FY2015 Recruitment and Retention Grant Program Request for Applications

Application Deadline: Thursday, June 11, 2015.

In order to ensure adequate time to respond, substantive written questions regarding this Request for Applications will be accepted until Tuesday, June 9, 2015.

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I. Introduction

The purpose of this FY2015 Recruitment and Retention Grant Program (hereinafter "Grant Program") Request for Applications (RFA) is to solicit applications for up to $25,000 in funding for the recruitment and retention of volunteer firefighters and emergency services personnel, pursuant to section 99-q of the State Finance Law. For FY2015-16, there is approximately $360,000 in funding available. Funds will be awarded competitively based on the submission of applications by eligible volunteer fire departments, volunteer emergency service organizations and statewide organizations that represent the interests of volunteer firefighters and/or volunteer emergency services personnel. All awards are subject to the availability of funds, pursuant to the provisions of sections 209-G and 630-b of the New York State Tax Law.

II. FY2015 Recruitment and Retention Grant Program Objectives

In recognition of the scope of recruitment and retention challenges and to maximize the benefit of the funding available, the grant program seeks to promote the development of, or support existing, regional recruitment and retention efforts. Eligible organizations serving a single jurisdiction may apply, but the scoring of each application will include an evaluation of the regional recruitment and retention efforts.

New York State currently has more than 1,700 volunteer fire and emergency service organizations. This Grant Program is intended to promote the recruitment and retention of volunteer firefighters and volunteer emergency services personnel through the following primary objectives:

- Support organizational leadership development through education and training; and
- Develop and implement recruitment and retention programs and materials.

Core activities for recruitment and retention include activities such as:

- Provide leadership development and business management training programs addressing:
  - Management principles
  - Conflict Resolution
  - Ethics
  - Customer Service (Internal/External)
- The development and implementation of marketing plans, publicity campaigns, and community awareness initiatives.

III. Eligibility and Not-for-Profit Vendor Pre-Qualification

A. Eligibility:

Only eligible organizations that are located within, and serve, the State of New York may apply.

1. Eligible organizations include:

- **Volunteer Fire Companies or Fire Departments** that are comprised of 50% or more of volunteers, that are responsible for providing fire protection services to

one or more village(s), town(s) or city(ies). This includes not-for-profit fire corporations.

- **Municipalities (village, town, city and county) and Fire Districts,** on behalf of fire departments, fire companies, and/or emergency services organizations, operating under the authority of that municipality or district. The fire departments, fire companies and emergency services organizations providing fire protection and/or emergency medical services to the municipalities and fire districts must be comprised of 50% or more of volunteers.

- **Volunteer Emergency Medical Service Organizations,** comprised of 50% or more of volunteers, which are responsible for providing emergency medical service as defined by Article 30 of the Public Health Law, including, but not limited to: volunteer ambulance squads or corps, volunteer rescue squads, first aid squad, etc.

- **Local, Regional or Statewide Organizations** representing the interests of, or serving to benefit, volunteer firefighters or volunteer emergency services personnel. Organizations must be a not-for-profit organization to be eligible.

2. **Organizations that are <u>not</u> eligible for this Grant Program include:**

- Fire departments, fire companies, and/or emergency services organizations whose volunteer membership is less than 50% of their total manning strength.

- Federal fire departments and fire departments under contract with the Federal Government whose sole responsibility is fire protection on Federal property.

- For-profit fire departments and other emergency services organizations (i.e., do not have specific not-for-profit status or are not municipally based).

- Organizations that are affiliated with the NYS Division of Homeland Security and Emergency Services, or a component thereof.

B. Vendor Pre-Qualification Requirements for Not-for-Profit Applicants

All not-for-profit vendors *<u>subject</u>* to pre-qualification are required to pre-qualify prior to grant application. Please review the following section carefully to verify whether you must complete the pre-qualification requirements. **Applications received from not-for-profit applicants that have not Registered <u>and</u> are not Pre-Qualified in the Grants Gateway on the application due date listed on the cover of this RFA cannot be evaluated. Such applications will be disqualified from further consideration. We recommend that you submit your pre-qualification document vault a week prior to the deadline of this request for applications to ensure time for your document vault to be reviewed.**

1. Volunteer Firefighter Companies' Pre-Qualification Status

Organizations *<u>incorporated under §1402 of the Not-For-Profit Corporation Law are no longer required to prequalify</u>* in order to be eligible to apply for grants offered by

the State of New York, enter into a contract with the State, amend an existing State contract or make a purchase with State funds. These organizations must still provide all of the information required by the grant-making State agency to demonstrate their fiscal integrity and organizational capacity. However, State agencies should not require proof of prequalification from volunteer fire companies when developing a Request for Proposal ("RFP") or contract terms. This change to the prequalification policy will be effective immediately. Any volunteer fire company incorporated by NFPCL §1402 that is currently prequalified does not need to maintain their document vault unless they choose to do so. Additionally, any volunteer fire company whose prequalification status is under review or modification by a State agency should be informed of this change in policy and be allowed to withdraw from the prequalification review process.

2. Other Eligible Organizations Pre-Qualification Status

All *Not-for-Profit Volunteer EMS agencies and Not-for-Profit Organizations* who represent the interests of volunteer firefighters and volunteer emergency service personnel *are required to go through the pre-qualification procedures*. These organizations must submit an online Pre-Qualification Application through NYS Gateway. Please use the instructions in Section III.C. (below) to meet this requirement.

C. Pre-Qualification Instructions

Pursuant to New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which requires not-for-profits to register in the NYS Grants Gateway and complete the Vendor Prequalification process in order for proposals to be evaluated. Information on these initiatives can be found on the Grants Reform Website: http://www.grantsreform.ny.gov/.

Below is a summary of the steps that must be completed to meet registration and pre-qualification requirements. The Vendor Prequalification Manual on the Grants Reform Website details the requirements and an online tutorial is available to walk users through the process.

Vendors are strongly encouraged to begin the process as soon as possible in order to participate in this opportunity.

1. Register for the Grants Gateway

- On the Grants Reform Website, download a copy of the Registration Form for Administrator. A signed, notarized original form must be sent to the Division of Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov. If you do not know your Password please click the Forgot Password link from the main log-in page and follow the prompts.

2. **Complete the Pre-Qualification Application**

- Log in to the Grants Gateway. ***If this is your first time logging in,*** you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
- Click the ***Organization(s)*** link at the top of the page and complete the required fields. This page should be completed in its entirety before you SAVE. A ***Document Vault*** link will become available near the top of the page. Click this link to access the main Document Vault page.
    - **Note: To ensure prompt review of your pre-qualification document vault, please ensure that you have selected the Division of Homeland Security and Emergency Services (DHSES) as your "filing" agency.**
- Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Pre-Qualification Application. Optional Documents are not required unless specified in this Request for Applications.
- Specific questions about the Pre-Qualification process should be referred to grants@dhses.ny.gov or the Grants Reform Team at grantsreform@budget.ny.gov.

3. **Submit the Pre-Qualification Application**

- **After completing your Pre-Qualification Application, click the *Submit Document Vault* link** located below the Required Documents section to submit your Pre-Qualification Application for State agency review.
- If your Pre-Qualification reviewer has questions or requests changes you will receive email notification from the Gateway system.
- Once your Pre-Qualification Application has been approved, you will receive a Gateway notification that you are now pre-qualified to do business with New York State.

IV. Regional Partnership Development and Support

To maximize the benefit of the available funding and encourage sustained recruitment and retention efforts, this Grant Program seeks to promote the formation of new regional recruitment and retention partnerships or support existing regional efforts.

Each regional application must identify a Submitting Partner and all Participating Partners. All Partners must be eligible organizations identified in Section III above. The roles and responsibilities of Submitting and Participating Partners are as follows:

A. Submitting Partner Guidelines: The Submitting Partner will be the fiduciary agent for a successful regional application, responsible for completing all required grant reporting forms in coordination with and on behalf of one or more eligible organizations.

B. Participating Partner Guidelines: Participating Partners will be responsible for coordinating with the Submitting Partner on the development of an application for the Grant Program and the implementation and evaluation of funded projects.

Application Limit: For the purpose of the Grant Program, an eligible organization may submit one **individual application** and participate as a **Submitting** or **Participating partner** in one additional **regional application**.

Applications by Statewide Organizations: Statewide organizations must demonstrate that they serve a statewide interest and detail how the program to be funded will provide a statewide benefit. The Statewide Organization is solely responsible for acting as the fiduciary agent for a successful application and will be responsible for complying with all program reporting requirements. Identification of Participating Partner organizations is not required.

V. Authorized Program Expenditures

A. Permissible Costs

Funding awarded under the Grant Program may be used to initiate both recruitment and retention efforts. As the retention of trained and experienced members will maximize the operational benefit of the funding available, bonus points may be awarded to those applications which include membership retention efforts.

Initiatives that may receive funding include, but are not limited to, the following:

- Training promoting leadership development and addressing the critical role leadership plays in developing and maintaining volunteer membership. Permissible costs include those related to instructor or presenter fees, costs incurred by the Grantee to sponsor this training, and the cost of course materials. Training supplies and equipment not previously budgeted are also allowable.

- Training at the National Fire Academy or New York State Academy of Fire Science including travel and course material costs not otherwise covered or reimbursed. Suggested curriculum areas include Fire Officer, Fire Service Instructor, Leadership and Management, and related coursework included within the National Fire Academy's Volunteer Incentive Program. It must be demonstrated that courses are not available locally or regionally by an outreach training program. These courses are limited to members/employees in a supervisory or leadership capacity.

- Initiatives to promote firefighter health and wellness. Permissible costs include those necessary for the development and adoption of a formal fire department health and wellness program including: entry level physicals meeting NFPA 1582; annual medical/fitness health evaluations consistent with NFPA 1582; implementation of peer fitness trainer programs; costs for personnel, physical fitness equipment (including shipping charges and sales tax, as applicable), and supplies directly related to physical fitness activities; and behavioral/mental health and wellness programs. NOTE: Grant funding may only be utilized to adopt and implement a new formal health and wellness program or to expand an existing program. It may not be utilized to replace funding already budgeted, allocated or expended for an existing program (See section detailing **Costs Not Permissible**).

- Marketing plans/publicity campaigns/community awareness initiatives to recruit new volunteer members.

- Design, production and distribution of promotional merchandise, brochures and other materials.

  Note: Giveaways such as pencils, pens, cups, mugs, balloons, t-shirts etc., will be considered and allowed if the applicant clearly defines the activity and benefit for such materials.

- Sponsorship of local community events designed to help recruit volunteers.

- Newspaper publications, promotional mailings and other advertising designed to help recruit volunteers.

DHSES will not fund activities without the applicant having made a sufficient correlation between each activity and its positive effect on the recruitment and/or retention of volunteer firefighters or emergency services personnel.

All funded activities must be governed by formally adopted policies and procedures. Minimally, these policies and procedures must detail how the funding is to be utilized, and if applicable, specify who qualifies for the incentives or program to be funded, the specific requirements for eligibility or participation, and the disposition of the awarded funds should an individual fail to fulfill the stipulated participation requirements.

B. Costs Not Permissible

- Costs incurred prior to award; including grant writer fees.
- The legislative language for this grant precludes the award of funding for operational activities such as the purchase of firefighting equipment and vehicles.
- Payments or recognition to any members or employees, to include any cash payouts or any type of gift card.
- Payments for travel not related to the duties and responsibilities of eligible organizations.
- Costs associated with award banquets, such as food, refreshments, entertainment, or rental facilities (reimbursement for actual service awards, i.e., plaques, and trophies, is eligible).
- Costs for training regularly covered under the department's normal operating budget, such as tuition or instructor fees for department-mandated, basic-level training.
- Costs for attendance at a training course that are otherwise covered or reimbursed by the sponsoring agency.
- Fees for courses and training that are available free of charge on the internet or at a state/local training facility through an outreach program (NIMS 100, 700, 800, etc.).
- Uniforms, to include any hazardous condition personal protective equipment, station uniforms or dress uniforms.
- Organizational, management and administrative costs.
- Fitness club memberships or the purchase of medical equipment not used for the purposes of a formal firefighter health and wellness program.
- Payment for costs fully or partially covered by a grant award or legislative member item.
- Supplanting or replacing funding for costs budgeted, allocated or expended for an existing program. Grant funding may only be utilized to establish a new program or expand an existing one. For example, an organization which has not provided for entry level or annual

medical evaluations of its members may apply for grant funding to establish a program, with the understanding that sustainment of the program beyond the one year grant performance period is the organization's responsibility.

Once an award has been made, any amendment or alteration of the program or initiative to be funded must be approved by the State Fire Administrator.

Any questions regarding eligibility of costs or requests to amend an application or program to be funded should be directed to grants@dhses.ny.gov.

VI. Application Format and Content

A. Format:

Grant applications **MUST** be submitted to the following email address: grants@dhses.ny.gov. Please use the application format provided in the Application Worksheet when completing your application. Applicants are encouraged to prepare the narrative separately from the application and cut and paste the narrative text into the application prior to submission.

Once completed and signed, the **Notice of Endorsement** must be scanned and submitted as a pdf file along with the application package. The **Notice of Endorsement** documents authorization to participate for the submitting and participating partners, along with endorsement by the County Fire Coordinator or Emergency Managers as appropriate.

B. Content:

The following must be addressed in your application:

1. Description of Applicant Organization and Regional Benefit

a. Organization name and, if applicable, a list of Participating Partners:

Please identify the Submitting Partner or applicant organization and, if applicable, provide a list of all Participating Partner organizations.

b. Description of Organization or Partnership (Environment):

Please provide or describe the following**:** Location within New York State; Number of Square Miles Covered; Population of Region covered; Primary response services provided; and Average annual call volume for last five years (2010-2014).

c. Affirmation of Fire Reporting

To be eligible for this award all Fire Departments are required to be current on their National Fire Incident Reporting (NFIRS) through the NYS Office of Fire Prevention and Control. Any applicants which this provision does not pertain to, please check "not applicable".

d. Description of Organization (Personnel):

Please identify the number of personnel within the organization or regional recruitment and retention partnership. Indicate paid and volunteer staffing totals. For regional partnerships,

membership information should be identified for the Submitting Partner and each Participating Partner.

e. Description of Organization (Historical Perspective):

Please provide a brief history of the organization or regional recruitment and retention partnership. Describe how the organization or partnership represents the interests of volunteer fire or emergency service personnel.

2. Review panel Scoring Questions

A. Overall Description of Proposed Recruitment and Retention Project (30 total points)

Question 1. ***Description of Project(s): 10 points possible***

In narrative format, please describe each project that your organization or regional recruitment and retention partnership is requesting be funded under this Grant Program. This description should identify the specific recruitment and retention challenge being addressed, the manner in which the challenge was identified and the overall goal of the project.

Question 2. ***Primary Objective*****: 5** ***points possible***

In narrative format, please describe how the project(s) to be funded will solve the challenge(s) and reach the goal outlined in the description and provide for the goals of enhancing leadership development and/or recruitment or retention.

Question 3. ***Implementation Plan: 5 points possible***

In narrative format, please describe how your organization or regional partnership will implement each project, to include an estimated time line of the project implementation and the one year spend down time of the grant funds.

Question 4. ***Sustainment Plan: 10 points possible***

Sustainment and maintenance of recruitment and retention efforts supported or established under the Grant Program will be the responsibility of each successful applicant.

In narrative format describe how your organization or regional recruitment and retention partnership will continue to retain or sustain the membership obtained as a result of the Grant Program and how any associated costs will be absorbed or divided. Regional recruitment and retention partnerships must identify the roles and responsibilities of the specific partners in the membership sustainment plan.

This section should detail how the results of each project will be measured and tracked.

NOTE: As any current award will not guarantee a future award, this Grant Program **cannot** be considered as a future resource in any sustainment plan.

B. Project Cost and Budget (20 total points)

Question 5*. Total Cost/Budget of Project(s): 10 points possible*

Please identify the total cost of each project to be funded and itemize any and all portions that are inclusive to the project(s). As a reminder, the application cap for the Grant Program is $25,000.

Question 6*. Justification of Cost/Budget: 10 points possible*

Please provide a detailed description of any and all items within the project(s) and how they will be utilized to achieve the overall goal of the project(s).

C. Bonus Points Criteria (2 categories for up to 10 total points)

Bonus points may be awarded by the review panel based upon the criteria listed below.

1. First Bonus Category: If the application is for a Retention project the reviewer can award up to 5 additional points based on the overall project and its impact.

2. Second Bonus Category: If the Recruitment and Retention application project is a regional approach, the reviewer can award up to 5 additional points based on the overall project and its impact.

VII. Application Evaluation Criteria

The following multi-tiered criteria will be used by DHSES to evaluate each application and to determine grant awards. Grant awards will be approved by the Commissioner of DHSES.

A. Tier 1 Criteria

Tier 1 criteria are rated either "yes" or "no" and serve as a baseline review by DHSES to determine if applicants are eligible and have appropriately submitted all of the required application materials. If any of the answers are "no," the application will be immediately disqualified without further review and consideration for an award.

1. Was the application submitted by an eligible organization or regional recruitment and retention partnership?
2. Was the application submitted on time?
3. Is the application complete?
4. Was there an endorsement from the County Fire Coordinator for the submitting partner and each participating partner? ***Note: This endorsement is not required for eligible Statewide Organizations.***
5. Is the applicant current with NFIRS reporting, if applicable?
6. If the applicant is subject to the required Not-for-Profit Vendor Pre-Qualification process, did the applicant meet pre-qualification requirements prior to application deadline?

B. Tier 2 Criteria:

Applications meeting the Tier 1 review set forth above will be evaluated competitively using the criteria specified below. Scores per criterion will be totaled to establish a ranked list of eligible applications for consideration of awards. Untimely submission of any requested supporting documentation to DHSES will be grounds to disqualify the original application.

Tier 2 Evaluation Criteria	Point Score Range
Description of Proposed Recruitment and Retention Project	2-10 points
Primary Objective	1-5 points
Implementation Plan	1-5 points
Sustainment Plan	2-10 points
Total Cost/Budget of Project	2-10 points
Justification of Cost/Budget	2-10 points
Sub-Total	**50** points
Bonus for Membership Retention Projects	0-5 points
Bonus for Recruitment or Retention Regional Programs	0-5 points
Total	**60 points maximum**

The total scores will be averaged and ranked in order from highest to lowest. The applications receiving the highest average score will be selected for recommendation to the Commissioner of DHSES for award. The State reserves the right, for the purpose of ensuring the completeness and comparability of proposals, to analyze submissions and make adjustments or normalize submissions in the proposals, including the applicant's technical assumptions, and underlying calculations and assumptions used to support the computation of costs, or to apply such other methods, as it deems necessary to make comparisons.

In the event of a tie score where one or more applications may not be fully funded, the applicant with the highest score from the combined Description of Proposed Recruitment and Retention

Project and Budget and Primary Objective Evaluation sections will be ranked higher. If still tied, the applicant with the greatest overall population served will be ranked higher. The State also reserves the right, at its discretion, to make amendments and/or alter funding levels of one or more applicants based on any new information discovered that would have originally affected the scoring or to not award funding to any application with a final average score of 29 or less.

VIII. Timeline and Checklist of Required Documents

DHSES must receive completed grant applications by **11:59 p.m. on Thursday, June 11, 2015**. Applications received after the due date and time will not be considered. Applications must be submitted to the following email: grants@dhses.ny.gov. Furthermore, all written questions must be submitted to DHSES by 12 noon, Tuesday, June 9, 2015 to ensure that a timely response is provided to the applicant.

A. Required Documents:

1. Application Worksheet: Available here: http://www.dhses.ny.gov/ofpc/recruit-retain-grant/documents/rfa-worksheet.docx
2. Notice of Endorsement: The Notice of Endorsement document with all appropriate signatures must be scanned and submitted electronically as a pdf file attached or included with the application package.

IX. Approval and Notification of Awards

The Commissioner of DHSES will provide oversight of the grant review process. The Commissioner will announce grant awards based on the evaluation of applications. DHSES will notify all applicants in writing of the final award determinations. Applicants can expect to be notified of award funding decisions within 90-120 days of the application deadline. Nothing herein requires or prohibits DHSES to approve grant funding for any one applicant, certain applicants, or all applicants. Any disbursement of an award is contingent upon entering into a contract with DHSES, as detailed below.

X. Administration of Grant Contracts

DHSES will negotiate and develop a grant contract with a successful applicant organization or regional recruitment and retention partnership based on the contents of the submitted application and intent of the Grant Program as outlined in this RFA. The grant contract is subject to approval by the NYS Attorney General and the State Comptroller before grant funding can be disbursed to reimburse project expenses.

The period of performance for contracts supported by Grant Program funds will be one year from the date of the award. The final performance period will be communicated to applicants and/or grantees by DHSES. Copies of standard terms and conditions included in DHSES grant contracts are available for review online at: **www.dhses.ny.gov/grants/**.

Award funding will be provided by DHSES to grantees through a reimbursement process established within the grant contract.

A. Issuing Agency

This RFA is issued by NYS DHSES, which is responsible for the requirements specified herein and for the evaluation of all applications.

B. Filing an Application

Grant applications must be submitted to grants@dhses.ny.gov prior to the established deadline of **11:59 p.m. on Thursday, June 11, 2015**.

C. Reservation of Rights

DHSES reserves the right to:

1. Postpone or cancel this RFA upon notification posted on the DHSES/OFPC website.
2. Amend the specifications after their release with appropriate notice to all bidders posted on the DHSES website, including correction of errors, oversights or to supply additional information.
3. Amend any of the specified dates.
4. Reject any or all applications received in response to this RFA.
5. Correct any arithmetic errors in any proposals.
6. Award more than one contract resulting from this RFA and to make an award under the RFA in whole or in part.
7. Waive or modify minor irregularities in applications received after prior notification to the applicant.
8. Seek clarifications and revisions of applications.
9. Adjust or correct cost figures, with the concurrence of the applicant, if errors exist and cannot be documented to the satisfaction of DHSES and the State Comptroller.
10. Negotiate with applicants responding to this RFA within the requirements to serve the best interests of the State.
11. Eliminate any mandatory requirements unmet by all applicants.
12. Waive any requirements that are not material.
13. If DHSES is unsuccessful in negotiating a contract with the selected applicant within an acceptable timeframe, DHSES may begin contract negotiations with the next qualified applicant(s) in order to serve and realize the best interests of the State.
14. Award grants based on the best interests of the State.
15. Terminate, renew, amend or renegotiate contracts with grantees at the discretion of DHSES.
16. Periodically monitor and/or audit the grantee's performance in all areas mentioned above, in addition to the activities in the contract.
17. Revoke funds awarded to an applicant who materially alters the activities under the grant award, or who does not implement an approved project within 60 days of the final contract approval.
18. Release, in whole or in part, the contents of the application subject to the Freedom of Information Law or for any other purposed deemed suitable by DHSES.
19. Award grants based on geographic or regional considerations to serve the best interests to the State.

XI. Payment and Reporting Requirements of Grant Awardees

A. Standard Cost Reimbursement Contract

Each successful applicant must enter into a standard cost reimbursement contract with DHSES, which includes this RFA, the successful applicant's proposal, any attachments or exhibits and the standard clauses required by the NYS Attorney General for all State contracts. The contract will be subject to approval by the Attorney General and State Comptroller. Although the contract format may vary, the contract will include such clauses, information and responsibilities as can be found on the DHSES website, including;

- APPENDIX A-1 - Agency Specific Clauses
- APPENDIX B - Budget
- APPENDIX C - Payment and Reporting Schedule
- APPENDIX D – Work plan/Special Conditions

For purposes of this RFA, these terms and conditions are incorporated by reference and the applicant must agree to the inclusion of all of these terms and conditions in any resulting grant contracts as part of the application submission. Copies of the standard terms and conditions included in DHSES grant contracts are available for review on the online at: www.dhses.ny.gov/grants. Payments will be made subject to proper documentation and compliance with reimbursement procedures and all other contractual requirements.

B. Compliance with Procurement Requirements

- Applicants must follow and comply with all procurement procedures under General Municipal Law Article 5A and will be subject to monitoring by DHSES to ensure compliance.
- Grantees/Contractors are responsible to become familiar with and comply with all State and Local laws and regulations applicable to these funds.
- Applicants are required to consult with the NYS DHSES standard contract language (referenced above) for more information on specific requirements.
- As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) has developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms of law). Pursuant to SFL § 165-a(3)(b), the list is posted on the OGS website; http://www.ogs.ny.gov/about/regs/ida.asp.
- Sub-recipients shall at all times during the Contract term remain responsible. The Sub-recipient agrees, if requested by the Commissioner of DHSES, or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance and organizational and financial capacity.

    a) **Suspension of Work for Non-Responsibility:**
    The Commissioner of DHSES or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under the Contract, at any time, when he or she discovers information that calls into questions the responsibility of the Sub-recipient. In the event of such Suspension, the Sub-recipient will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Commissioner must comply with

the terms of the suspension order. Contract activity may resume at such time as the Commissioner of DHSES or his or her designee issues a written notice authorizing the resumption of performance under the Contract.

b) **Termination for Non-Responsibility**
Upon written notice to the Sub-recipient, and a reasonable opportunity to be heard by appropriate DHSES officials or staff, the Contract may be terminated by the Commissioner of DHSES or his or her designee at the Sub-recipient's expense where the Grantee/Contractor is determined by the Commissioner of DHSES or his or her or his or her designee to be non-responsible. In such event, the Commissioner of DHSES or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue legal or equitable remedies for breach.

C. Satisfactory Progress

Satisfactory progress toward implementation includes, but is not limited to: executing contracts and submitting payment requests in a timely fashion, completing plans, reports, or other tasks identified with the recruitment and retention efforts funded by this Grant Program within the time allocated for their completion. DHSES may recapture awarded funds if satisfactory progress is not being made on the implementation of a grant project.

D. General Specifications

By submitting the application, the Applicant attests that:

1. Applicant has express authority to submit on behalf of the Applicant's organization and any Participating Partners.
2. Submission of an application indicates the Applicant's acceptance of all conditions and terms contained in this RFA, including A-1 and C, and all other terms and conditions of the award contract.
3. The application and any resulting grant, if awarded, must adhere to, and be in full compliance with any, resulting contract(s) and relevant federal and states policies and regulations or be subject to termination.

XII. Questions

Questions regarding the Grant Program should be directed to: grants@dhses.ny.gov. To the degree possible, each inquiry should cite the RFA section and paragraph to which it refers. Written questions will be accepted until 12 noon, Tuesday, June 9, 2015.

Please check the website for updates and responses to frequently asked questions.