

NYS Division of Criminal Justice Services (DCJS)

Alternative to Incarceration (ATI) Programs and Services Request for Proposals (RFP)

Applications due Friday, August 4, 2017

Questions and Answers

The following questions were received during the Bidder's Conference/webinar held on Thursday, June 29, 2017 and via email sent to DCJS through Wednesday, July 5, 2017. Some language has been edited for clarity and to consolidate similar questions.

- 1. Question:** Is this a Request for Proposals (RFP) for all existing Alternative to Incarceration (ATI) programs? Are all such programs eligible to apply? Could this RFP be used for Mental Health (MH) evaluations in the jail or only MH evaluations outside of jail? Can you suggest any ways to use this?

Answer: Any not-for-profit organization or unit of local government proposing to or currently providing alternative to incarceration (ATI) programs and services to criminal justice involved are eligible to apply. Additionally, refer to section III of the RFP "Eligible Program Models" for more information. Applicants proposing a jail-based program should adhere to the required elements of the program as provided in the RFP. Mental health evaluations are insufficient to constitute a program.

- 2. Question:** How do the pre-trial services supported through this RFP differ from the pre-trial services currently offered through many probation departments?"

Answer: Through this RFP, pre-trial programs may be established in areas where no such program exists, or to expand an existing pre-trial program by serving additional participants, including performing pre-arrest screenings for release on recognizance recommendations to the court, increasing hours of availability and/or serving additional courts. Currently funded programs that have contracts that end on 12/31/17 may apply to continue their pre-trial services using the parameters described in this RFP. Please see the required elements described in Section III of the RFP for any program model proposed for additional guidance.

- 3. Question:** The RFP does not provide a cost range for program models described as "Other ATI" program model."

Answer: See Section III of the RFP where it states that the expected cost per program participant for this type of programming will depend on the program design, duration, and intensity of included services. Per participant cost reflects the total cost when a participant successfully completes all milestones of the proposed interventions. Greater consideration will be given to proposals that provide high quality services at a reasonable cost. Individuals

at lower risk and with fewer needs should be served with lower cost interventions. Higher cost services must be directed to higher risk and higher need participants.

4. **Question:** Would a program that targets young people age 15-25 who are mentally ill and/or have substance use disorders and are either charged with a felony level crime or are repeat misdemeanor offenders with expected long prison sentences, who without effective-evidence based interventions recidivate or be incarcerated, be eligible for this RFP under the category of “Other Alternatives to Incarceration”?

Answer: Please refer to Section III of the RFP “Eligible Program Models;” *generally, targeted individuals must be aged 16 or older unless other age guidance is provided.* For example, for the Probation Violation Residential Center (PVRC) model the RFP description specifies age 18 and older.

5. **Question:** The RFP’s Appendix: *Pre-Approved Cognitive Behavioral and Job Readiness Curricula* states that “applicants may propose to use another appropriate Cognitive Behavioral Intervention (CBI) or job readiness curricula of their choosing however, any non-pre-approved curriculum must be explained in detail and requires DCJS written approval.” Is this written approval from DCJS required before submitting the application? Is there a specific contact person to whom requests for this approval should be directed?

Answer: Any proposed CBI or job readiness curriculum not listed in the RFP Appendix: *Pre-Approved Cognitive Behavioral and Job Readiness Curricula* as pre-approved must be approved prior to contract execution should an award be made, not prior to the proposal submission. Applicants must fully answer all sections of question 6 regarding the CBI or evidence-based intervention proposed.

6. **Question:** For the “Other ATI” program model category, are probationers considered a special population? May we serve those on probation or parole?

Answer: Parolees are not an eligible population to be served under this RFP. Please see “Target Populations” described in the RFP. Probationers are an eligible population under this RFP, but are not considered a special population in and of themselves. They must be individuals at moderate/high risk of recidivism or detention/incarceration who have criminogenic needs such as substance abuse treatment or other behavioral health service needs, who are facing incarceration before or after disposition. Applicants may propose to serve specialized populations, which can include but are not limited to women, sex offenders, individuals with mental illness, and/or individuals with developmental disabilities.

7. **Question:** How many participants should the TASC program model serve? As this is a performance based contract, do we propose the milestones?

Answer: There are no maximum or minimum numbers of persons applicants should propose to serve. Applicants must clearly demonstrate that there are a sufficient number of referrals within the target population to sustain a viable program. Each proposal should include proposed milestone targets that appropriately reflect the available target population, the types of services being provided, and the amount of money being requested. Final target numbers will be negotiated after an award is made.

8. **Question:** Because NYC is considered one jurisdiction, is a borough precluded from applying to implement a model in a single county within NYC?

Answer: No. A NYC borough may apply to implement a program model in one, some or all counties within NYC.

9. **Question:** Is there funding available for the purchase of property for residential programs or are organizations expected to use an existing building or partner with organizations who have a building?

Answer: The purchase of real property is not an allowable expense for these grant programs. Rent for new space to operate a program may be allowed if the applicant is a not-for-profit entity and the rent expenditure is not covered by another funding source.

10. **Question:** For the PVRC program model, is there a milestone for employment or completion of employment readiness?

Answer: Employment milestones are included in the required milestones for PVRC programs as outlined in Appendix: *Program Services and Required Performance Milestones by Program Type*.

11. **Question:** Is there a work readiness component to this RFP?

Answer: Employment readiness is a required element in the PVRC model. It is an optional milestone for Defender-based Advocacy (DBA), Treatment Alternatives for Safer Communities (TASC), Jail-Based, and Other ATI program models. Employment readiness would not typically be included in pre-trial services programs but are allowed for this RFP under optional services.

12. **Question:** If our federally approved indirect rate exceeds 15%, may we charge the full amount to the grant?

Answer: No. Only indirect costs rates up to 15% of the total direct costs are allowed and may be reimbursed for not-for-profit applicants. Indirect costs are not an allowable expense for governmental agencies.

13. **Question:** If we propose to serve all boroughs in NYC but will have offices in each borough, is it still one application?

Answer: New York City is considered one jurisdiction for purposes of this RFP, and an applicant proposing to serve individuals from more than one borough with the same program model should submit one application. However, applicants should submit separate proposals if the programs to be provided are different program models in each borough.

14. **Question:** The RFP states that funds can be used for program enhancements, however, given the very specifically defined payment structures, it is unclear on how payment for an enhancement would work (given that many of the deliverables such as screening, assessment, program completion, etc. would be funded by another source).

Answer: Enhancements (such as more services) or expansion (such as serving a larger catchment area) of existing programs (those programs that will still be operating on January 1, 2018), can be proposed. DCJS will only pay for milestones that are not being paid by another source even if the source is DCJS. Enhancements may not necessarily mean more individuals if the enhancements are providing additional services to participants currently served in an existing program (again, one that is operating concurrently with the new proposed program). Expansions to any program do require that additional program participants are served. The number of participants covered by the program would be compared against the award requested for an evaluation of reasonableness of cost and value.

15. **Question:** Is the Self-Appraisal Questionnaire (SAQ) risk assessment questionnaire published by Multi-Health Systems an approved DCJS risk assessment tool?

Answer: As it is not currently a DCJS approved instrument, the SAQ risk assessment tool would have to be submitted for review and approval by DCJS as part of the application submission. Additional discussion and final approval regarding use of risk assessments may be held during contract negotiations if an award is made. Please see Appendix: *Risk and Needs and Other Assessment Instruments* for more information.

16. **Question:** Are PVRC applicants expected to provide the residential component of the program or may we seek referrals from a funded PVRC program? Additionally, can DCJS provide a list of currently operating PVRC programs in NYS?

Answer: The PVRC model is a community-based residential program providing stabilization services that address the criminogenic and treatment needs of probationers. An applicant proposing a PVRC must include the residence as part of the program. The residential costs may be reimbursed by OASAS or another funding source. DCJS will pay only for the listed milestones for the PVRC model as described in Section V of the RFP and as also in Section III. PVRC programs may utilize the services of other agencies or programs that provide the required milestones such as employment readiness. However, it is important to note that DCJS will only pay for services provided to a program participant once. For example, a PVRC has “employment readiness” as a milestone and utilizes Program X for that service. DCJS reimburses the PVRC for that milestone, not the contracted provider. Currently, there are three PVRCs funded by DCJS through December 31, 2017:

- BASICS – located in the Bronx - serving all five NYC boroughs
- Palladia – located in the Bronx and in upper Manhattan - serving all five boroughs
- Project MORE – located in Dutchess County and serving several contiguous counties.

17. **Question:** Is COMPAS the only approved risk and needs assessment tool?

Answer: Please refer to the Appendix: *Risk and Needs and Other Approved Assessment Instruments*. In addition to the NYCOMPAS, DCJS accepts the WRNA and LSCMI. Other risk and needs instruments will need to be approved by DCJS during contract negotiation and development if an award is made.

18. **Question:** We will apply to provide a program in Poughkeepsie, can we include our Newburgh office site?

Answer: An applicant proposing to provide services in multiple *non-contiguous* counties must provide separate proposals for each area and each program model. An applicant proposing to provide services from one location but accept referrals from multiple *contiguous* counties or judicial districts should submit one proposal for each program model proposed.

19. **Question:** Do the *Use of Service-Disabled Veteran-owned Business Enterprises, Minority and Women-Owned Business Enterprises, Vendor Responsibility and Charities Registration* need to be completed and submitted with the application?

Answer: No. Please refer to Section X "Administration of Contracts." These documents do not need to be submitted until after grant contracts are awarded, prior to execution of the contract.

20. **Question:** Will a startup period be allowed?

- Are there specific categories of expenses that would not be acceptable as start-up costs?
- Are there specific guidelines in terms of dollar amounts (such as a percentage of the overall operational budget) that applicants should keep in mind when considering requests for these funds?
- Should we provide DCJS with a separate budget/budget worksheet that outlines our proposed start-up costs? Or should these costs be included with our operating budget?
- It is our impression that applicants who operate existing programs might request start-up funds related to a program enhancement (such as the implementation of a new CBI or another new service component). Is this correct?

Answer: Specific one-time start-up implementation costs may be requested as part of the overall budget, but only for new programs or expansions of existing programs that have not previously received DCJS grant support for start-up implementation costs for that program. Allowable budget categories are outlined in the *Budget Detail Worksheet and Narrative Form*. All expenses must be justified on how they support the proposed program model. Any proposed start-up costs should be included in the operating budget and may not exceed 25% of the operating budget.

21. **Question:** Would you please provide additional clarification on what differentiates the TASC Model versus the "Other" ATI model? This distinction is new and was not present in the previous RFP, thus we are not completely sure which model best fits our proposed program. For example, is the defining factor of the TASC model that it targets individuals who would otherwise be sentenced to incarceration, or that it serves those with substance abuse or mental health issues, or that CBI is optional but not required, or that it is more involved with a problem-solving court?

Answer: Information on the respective program models can be found in RFP Section III and the Appendix: *Program Services and Required Performance Milestones by Program Type*.

TASC model programs must target individuals who would otherwise be sentenced to incarceration and/or those who are at higher risk of recidivism. These community based alternative to incarceration programs typically target individuals with behavioral health needs (e.g., substance use disorders and/or mental illness.) TASC model programs have the following required services: Screening, risk/need assessment, referral to treatment services, monitoring and reporting to the court.

Other ATI programs also screen and assess potential participants, but additionally must provide a cognitive behavioral intervention. Other ATI program models may target specialized populations such as women, sex offenders, and/or those with mental illness or developmental disabilities.

- 22. Question:** The court arraignments data referenced on page 5 of the RFP (http://www.criminaljustice.ny.gov/ofpa/pdfdocs/2016_felony_misd_lower_court_arraignmnts_volume.pdf) does not include any figures for any counties within New York City. Can NYC data be provided or shared with applicants? Additionally, is this data available broken down by sex/gender?

Answer: In addition to the reference tables provided as appendices to the RFP, other general crime and criminal justice processing data is available on the DCJS website, www.criminaljustice.ny.gov. If you have a specific data need that is not addressed on the DCJS website, please email the DCJS mailbox at dcjsstats@dcjs.ny.gov. DCJS will provide summary statistics when they can be readily extracted from our standard analytical files. Please note, any requests for customized data runs associated with this RFP should be submitted no later than July 21st to allow sufficient time for processing.

- 23. Question:** May an applicant work with women in the re-entry program in the NYS Department of Corrections and Community Supervision (DOCCS) Taconic facility?

Answer: No. The eligible population to be served through this RFP does not include the DOCCS Institution (inmate) or Release (Parole) populations.

- 24. Question:** May an applicant interface with parole re: violations and court re: other minor charges during parole to prevent recidivism?

Answer: No. The eligible population to be served through this RFP does not include the parole population.

- 25. Question:** Does risk level include trauma and reunification Issues?

Answer: To clarify, risk level generally refers to risk of recidivism and DCJS is not aware of any risk instrument that would consider level of trauma to predict risk. Measures for trauma and reunification generally provide information on needs to be addressed. Please see Appendix: *Risk and Needs and other Approved Assessment Instruments* for additional information.

- 26. Question:** May an applicant apply for more than one project for “Other Alternatives to Incarceration (ATI) - Programs Designed to Reduce Recidivism through the Use of Targeted Interventions and Evidence-Base Practices”? We have one existing program funded by DCJS that would fit into this category that we would apply for and we have a new program

model at a different location that we would like to apply for.

Answer: Yes. Applicants may submit more than one proposal. Separate proposals should be submitted for different program models or if proposed to serve two *non-contiguous* locations.

27. **Question:** For the "all other ATI services" program model (section III, subdivision B-2), can an applicant propose to serve more than one specialized population under the same ATI program?

Answer: Yes. An applicant can propose to serve more than one specialized population; however, it is important to note that genders and risk levels should be grouped separately during the provision of services. Also, if an applicant is proposing different programs entirely, a separate application must be submitted for each.

28. **Question:** Does DCJS expect to offer trainings in pre-approved CBIs around the time that ATI contracts are to begin? If possible, could you also provide us with details on where and when CBI trainings might occur to help us budget expenses for our ATI program?

Answer: DCJS does plan to offer such training prior to the January 1, 2018 start of the contract period, but cannot guarantee how many slots will be available. Therefore, as stated in the RFP, DCJS prefers that applicants already have appropriate staff trained in the evidence based practices that they propose to deliver, and/or also plan to obtain additional training by allowing for training funds in their proposed budgets.

29. **Question:** After submitting an application through GMS, does an organization's Signatory have to take any immediate steps to validate or approve the submission.

Answer: No. Once an application is submitted there are no immediate next steps needed by the signatory to validate/approve the application. Applicants are reminded to hit the "submit" button when their application is complete.

30. **Question:** Are applicants allowed to propose the use of more than one CBI for their program?

Answer: Yes, however, the applicant should determine that they will have sufficient numbers of referrals and participants to make the offerings feasible and reasonably cost-effective.

31. **Question:** If applicants propose using a CBI that is not pre-approved by DCJS, what is the process for securing approval? Are there additional criteria we should consider in investigating and proposing CBIs that might be appropriate for our proposed program?

Answer: All non-pre-approved CBIs should be fully explained with a sample curriculum and literature/evaluation of the CBI attached to the proposal for reviewers. Any proposed CBI or job readiness curriculum not listed in the RFP Appendix: *Pre-Approved Cognitive Behavioral and Job Readiness Curricula* must be approved prior to contract execution, not prior to application submission. Applicants must fully answer all sections of Question 6 regarding the CBI or evidence-based intervention proposed. If selected for an award, the applicant may be asked to supply further information.

- 32. Question:** The RFP states that applicants are expected to list the names and contact information for referral agencies who will support proposed programs (pg. 19). Are applicants also expected to provide support letters or other documentation that verifies these commitments from referral agencies or other partners?

Answer: This would depend on the program model for which an applicant is applying. Refer to the RFP section III Eligible Program Models. Jail-based programs must provide a letter of support from the local sheriff or jail administrator based on the Appendix: Sample Letter - Jail-Based Cognitive Behavioral Intervention Services Letter of Support. Otherwise, Letters of Support are allowed but are not required.

- 33. Question:** Would DCJS allow funded grantees to increase the number of individuals served through their ATI program after the 1st year of the contract? If so, would we be allowed to request additional funding to serve those additional participants?

Answer: Yes. Applicants may propose to serve additional program participants in subsequent optional renewal contracts. If an award amount includes start-up costs in the first year budget, it is expected that additional participants will be served in the subsequent years. However, please be advised that renewal contract year budgets will be at the same dollar amount as the first year; and the start-up amount included in the first year budget will be reallocated to reimburse for those additional program participants. Award amounts will not be increased for any optional renewal contracts that may be awarded.

- 34. Question:** Would DCJS allow successful applicants to adjust their budget on an annual basis to account for changes in programmatic needs? For instance, if we anticipate requiring less or more funding under Consultant Services because of annual changes in staff training needs, would we be permitted to reallocate funds to cover costs accordingly?

Answer: Yes. Applicants may propose changes in their line item budget. Any changes to a program's operating line item budget must reflect expenses that directly support the program model. Refer to DCJS *Appendix A-1* for additional information. The appendix is located at <http://www.criminaljustice.ny.gov/ofpa/applcngntfrms.html>. Contracts awarded under this RFP will be performance-based. Reimbursement for contract services will be based on the number of milestone targets achieved and documented in program participant case files. Although the operating line item costs may be modified during the contract term and upon renewal, the overall amount of the grant will not be increased in renewal contract years.

- 35. Question:** We have developed and are piloting a program with our County District Attorney that focuses on a range of offenders/offenses where the offender is a parent of a 0-5 year old child. This program is an inter-generational crime prevention program that focuses on decreasing the likelihood that criminal offending parents will re-offend while supporting positive developmental outcomes in their prenatal to 5 year old children.

Are we eligible to apply for this RFP to scale up this intensive program?

Answer: The purpose of this RFP is to solicit proposals to provide alternative to incarceration programs and services to criminal justice involved populations with any of the six program models listed in Section III of the RFP. If a proposed program meets these criteria it may be submitted for consideration.

36. Question: Where would a potential applicant find statistics on probation violations? Is there a report of probation violations per county?

Answer: A report of probation violations per county can be found on the DCJS' public website under the Office of Probation and Correctional Alternatives' (OPCA) page at: <http://www.criminaljustice.ny.gov/opca/>. The specific link to the report is [2017-2018 Annual Probation Plan and Application RFA Tables](#).
