

## Questions received via email regarding RFP for Monitoring and Compliance

1. Q. How do we participate in this contract as a sub with a larger prime?

**A. Please refer to section 1.6. Following selection, the awarded vendor(s) will be placed on the GOSR website at <http://stormrecovery.ny.gov/procurement-opportunities>.**

2. Q. In the list of questions previously submitted, question #1 asked for a list of prime companies that might be interested in applying with a MWBE firm for the proposal. The response was:

*"Awarded Vendors will be posted on the GOSR website as indicated in 5.3.12. Respondents that are not M/WBEs are strongly encouraged to consider partnering, or other joint venture arrangements, with other certified M/WBE firms to achieve the prescribed goals and to give M/WBE firms the opportunity to participate in the Project Coordinator services performed under the contract(s) awarded to the successful respondent(s)."*

Yet in the RFP, it states it encourages joint ventures and is trying to meet an overall goal. If this is the case, wouldn't it make more sense for the two entities to complete a joint application instead of trying to meet the goal after the project(s) have been awarded? It also ensures the MWBE has input into the proposal as well.

**A. Partnerships or other Joint Venture arrangements will be considered. Please refer to Section 4.2.1-4.2.5 for requirements for MWBE participation.**

3. Q. In section 1.2 Diversity requirements it states *"For purposes of this solicitation, HTFC hereby establishes an overall goal of 20% for MWBE participation, 10% for minority-owned business enterprises ("MBEs") and 10% for women-owned business enterprises ("WBEs")."* Can we use one firm that meets both the above stipulations and consequently serves all these goals?

**A. Yes.**

4. Q. Please provide clarification of section 1.7 Key Deliverables paragraph (b).

**"Work papers that provide information on the process used to develop reports." Our understanding of this requirement is that the proposer will provide the work papers that support the process used to develop reports. However the proposer would be allowed to withhold certain work papers**

that it considers proprietary. Such proprietary working papers may include, but would not be limited to, the engagement strategies memorandum, engagement programs, time and billing data, memos on work performed and other planning documents, review and approval summaries, quality control checklists, etc.”

**A. The respondent should provide non-proprietary work papers that provide information on the process used to develop reports.**

5. Q. Please provide clarification of section 2.4 Conflicts of Interest which states:

“Any contract awarded under this RFP will preclude the selected respondent from representing before GOSR any bidder or grantee of GOSR other than those bidders or grantees who may be assigned under this contract during the period the contract is in effect”

We were unable to completely understand the stipulation. Could you please provide additional detail and we would appreciate if you could provide examples of situations that would create conflicts.

**A. This provision is meant to provide notice to offerors that any contractor selected to perform under the monitoring and compliance contract, cannot represent another entity before GOSR, unless assigned by GOSR.**

6. Q. Please provide clarification of section 3.1 Proposal Instructions “All subcontractors must be approved by GOSR” as well as section 5.3.5 Approach and Methodology.

“Indicate if any work will be subcontracted to other partners. If so, please provide a pending or executed contract, MOU, or agreement. If the agreement is pending a successful proposal, it must be executed and a copy submitted to GOSR prior to the execution of the contract awarded pursuant to this RFP.”

As GOSR may decide to award the contract to more than one respondent, the exact scope of the work that may be assigned to each proposer is not clear at this point. The decision to use subcontractors and the subcontractor to be used may differ based on the final scope of work and the skill and experience requirements to achieve the scope awarded to a successful proposer. Reading section 3.1 and 5.3.5 together it is our understanding that the subcontractor approval process may also be performed once the final scope is defined but prior to the work commencing but does not need to be fully completed at this stage of the process.

**A. Subcontractors are subject to GOSR approval. Any subcontractor must be approved by GOSR prior to execution of the agreement with the awarded vendor.**

7. **Q. Please provide clarification of section 4.6 Service Level Agreements “GOSR expects to select a respondent that will agree to clearly-defined service level agreements (“SLAs”), as yet to be determined but to be included in any final contract between parties” Could we be provided a sample of a standard service level agreement. Since standard service level agreement terms may have differences from our normal terms of business, can we provide a list of items that we may wish to discuss prior to finalizing the contract?**

**A. GOSR will not provide a sample of a standard service level agreement. However, respondents may provide a list of items to discuss prior to finalizing the contract.**

8. **Q. Do we have to submit financial statements? Please provide clarification of section 5.2 Required Qualifications of Respondent “(a) Respondent has adequate financial resources to perform the contract, or the ability to obtain them. Financial records for the past 2 years must be included in the proposal”**

We are a large accounting firm which is a limited liability partnership, and we do not distribute our financial statements to parties other than our partners, principals and lenders. However, the Firm's size and strong track record of success provide compelling evidence of our having the financial resources needed to serve the Housing Trust Fund Corporation. We will be happy to provide press releases that address our revenues and growth which will show we have adequate financial resources to perform the contract. Is this acceptable?

**A. Basic financial statements are preferred. Failure to submit financial statements is not a disqualifying factor, however, documentation must be submitted to demonstrate or attest to good financial standing. Before a contract is executed with any vendor, financial standing must be ascertained.**

9. **Q. What languages do you anticipate being needed on this engagement in regards to section 5.2 Required Qualifications of Respondent? (j) Respondent has the ability to provide services in multiple languages as necessary.**

Considering the nature of services requested (Monitoring and Compliance Services) we were unclear on the language requirements. We would appreciate if you could provide additional detail on this requirement so we

could include appropriate team members in the team to serve the Housing Trust Fund Corporation.

**A. At this time, multiple languages are not anticipated. If at any point there is a need for multiple languages, respondents/awardees will be informed in advance.**

**10. Q. Please provide clarification on section 5.3.6: “Price Proposal Hourly fees must include any reproduction, travel, postage, or other expenses.”**

Could you please provide an estimate of amount of travel required from New York City for the proposed services so we could better estimate the costs and appropriately include them in the hourly fees or is it possible to provide a separate estimate for expenses and hourly charges?

**A. At this time, an estimate of the amount of travel is unknown. Please include hourly fees that do and do not include travel.**

**11. Q. Please provide clarification 5.3.6 Price Proposal & Attachment 1 which states “General descriptions for the staffing categories to be utilized in the respondent’s proposal and, if awarded, the resulting contract”**

We have reviewed the staffing categories in Attachment 1 and we believe that while some of our people we will be proposing will not meet the exact definition as set-out in Attachment 1, they do have the necessary skills and other very relevant experience that would mean they would be able to meet and probably exceed the requirements required for the proposed engagements. Our proposed approach would be to match our people being proposed to the most suitable category as described in the RFP. Please let us know if that is an acceptable approach?

**A. Yes.**

**12. Q. For the *Vendor Responsibility Questionnaire Identify Officials and Principal Owners*, can we provide details of key officials?**

We are a large accounting firm with approximately 2,000 partners in the USA. For similar requests in the past we have provided details of 2-3 key officials such as Leader of the firm and other senior partners. Would this be acceptable for the purposes Housing Trust Fund Corporation Community Development Block Grant-Disaster Recovery Monitoring and Compliance Services RFP questions of the RFP? Also while we have done a preliminary review of the questionnaire we may have some follow-up questions. If we

have questions is there someone we should contact?

**A. Yes. Any follow-up questions should be directed to GOSR Procurement at [GOSRprocurement@stormrecovery.ny.gov](mailto:GOSRprocurement@stormrecovery.ny.gov).**

**13. Q. Please provide clarification of section 5.3.6 Price Proposal in regards to “List the rates for the initial two-year contract period and for the additional one-year extension, should GOSR choose to exercise its option to extend the contract. The rates included in the proposal should be the respondent’s lowest discounted governmental rates”**

**We presume that the phrase "lowest discounted governmental rates" pertains to monitorship type engagements for New York state. If this is not the case, please clarify.**

**A. Yes, that is correct.**

**14. Q. Does GOSR/HTFC have a preference in terms of the office location (s) of the firms?**

**A. Long- distance firms are not a disqualifier, but local staff is preferred.**

**15. Q. From what location will the compliance and integrity monitoring program be centrally administered?**

**A. Monitoring and Compliance activities are being directed from GOSR’s main office at 25 Beaver Street, 5<sup>th</sup> Floor, New York, NY 10004.**

**16. Q. How will M/WBE status and participation be incorporated into the evaluation methodology described in Section 4.1? For instance, all else remaining equal in the price and technical proposals, is an M/WBE prime given preference over a non- M/WBE business prime?**

**A. Please refer to selection criteria outlined in 4.2.1-4.2.5.**

**17. Q. Which organization within GOSR/HTFC is responsible for administering the integrity monitoring program and resultant contracts under this solicitation?**

**A. The integrity monitoring program is administered through Operations & Shared Services.**

**18. Q. What is the role of the State Inspector General's office and other oversight bodies?**

**A. GOSR collaborates with all relevant regulatory and state agencies.**

**19. Q. We understand that GOSR/HTFC seeks firms with experience with the Sandy CDBG-DR program implementation. Yet, many of these firms are funded through Sandy CDBG-DR. Are firms currently contracted to perform work using Sandy CDBG-DR funds conflicted out of bidding on this solicitation?**

**A. A successful bidder would only be precluded from other opportunities with GOSR if the opportunity that the offeror won creates a conflict of interest with the latter opportunities. For example, if an offeror won a procurement to develop certain standards and a later procurement required implementation of those standards, a conflict may arise and the offeror could be precluded from the latter opportunity. All potential conflicts will be reviewed by the GOSR general counsel.**

**20. Q. The instructions request an hourly rate, inclusive of travel. What is the expectation of GOSR/HTFC regarding travel to project sites in the most impacted counties (Nassau, Suffolk, Westchester)?**

**A: It is expected that all services will be provided only within the Superstorm Sandy affected areas identified. Hourly rates should include a reasonable multiplier for travel. Travel will not be billed separately unless it is outside of the Superstorm Sandy impacted areas approved in advance by GOSR.**

**21. Q. Would GOSR/HTFC consider reimbursing travel for site visits, if required?**

**A: Please see the answer to question 20 above.**

**22. Q. Is this a new procurement requirement or are there incumbent contractors performing compliance and integrity monitoring services today?**

**A. This is a new procurement. GOSR currently contracts with firms to support the monitoring and compliance function.**

**23. Q. If this is not a new requirement, what is the nature of the current work being performed and what are the transition expectations?**

**A. Please see the answer to question 22 above.**

**24. Q. In order to demonstrate the appropriate capacity to deliver the work, can GOSR/HTFC please provide more information on the anticipated compliance and monitoring workload. What size team would demonstrate adequate capacity?**

**A. GOSR expects the qualified respondent will be able to augment staff as necessary depending on work scope/need. Please refer to section 1.5 for a description of various scopes of services needed.**

**25. Q. Based on the RFP for CDBG-DR Monitoring and Compliance Services, it appears to be more suited for a Construction Management, Forensic Accountant and/or an Integrity Monitoring firm with a legal/law enforcement background.**

**A. GOSR has provided clarification of scope by revising our RFP and posting an addendum to notify respondents of the revisions.**

**26. Q. Under General Scope of Services and Key Deliverables --Is it OK to select our specific niche and submit those particular scope of stand alone services?**

**A. Yes.**

**27. Q. Will a bid be treated differently if the M/WBE status is in the applications stage on or about the bid submission date?**

**A. Please refer to selection criteria outlined in 4.2.1-4.2.5.**

**28. Q. If a partner for the primary bidder is the M/WBE entity, will that submission be treated differently than a bid with the M/WBE entity being the prime bidder?**

**A. Please refer to selection criteria outlined in 4.2.1-4.2.5.**

**29. Q. With multiple RFPs having been released by HTFC/GOSR, will bidding and winning one result in the conflicting out of other opportunities?**

**A. A successful bidder would only be precluded from other opportunities with GOSR if the opportunity that the offeror won creates a conflict of interest with the latter opportunities. For example, if an offeror won a procurement to develop certain standards and a later procurement required implementation of those standards, a conflict may arise and the offeror could be precluded from the latter**

**opportunity. All potential conflicts will reviewed be reviewed by the GOSR General Counsel.**

**30. Q. In section 1.8 you note that you may award the contract to multiple vendors. Does that mean there will be mini-bids for individual Statements of Work (SOW) or will GOSR be assigning individual SOWs?**

**A. As stated in section 1.8, as GOSR determines specific activities requiring monitoring and/or compliance and/or investigations, GOSR anticipates including additional scopes of work to awarded contracts through a mini-bid procurement process. If additional services are needed that are within the scope of work of a given contract, additional task orders will be negotiated with the contractor.**

**31. Q. The Price proposal description under the selection criteria does not specify if the MWBE goal will count towards the scoring. Can you please clarify?**

**A. Yes, the MWBE goal does count towards scoring. Please refer to section 4.2.5.**

**32. Q. When does GOSR anticipate the monitoring and compliance activities to commence?**

**A. Monitoring and Compliance operations are active, and GOSR is seeking additional support for such active operations.**

**33. Q. In which location(s) does GOSR anticipate the monitoring and compliance activities will be performed?**

**A. Monitoring and Compliance activities are being directed from GOSR's main office at 25 Beaver Street, 5<sup>th</sup> Floor, New York, NY 10004. Monitoring is expected to be performed in Superstorm Sandy affected areas outlined in the Action Plan.**

**34. Q. Does GOSR anticipate utilizing anti-fraud analytics for the detection and prevention of fraud as part of the monitoring and compliance activities (i.e. tests to detect suspicious transactions, duplicate claims and ghost claimants)?**

**A. GOSR is interested in evaluating all proposed monitoring and compliance methodologies proposed by its respondent.**

**35. Q. Does GOSR anticipate requiring data management services or systems to**



assist with the monitoring activities?

**A. Please refer to the answer to Question 34.**

**36. Q. Is the contractor limited to the staffing classifications provided in the RFP, or can the contractor propose new staffing classifications that may be required to complete the work?**

**A. Respondents are required to propose on the staffing classifications provided in 5.3.6, Attachment 1. The respondent is also welcome to propose additional staffing classifications.**

**37. Q. Under section 1.6.a, the RFP states that pursuant to the Programmatic Review, the Monitor will obtain information on all entities performing on the project as designated by GOSR. What is the volume of entities?**

**A. GOSR is currently administering programs in the areas of Housing, Economic Development, Community Reconstruction and Infrastructure, and works with both in-house staff, contractors, sub-contractors, subrecipients and sub-subrecipients to administer these programs.**

**38. Q. Please clarify the auditing license requirements necessary for the programmatic auditing services contemplated in 1.6b of this RFP?**

**A. 1.6(b) does not establish auditing license requirements.**

**39. Q. Please clarify what is meant by “surveillance,” and the “covert and tactical operations” contemplated in 1.6d of this RFP.**

**A. Context for such services is provided in section 1.6(c).**

**40. Q. In regards to the GOSR stated M/WBE Goals, does the M/WBE certification need to be obtained from the State prior to the award of the contract?**

**A. The M/WBE certification from the State prior to the award is strongly preferred, but not required.**

**41. Q. Is it GOSR’s intent to allow for different rates for Base Years 1, 2 and 3, and then maintain the Year 3 rates in effect for the remainder of the contract period, inclusive of any further extensions?**

**A. Please refer to section 1.1. GOSR is seeking to award contracts for an initial contract period of two years with a one-year extension.**

**42. Q. What are the location, size and makeup of GOSR's disaster recovery team currently administering CDBG-DR funding?**

**A. GOSR's main office is at 25 Beaver Street, 5<sup>th</sup> Floor, New York, NY 10004. GOSR is currently comprised of 80 New York State employees supported by multiple contractors.**

**43. Q. What is the expected interaction with New York State's Home and Community Renewal (NYS HCR) team?**

**A. GOSR collaborates with all relevant regulatory and state agencies.**

**44. Q. What are the location, size and makeup of NYS HCR?**

**A. GOSR through the Housing Trust Fund Corporation is responsible for administering the CDBG-DR program. The information requested is not relevant to this RFP.**

**45. Q. In the event of a de-obligation of funds, is it envisioned under any scenario that the contractor could be held liable for the amount of the de-obligation?**

**A. GOSR is responsible for the administration of the program, and any return of funds. Contractors will only be responsible for performance and service level standards provided in executed agreements.**

**46 Q. Is access available to the primes who have already secured contracts for sub-contract opportunities.**

**A: All executed contracts are posted on the GOSR website at <http://stormrecovery.ny.gov/procurement-opportunities>.**

**47 Q. Under the CDBG Compliance and Monitor RFP what is the fraud, corruption, and cost abuse the state has already experienced that creates this need for service? Are there specific industry's to be targeted?**

**A. Please refer to Section 1.6.**

**48 Q. In the Scope of Services, Section 1.6 (a,c,d) for review and monitoring activities, will documentation for review be submitted centrally to GOSR for**

off-site review by the monitor, or will the monitor conduct on-site review and monitoring activities at subrecipient locations?

**A. Yes. GOSR anticipates requiring both types of review and monitoring activities.**

49 Q. In the scope of Services, section 1.6, both section 1.6 (a) and 1.6 (d) included review of subrecipient invoices and procurement processes. Could the State confirm how the review activities for each section differ?

**A. 1.6(a) is geared towards the need for Programmatic Monitoring service, while 1.6(d) is geared towards the need for Fiscal Monitoring services.**

50 Q. Do financial statements count against the 40 page limit, or can they be inserted in the appendix of the Technical Proposal?

**A. Financial Statements do not count towards the 40 page limit.**

51 Q. Does the “Respondent Overview” count against the 40 page limit, or can it be inserted in the appendix of the Technical Proposal?

**A. The Respondent Overview does count towards the 40 page limit.**

52 Q. Please confirm if “Certificate of Good Standing” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit?

**A: The Certificate of Good Standing should be placed in the appendix, and does not count towards the 40 page limit.**

53 Q. Please confirm if “Appendix A Affirmation of Understanding and Agreement Pursuant to State Finance Law 139-j(3) and 139-j(6)\*b), and Certification of Compliance with State Finance Law 139-k(5)” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit.

**A. Appendix A Affirmation of Understanding and Certification of Compliance with State Finance Law should be placed in the appendix, and does not count towards the 40 page limit.**

54 Q. Please confirm if “Appndix B Offerer Disclosure of Prior Non-Responsibility Determinations” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit?

**A. Appendix B Offerer Disclosure of Prior Non-Responsibility Determinations should be placed in the appendix, and does not count towards the 40 page limit.**

**55 Q. Please confirm if “Non-Collusive Bidding Certification” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit?**

**A. The Non-Collusive Bidding Certification should be placed in the appendix, and does not count towards the 40 page limit.**

**56 Q. Please confirm that the “Appendix III Diversity Forms, Section 1: HUD” are to be completed post-award, since they are activity reports once the project has begun, and not to be included in the proposal?**

**A. All relevant forms in “Appendix III Diversity Forms” must be completed and included with the proposal**

**57 Q. Please confirm if “Equal Employment Opportunity Staffing Plan (PROC-1)” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit.**

**A. The Equal Employment Opportunity Staffing Plan (PROC-1) should be placed in the appendix, and does not count towards the 40 page limit.**

**58 Q. Please confirm if “M/WBE Utilization Plan (PROC-2)” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit?**

**A. The M/WBE Utilization Plan (PROC-2) should be placed in the appendix, and does not count towards the 40 page limit.**

**59 Q. Please confirm if “M/WBE and EEO Policy Statement (PROC-4)” should be placed in the appendix of the Technical Proposal, as well as not count towards the 40 page limit?**

**A. The M/WBE and EEO Policy Statement (PROC-4) should be placed in the appendix, and does not count towards the 40 page limit.**

**60 Q. Please confirm if “EEO Statement (PROC-8)” should be placed in the**

appendix of the Technical Proposal, as well as not count towards the 40 page limit.

**A. The EEO Statement (PROC-8) should be placed in the appendix, and does not count towards the 40 page limit.**

**61 Q. Please confirm that “Appendix IV” is not relevant to this bid, and therefore not be included with the proposal?**

**A. Appendix IV (“Construction Requirements and Procedures for Contracts with HTFC”) is not relevant to this bid.**

**62 Q. Please confirm that the Cost Proposal does not count towards the 40 page limit?**

**A. The Cost Proposal does not count towards the 40 page limit.**