriate experience for providing the proposed services; and also have opportunities for ongoing professional development and training
- The contractor and/ or the sub-contractor(s) would have knowledge and experience of the proposed program services.
- The contractor would hire staff that are culturally sensitive to the clients being served.

Community Linkages

The contractor would use the current social service, legal and employment network in New York City, as well as applicable State and Federal resources to maximize available assistance for recipients. The contractor would have formal relationships with appropriately qualified organizations that provide homelessness prevention services, including, but not limited to, the following:

- **Homebase Services**
The contractor would create and/or maintain formal relationships with Homebase providers that will offer homeless prevention assistance to families who are facing an eviction proceeding. These services would be limited to cases in which the pending eviction will likely cause an episode of homelessness.
- **Financial Assistance**
The contractor would utilize assistance available from New York City agencies and other private rental or household assistance providers to assist qualifying families at imminent risk of homelessness with obtaining financial assistance. The contractor would describe and demonstrate utilization of these resources to DHS.

Data Tracking/Reporting

- The contractor would have information technology systems and tools necessary to effectively administer program services as well as capture, store and synthesize service data required to support management decision-making and to fulfill reporting requirements. Contractors would install any DHS-required computer software programs either on local work stations or on a network server to facilitate program administration, eligibility determinations, benefit disbursements, reporting, and other electronic data transfers.
- The contractor must comply with all DHS electronic or paper-based reporting requirements. The contractor must agree to provide DHS any and all information requested.
- The contractor would input the case record and service plan of every client served into a database to provide timely data.
- The contractors would obtain client waivers of confidentiality to allow for data sharing with DHS.
- Invoices and billing requirements will be made in a manner and at times determined and prescribed by the Agency.

Program Options:

The contractor(s) would be responsible for:

***Option # 1: Tenancy Preservation Legal Services
and / or***

Option # 2: Innovative Court-Based Homelessness Prevention Project program

Intake

Program Option # 1- Tenancy Preservation Legal Services

The contractor would conduct an intake assessment as soon as practical once a client is referred by DHS, or, self-referred. The intake assessment includes but is not limited to, client identification; screening clients for financial and household eligibility; and assessment of families' risk of entering shelter. The initial needs assessment would include but not be limited to a determination of specific legal needs and a determination of the specific services required by legal, paralegal and/or advocacy staff. In all cases, the contractor would develop a service plan.

Program Option # 2 - Innovative Court-Based Homelessness Prevention Project

The intake assessment of clients accessing services of the Innovative Court-Based Homelessness Prevention Project would be conducted on-site at Housing Court in a designated space. Intake would include the following:

- Conduct an eligibility screen for clients seeking services
- Review all cases as a team (attorney's paralegals, caseworkers) to determine appropriate level of legal and social services
- Provide legal assistance and advice (brief legal services) when appropriate
- Determine need for and provide legal representation when appropriate
- Provide benefits advocacy for financial assistance when appropriate
- Provide short-term social services to address immediate needs
- Review all cases as a team to determine long-term social services needs, and transition clients to long-term social services when appropriate

Services

Program Option #1 - Tenancy Preservation Legal Services

The contractor would provide legal and related ancillary services to stabilize clients; services may include but are not be limited to:

- Initial client interview
- Factual investigation
- Legal research
- Preparation and filing of required agency and court papers
- Brief writing
- Appearances at judicial hearings, trials, appeals, and other such forum as required, including settling and trying cases
- Ongoing client contact, including follow-up interviews
- Inquiry into whether the tenant's rent level is correct, whether there are conditions that require repair, and whether these might constitute defenses(s) to the proceeding
- Institution of all appropriate remedial actions retain or restore their housing subsidy
- Assistance with housing discrimination and/or tenant harassment

The contractor would use mediation and/or negotiation strategies to avoid litigation. In all cases, an attorney would supervise the legal services provided.

Program Option #2 - Innovative Court-Based Homelessness Prevention Project

The contractor would provide legal and social service case management to stabilize clients; services may include but are not limited to:

- Initial client interview
- Factual investigation
- Legal research
- Preparation and filing of required agency and court papers
- Brief writing
- Appearances at judicial hearings, trials, appeals, and other such forum as required, including settling and trying cases
- Ongoing client contact, including follow-up interviews
- Inquiry into whether the tenant's rent level is correct, whether there are conditions that require repair, and whether these might constitute defenses(s) to the proceeding
- Institution of all appropriate remedial actions retain or restore their housing subsidy
- Assistance with housing discrimination and/or tenant harassment
and
- Counseling and referrals to specialized social services to address underlying issues that may contribute to future homelessness (such as domestic violence, mental health, substance abuse)

The contractor would use mediation and/or negotiation strategies to avoid litigation. In all cases, an attorney would supervise the legal services provided.

Allowable Proceedings

Program Option #1 (Tenancy Preservation Legal Services) & Program Option #2 (Innovative Court-Based Homelessness Prevention Project)

The contractor would assist clients in proceedings in which a landlord is seeking possession of the apartment in which they are living or in which they are seeking to restore themselves to possession, including but not be limited to:

- Eviction proceedings, including non-payments and holdovers, in Civil Court of the City New York
- Ejectment actions in the Supreme Court of the State of New York

- Judicial proceedings in Civil, Supreme or Federal Court seeking to restore the client to possession of the apartment, including those following an illegal lockout and/or Marshal or Sheriff's eviction
- Housing Part Actions or other proceeding to protect right to possession
- Foreclosure proceedings to preserve renter tenancy
- Proceedings following an illegal lockout and Marshall's or Sheriff's eviction
- Proceedings seeking restoration and/or maintenance of essential services, the deprivation of which may cause or may have caused the client to vacate the apartment
- Any other proceeding which could result in eviction
- Housing discrimination proceedings

Limitations on Services notwithstanding the above, representation under this contract **shall not include**: filing a Family Eviction Prevention Supplement (FEPS) application; and representation of a party who is residing with the person who is seeking the eviction, unless there is a written sub-tenancy agreement.

Office Site Requirements

Program Option # 1

The office site(s) for the operations of Tenancy Preservation Legal Services would be accessible by public transportation and in compliance with Americans with Disabilities Act (ADA) and be appropriate to conduct legal services.

Program Option # 2

The office site for the operations of the Innovative Court-Based Homelessness Prevention Project program is provided by the Office of Court Administration (OCA) in each borough Housing Court; OCA will also assign a dedicated Housing Court part to hear cases under this program.

D Performance Measures

Program Option # 1 (Tenancy Preservation Legal Services) & **Program Option # 2** (Innovative Court-Based Homelessness Prevention Project)

- The contractor(s) would participate in a performance management program. This program may include financial disincentives for objectively documented poor performance. Successful proposers will be provided with further details of the program during the contract negotiation.
- The contractor(s) will also be required to participate in the Department's contract monitoring and quality assurance processes and provide requested data to DHS regarding its performance.
- DHS reserves the right to modify its performance incentive/disincentive program at any time with reasonable notice to its contractors.

E. Compliance with Local Law 34 of 2007

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, vendors responding to this solicitation are required to complete a Doing Business Data Form (Attachment D) and return it with this proposal, and should do so in a separate envelope. (If the responding vendor is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Doing Business Data Form.) If the City determines that a vendor has failed to submit a Data Form or has submitted a Data Form that is not complete, the vendor will be notified by the agency and will be given four calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal is nonresponsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the vendor has provided an e-mail address or fax number), or no later than five days from the date of mailing or upon delivery, if delivered.

SECTION IV - FORMAT AND CONTENT OF PROPOSAL

Proposal Submission Instructions: All proposals must meet the requirements listed below. The proposal should be typed double-spaced on both sides of 8 ½" X 11" paper. Pages should be paginated. The proposal would be evaluated on the basis of its content, not length. The City of New York requests that all proposals be submitted on paper with no less than 30% post-consumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <http://www.epa.gov/cpg/products/printing.htm>). The proposer should state on Attachment A whether its response is printed on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in these instructions. Failure to comply with any of the instructions set forth in this paragraph will not be considered non-responsive.

A. Proposal Format

1. Proposal Cover Letter

The Proposal Cover Letter form (Attachment A) transmits the proposer's Proposal Package to DHS. It should be completed, signed and dated by an authorized representative of the proposer. The cover letter should also show which program option(s) the proposer is applying for or if the proposer is applying for both program options. If the proposer is applying for more than one program, they should submit a separate proposal for each program option.

2. Program Proposal

The Program Proposal is a clear, concise narrative, which addresses the following:

a. Experience and Qualifications

Describe the successful relevant experiences of the proposer, each proposed subcontractor, if any, and the proposed key staff that would provide the program described in Section III - Scope of Services of the RFP. Specifically address the following:

- Demonstrate the proposer's (and/ or each proposed sub-contractor) knowledge of the proposed program services within the respective borough and/ or citywide competition.
- Describe the proposer's experience providing anti-eviction legal and related services to low-income families, including at-risk families. Specify number of cases serviced and win rates over the last three years.
- Describe proposer's experience providing integrated social services and legal services to prevent eviction (**Program Option # 2 only**).
- Attach a resume and/or description of the qualifications of existing staff.

In addition, attach:

- A list of at least three relevant references, including the name of the reference entity, a brief statement describing the relationship between the proposer or proposed subcontractor(s), as applicable, and the reference entity, and the name, title and telephone number of a contact person at the reference entity for the proposer and each proposed subcontractor, if any.
- Past performance evaluations conducted by an outside organization and/or fiscal auditor, within the last two years, of similar programs administered by the proposer.

b. Organizational Capability

Demonstrate the proposer's organizational (i.e., programmatic, technical, managerial and financial) capability to perform the services described in Section III – Scope of Services of the RFP. Describe other programs or services your organization operates. How will these be used to enhance the effectiveness of the program? Specifically address the following:

- Describe the current organizational capacity and illustrate how the proposed program will fit into that structure.

- Provide an organization chart specifically for this program and indicate lines of supervision. In a narrative, specify administrative, managerial and clerical positions and indicate whether staff members work full-time or part-time.
 - Include a brief description of the qualifications and responsibilities for each senior level position to be assigned to this program and include their resumes.
 - Project the anticipated caseloads of case handlers.
 - Indicate the positions that will be included in the work unit at the start of the proposed contract; make clear which positions are currently filled and which positions will need to be filled.
 - Describe plans and demonstrate that the proposer will have the capability to fill vacant positions. Specifically, describe plans for hiring and retaining attorneys.
 - Describe each facility and/or office space, including the square footage and where services will be provided. Demonstrate that it is accessible to public transportation and indicate whether or not it is in compliance with ADA requirements. (If not, indicate the areas of non-compliance and describe what action will be taken to ameliorate the situation.) (Option # 1 only)
 - Attach a copy of the proposer's latest audit report or certified financial statement prepared within the last two years, or a statement as to why no audit or statement is available.
- c. **Program Approach**

Describe in detail how the proposer will provide the work described in Section III – Scope of Services of this RFP and demonstrate that the proposer's proposed approach will fulfill the Agency's goals and objectives. In addition, specifically address the following:

Program Design

- Describe how the proposer would assess applicants for eligibility and service priority.
- Describe how the proposer would manage DHS referrals.
- Describe how the proposer would deliver legal and related services to the targeted population.
- Describe how the proposer would deliver legal and integrated social services to the targeted population (Option # 2 only).
- Describe how the proposer would deliver quality services to the maximum number of clients.
- Describe the extent to which and how the proposer will use the public and private resources available to the community in order to enhance the effectiveness of the proposer's service.
- Describe how the proposer would utilize linkages in the community to access funds to provide financial assistance to cure rent arrears.
- Describe how the proposer will assist families facing eviction who reside in unregulated housing.
- Describe the extent to which assistance will be provided to families facing a foreclosure proceeding.
- Describe the manner in which the proposer will interface with HomeBase and other service providers.
- Describe how the proposer will maintain on-going client contact and help families maintain housing subsidies.
- Describe and demonstrate the effectiveness of the mechanisms the proposer will implement to ensure client satisfaction, including procedures for resolving client complaints.
- Describe how you would incorporate the use of the DHS data tracking system into your daily operations.
- Describe hours of operation and provisions of services at off-site locations.
- Describe and document formal linkages with appropriately qualified organizations that provide homelessness prevention services.

The program approach in this RFP represents what DHS believes to be the best program approach. However, proposers are encouraged to propose alternate program approaches that they believe will best fulfill DHS' program goals and objectives. Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability or price, that alternative approach should be submitted as a complete and separate proposal, providing all the information specified in Section IV – Format and Content of the Proposals of this RFP.

Other Contractual Terms and Conditions

- a. Litigation files relating to services described in the proposed contract would be clearly identified and would be distinguishable from the proposer's other litigation files;
- b. Staff would either be allocated full time to the proposed program or the contractor would account for one hundred percent (100%) of staff time, and thereby demonstrate that funds provided under the proposed contract would be used only for the purposes specified in the contract;
- c. Moneys received and disbursed pursuant to the proposed contract would be accounted for separately from all other monies received;
- d. DHS, the Department of Investigation, the Comptroller and/or other appropriate City and/or State agencies and instrumentalities would have access to litigation files, time records and accounting records referred to in subparagraphs (a)-(c) above;
- e. Appropriate conditions for keeping client information confidential would be in accordance with DHS standards and the Lawyers Code of Professional Responsibility;
- f. Funds provided pursuant to the proposed contract would not be used to:
 - i. recruit any Client or other person to engage in non-contract litigation or legal actions; or
 - ii. obtain information for use in litigation or other legal actions without the prior approval of the Agency, except for litigation or legal actions permitted under or indicated in the contract.
- g. Information obtained by proposer's employees, working under the proposed contract, will not be used in any action or proceeding (including, but not limited to, any class action) against the State of New York or any of its agencies or the City of New York or any of its agencies, unless prior permission is granted by the Agency, except for litigation or legal actions permitted under or indicated in the contract;
- h. No litigation funded under this contract would be brought against the State of New York or any of its agencies or instrumentalities or the City of New York or any of its agencies or instrumentalities without the prior written consent of DHS, except for litigation or legal actions permitted under or indicated in the contract; and
- i. Contractor would not use funds provided pursuant to this contract to settle any case which may impose a binding legal obligation on the City or any of its agencies without prior written approval from DHS, except for litigation or legal actions permitted under or indicated in the contract.

3. Price Proposal

Proposers are encouraged to propose innovative payment structures. The agency reserves the right to select any payment structure that is in the City's best interest. For the purposes of comparison, proposers should submit a Price Proposal that meets the standards of Sections IV (3)(a) and IV (3)(b), below. *Please note that the maximum administrative overhead rate is 8.5 percent and the maximum fringe benefit rate is 26 percent.*

a. Total Offering Price

The Price Proposal is a presentation of the proposer's total offering price for providing the Scope of Services described in Section III of this RFP. The Price Proposal should include:

- A Budget Summary (see Attachment C)
- A complete line item budget for the proposed program except as noted below. The budget should reflect completeness, fiscal soundness, adequacy and cost effectiveness and should include the following:
 - All subcontracted amounts, if applicable. *Note: Any administrative overhead included in a subcontract budget is the responsibility of the primary contractor.*
 - Any in-kind contributions or other sources of funding. The proposer is encouraged, but not required to identify other sources of funding that could be used to leverage additional services, as well as any in-kind contributions.
- A budget narrative discussing how the budget would support the proposal, including the identification and justification of all personnel and Other than Personal Services (OTPS) expenses presented in a line item format, including administrative costs, fringe benefits, and start-up costs.

- Staffing model with estimates by Full Time Equivalent (FTE) for all agency employees in administration, social services and support to cover the required hours of operation in the budget for Personal Services. Indicate the total number, qualifications, job descriptions and titles of all personnel to be employed by the proposer under the proposed contract, as well as the nature and cost of salaries to be provided to such personnel.

4. Acknowledgment of Addenda

The Acknowledgment of Addenda form (Attachment B) serves as the proposer's acknowledgment of the receipt of addenda to this RFP that may have been issued by the agency prior to the Proposal Due Date and Time. The proposer should complete this form as instructed (see Attachment B).

5. Doing Business Data Form

Please fill out and submit the Doing Business Data Form (Attachment D) and submit it along with your proposal in a separate envelope. This completed form is required for a proposal to be considered responsive or for any entity to receive an award or to enter into an agreement.

B. Proposal Package Content ("Checklist")

The Proposal Package should contain the following materials. Proposers should utilize this section as a "checklist" to assure completeness prior to submitting their proposal to the agency.

- (1) A sealed inner envelope labeled "Program Proposal" containing one (1) original set and five (5) duplicate sets of the documents listed below in the following order:
 - Proposal Cover Letter Form (Attachment A)
 - Proof of tax exempt status and/or proof of incorporation as a not-for-profit entity; append documentation to Attachment A (**Proposal will be found non-responsive and will not be further considered if this documentation is not included**).
 - Program Proposal:
 - Narrative
 - Two recent references for the Proposer and, if applicable, each Subcontractor
 - Past Performance Evaluations of Similar Programs
 - Resumes and/or Description of Qualifications for Key Staff Positions
 - Organizational Chart
 - Audit Report or Certified Financial Statement
 - Letters of commitment from planned service network linkages.
 - Acknowledgment of Addenda Form (Attachment B)
- (2) A separate sealed inner envelope labeled "Price Proposal," containing one (1) original set and Five (5) duplicate sets of the "Price Proposal."
 - Attachment C - Proposed Annual Budget Summary
 - Budget Narrative
 - Staffing Model
- (3) Compliance with Local Law 34 of 2007/ Doing Business Data Form (Attachment d). One (1) original and one duplicate sets of the Doing Business Data Form should be placed in a sealed inner envelope.
- (4) A sealed outer envelope enclosing the two sealed inner envelopes. The sealed outer envelope should have two labels containing:
 - The proposer's name and address, the Title and PIN of this RFP, and the name and telephone number of the proposer's contact person.
 - The name, title and address of the Authorized Agency Contact Person.

SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures

All proposals by the Agency will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that are determined by the Agency to be non-responsive will be disqualified. The Agency's Evaluation Committee will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. Although discussions may be conducted with proposers submitting acceptable proposals, the Agency reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer's initial proposal should contain its best programmatic and price terms.

B. Evaluation Criteria

- | | |
|---|-----|
| ▪ Demonstrated quantity and quality of successful relevant experience | 25% |
| ▪ Demonstrated level of organizational capability | 25% |
| ▪ Quality of proposed approach | 50% |

C. Basis for Contract Award

Program Option # 1 & Program Option # 2:

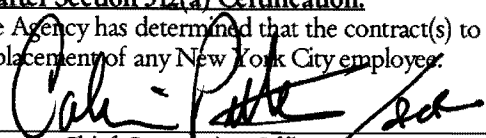
DHS will award contracts to responsible proposers whose proposals are determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria set forth in this RFP. Within each competition, proposals will be ranked in descending order of their overall average technical scores. Awards will be made to the highest technical scores. Awards will be made to the highest rated vendors whose proposals are technically viable and whose maximum price per case does not exceed the amount set forth in the RFP. However, DHS reserves the right to make awards to ensure 1) equitable distribution of services citywide to meet service delivery demand; and 2) that no single contract is awarded more than 25 percent of the total available funding. DHS also reserves the right to award less than the full amount of funding requested and to modify the allocation of funds among competitions in the best interest of the City. In the event that DHS does not receive coverage for a particular geographic area, DHS reserves the right to assign additional cases to a selected proposer who demonstrates the organizational capability and is in the best interest of the City.

Contract award shall be subject to:

- Demonstration that the proposer has, or will have by the conclusion of negotiations, site control of an appropriate program facility.
- Timely completion of contract negotiations between the agency and the selected proposer.

SECTION VI - GENERAL INFORMATION TO PROPOSERS

- A. **Complaints.** The New York City Comptroller is charged with the audit of contracts in New York City. Any proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, 10th Floor, New York, NY 10007; the telephone number is (212) 669-2797. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.
- B. **Overall Provisions.** This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by accessing their website at www.nyc.gov/selltonyc.
- C. **General Contract Provisions.** Contracts will be subject to New York City's General Contract Provisions, in substantially the form that they appear in "Appendix A- General Provisions Governing Contracts for Consultants, Professional and Technical Services" or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency's general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.
- D. **Contract Award.** Contract award is subject to each of the following applicable conditions: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Certificates of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.
- E. **Proposer Appeal Rights.** Pursuant to New York City's Procurement Policy Board Rules, proposers have the right to appeal agency non-responsiveness determinations and agency non-responsibility determinations and to protest an agency's determination regarding the solicitation or award of a contract.
- F. **Multi-Year Contracts.** Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor's performance is not satisfactory. The agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.
- G. **Prompt Payment Policy.** Pursuant to the New York City's Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.
- H. **Prices Irrevocable.** Prices proposed by the proposer will be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the agency prior to contract award but after the expiration of 90 days after the opening of proposals. This will not limit the discretion of the agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.
- I. **Confidential, Proprietary Information or Trade Secrets.** Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal.
- J. **RFP Postponement/Cancellations.** The agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.
- K. **Proposer Costs.** Proposers will not be reimbursed for any costs incurred to prepare proposals.
- L. **Charter Section 312(a) Certification.**
The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not directly result in the displacement of any New York City employee.


[Agency Chief Contracting Officer]

1/11/10
Date

ATTACHMENT A
PROPOSAL COVER LETTER
PIN#: 071-11S-03-1368

Proposer:

Name _____

Address _____

Tax Identification # _____

E-Mail Address _____

Proposer's Contact Person:

Name _____

Title _____

Telephone # _____

E-mail Address _____

Proposed Program: [Check only one]

☐ Option # 1 - Tenancy Preservation Legal Services

Proposed Service Area: ☐ Citywide ☐ Brooklyn/ Staten Island ☐ Bronx ☐ Manhattan ☐ Queens

Number of Cases Proposed - # _____

Please note, if you are applying for more than one borough and/or citywide, a separate application is needed.

☐ Option # 2 - Innovative Court-Based Homelessness Prevention Project Program

Is this response printed on both sides, on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in the instructions to this solicitation?

☐ Yes ☐ No

Has the proposer verified 501© 3 tax exempt status of the Internal Revenue Code (attached documentation)?

☐ Yes ☐ No

Proposed Subcontractor(s):

Proposer's Authorized Representative:

Name _____

Title _____

Signature _____ Date _____

ATTACHMENT B
ACKNOWLEDMENT OF ADDENDA
REQUEST FOR PROPOSALS

PIN#: 071-11S-03-1368

Complete Part I or Part II as applicable:

A. PART I

ADDENDUM # 1, DATED _____
ADDENDUM # 2, DATED _____
ADDENDUM # 3, DATED _____
ADDENDUM # 4, DATED _____
ADDENDUM # 5, DATED _____
ADDENDUM # 6, DATED _____
ADDENDUM # 7, DATED _____
ADDENDUM # 8, DATED _____

LIST FURTHER ADDENDA AND DATES RECEIVED:

B. PART II

_____ NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS RFP

DATE ____/____/____

PROPOSER'S NAME _____

ATTACHMENT C
PROPOSED ANNUAL BUDGET SUMMARY
 PIN# : 071-11S-03-1368

1. Personnel Services

TITLE (suggested)
Administration
Legal Staff
Social Service Staff
(List all titles and indicate the proposed number and salaries for each)
<i>PS Subtotal</i>
<i>Fringe Benefits</i>
<i>Total PS and Fringe</i>

2. OTPS

ITEM (suggested)
Supplies
Staffing Training
Telephone
Equipment
Lease Copier
Other (as applicable)
TOTAL OTPS

EXPENSE SUMMARY

Total PS
Total OTPS
Subtotal
Administrative Overhead
TOTAL OPERATING EXPENSE

ATTACHMENT D
DOING BUSINESS DATA FORM
TO PROVIDE TENANCY PRESERVATION LEGAL SERVICES
PIN# 071-11S-03-1368

Intentional blank page - see next page.



The City of New York
Mayor's Office of Contract Services
Doing Business Accountability Project

For City Agency Use

Agency: NYCEDC

PIN/Contract ID/PO#: _____

Spring 2008

Doing Business Data Form - Proposers

Transaction type: ☐ Contract ☐ Franchise/Concession

A Doing Business Data Form is to be completed by any vendor that submits a proposal for a contract, franchise or concession (see Q&A sheet for more information). Please either type responses directly into this tillable form or print answers by hand in black ink. For all submissions, please be sure to sign the last page and return the completed Data Form, in a separate envelope, to NYCEDC along with your proposal. **The submission of a Data Form that is not accurate and complete may result in appropriate sanctions.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's VENDEX requirements.**

General Instructions for Sections 2, 3 and 4:

Office Title: The actual office title held by the officer, owner or manager.

Employer (if not vendor): If the individual is not employed by the vendor, list his/her employer's name.

Certification:

Fill out the certification box on the last page completely and return the completed Data Form, in a separate envelope, to NYCEDC along with your proposal. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions. Thank you for your cooperation.

Section 1: Vendor Information

Vendor Name: _____

Vendor EIN/TIN: _____

Vendor Filing Status (select one):

- ☐ Vendor has never completed a Doing Business Data Form. *Fill out the entire form.*
- ☐ Change from previous Data Form dated _____. *Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the vendor.*
- ☐ No Change from previous Data Form dated _____. *Skip to the bottom of the last page.*

Vendor Type: ☐ Corporation (any type) ☐ Partnership (any type) ☐ Sole Proprietor ☐ Joint Venture

☐ Other (specify): _____

Vendor Address: _____

City: _____ State: _____ ZIP: _____

Vendor Phone #: _____ Vendor is a Non-Profit: ☐ Yes ☐ No

Vendor E-mail: _____

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the vendor has no such officer or its equivalent, please check the "Position does not exist" box. If the vendor is filing a Change Data Form and the person listed is replacing someone who was previously disclosed, please check the "This person replaced" box and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer☐ This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

☐ This person replaced former CEO: _____ on date: _____

Chief Financial Officer (CFO) or equivalent officer☐ This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

☐ This person replaced former CFO: _____ on date: _____

Chief Operating Officer (COO) or equivalent officer☐ This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

☐ This person replaced former CFO: _____ on date: _____

Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means, **own or control 10% or more of the vendor**. If no individual owners exist, please check the appropriate box below to indicate why and skip to the next page. If the vendor is owned by other companies, those companies do not need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the vendor is filing a Change Data Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- ☐ The entity is not-for-profit ☐ There are no individual owners ☐ No individual owner holds 10% or more shares in the entity
☐ Other (explain): _____

Principal Owners (who own or control 10% or more of the vendor):

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Principal Owners:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the vendor's contracts (if this is a contract proposal) or franchises and concessions (if this is a franchise or concession proposal) with the City. Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, franchise or concession with the City. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the vendor is filing a Change Data Form, list any individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers:

First Name: _____ MI: _____ Last: _____

Office Title: _____ Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____ Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____ Employer (if not vendor): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Senior Managers:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Vendor Certification

I certify that the information submitted on these four pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the vendor being found non-responsible and therefore denied future City awards.

Name: _____

Signature: _____ Date: _____

Vendor Name: _____

Title: _____ Work Phone #: _____

Return the completed Data Form to NYCEDC, in a separate envelope, when you submit your proposal.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

