

Title: Invest in NY Child Care Emergency Request for Applications (RFA) #2 for Existing Programs
Office: OCFS Division of Child Care Services

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Amended: June 06, 2022 and July 7, 2022 and July 14, 2022

TABLE OF CONTENTS

1.0	GENERAL INFORMATION/CALENDAR OF EVENTS.....	1
1.1	Procurement Integrity/Restrictions on Communication.....	1
1.2	Calendar of Events (Amended 7/07/2022 and 7/14/2022).....	2
1.3	Technical Assistance for Applicants	3
1.4	Submission of Written Questions.....	3
1.4	Submission of Applications.....	4
1.5	OCFS Reserved Rights.....	4
1.6	RFA Definitions.....	6
2.0	EXECUTIVE OVERVIEW (Amended 7/07/2022 and 7/14/2022)	9
2.1	Introduction/Description of Program Objectives and Background	9
2.2	OCFS Statewide Considerations.....	10
2.3	Purpose and Funding Availability	11
2.4	Term of Award & Payment Information (Amended 7/07/2022 and 7/14/2022).....	17
3.0	MINIMUM QUALIFICATIONS TO APPLY (Amended on 6/06/2022).....	19
3.1	Minimum Qualifications to Apply	19
3.2	Vendor Responsibility Requirements (All Applicants).....	22
4.0	PROGRAM REQUIREMENTS (Amended on 6/06/2022).....	22
4.1	Desired Outcomes and Program Requirements (Amended on 6/06/2022).....	22
4.2	Accessibility of Web-Based Information and Applications.....	32
5.0	APPLICATION CONTENT AND SUBMISSION (Amended on 6/06/2022)	33
5.1	Application Content and Scoring	33
5.2	Application Content (Amended on 6/06/2022)	34
5.3	Application Submittal Process	41
6.0	MINIMUM CRITERIA/EVALUATION PROCESS	42
6.1	Minimum Criteria (Pass/Fail Review Criteria).....	42
6.2	Evaluation Process.....	42
7.0	MANDATORY AWARD REQUIREMENTS (Amended on 6/06/2022)	43
7.1	Award Readiness.....	43

7.2	Workers Compensation Insurance and Disability Benefits Proof of Coverage Form - Will need to be uploaded to the Application after License Approval for Awards of \$100,000 or above (Amended on 6/06/2022)	43
7.5	Federal Requirements.....	44
7.6	Required Electronic Payments and Substitute Form W-9 – Will be submitted within Application.....	44
7.7	Minority and Women-Owned Business Enterprises (MWBE) – Equal Employment Opportunity (EEO) - Requirements and Procedures.....	45
7.8	Service-Disabled Veteran-Owned Business (SDVOB).....	46
8.0	PROGRAM-SPECIFIC REQUIREMENTS AND FORMS.....	46

1.0 GENERAL INFORMATION/CALENDAR OF EVENTS

Through this Request for Applications (RFA), the New York State Office of Children and Family Services (OCFS) is accepting applications for Invest in NY Child Care Grants from existing child care programs to address the lack of available child care in areas of the state that qualify as child care deserts.

Applicants must operate in accordance with all applicable laws, rules and regulations.

Note: Throughout this document, **the terms *proposals, bids, and applications* are used interchangeably, as are *applicants, offerors and bidders*.**

If the offerer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFA, the offerer shall immediately notify OCFS (See **Section 1.1 Procurement Integrity/Restrictions on Communication**) of such error in writing and request clarification or modification of the document.

If prior to the deadline for submission of written questions an offeror fails to notify OCFS of a known error in or omission from the RFA, or of any error or omission or prejudice in bid specification or documents with the RFA that the offeror knew or should have known, the offeror agrees that it will assume such risk if awarded funds, and the offeror agrees that it is precluded from seeking further administrative relief or additional compensation under the award by reason of such error, omission, or prejudice in bid specification or documents.

Licensed/Registered/Permitted:

Child care programs are regulated by The Office of Child and Family Services (OCFS), except New York City-based day care centers, which are regulated by the New York City Department of Health and Mental Hygiene (NYCDOHMH). Programs are considered Registered, Licensed or Permitted depending on the type of program (modality) and location. Information regarding the requirements for Registered and Licensed programs can be found here <https://ocfs.ny.gov/programs/childcare/regulations/>. Information regarding the requirements of NYC Permitted programs can be found here <https://www1.nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page>.

This funding opportunity is available to licensed and registered child care programs as well as Article 47 group day care programs issued permits by NYCDOHMH, which will collectively be referred to as “licensed” in this funding opportunity. **This RFA is ONLY for programs that were licensed programs before 1/28/22, not for new programs licensed on or after 1/28/22. New programs may be eligible under RFA#1 for new programs in child care deserts.**

1.1 Procurement Integrity/Restrictions on Communication

Please be advised that state law prohibits any vendor from exerting or attempting to exert any improper influence relating to its application. “Improper influence” means any attempt to achieve preferential, unequal, or favored consideration of an application based on considerations other than the merits of the application, including but not limited to any conduct prohibited by the Ethics in Government Act, as set forth in Public Officers Law §§ 73 and 74.

All questions about this RFA document must be addressed to the director of contracts in the Procurement Unit or his/her designee(s) at OCFS, via email InvestNYChildCareRFA2@ocfs.ny.gov with “RFA#2 (Existing Programs)” in the subject line. All questions will be answered via the Frequently Asked Questions (FAQ) document that will be updated on an rolling basis and posted on the Child Care Deserts webpage <https://ocfs.ny.gov/programs/childcare/deserts/>. Questions regarding program licensure and not related to this procurement may be directed to the appropriate regulator for response.

1.2 Calendar of Events (Amended 7/07/2022 and 7/14/2022)

RFA#2 INVEST IN NY CHILD CARE EMERGENCY REQUEST FOR APPLICATIONS (RFA) FOR EXISTING PROGRAMS	
EVENT	DATE
Issuance of Request for Applications	May 13, 2022
Release of Child Care Desert Map: Programs can review areas of the state identified as child care deserts at: https://bit.ly/cc_deserts https://bit.ly/cc_deserts	January 28, 2022
Deadline for Submission of Written Questions	Every Friday by 5:00 PM ET from Issuance Date.
Responses to Written Questions Published (<i>on or about</i>)	On a rolling basis through June 16, 2022 via an online FAQ document
Application Submission Start Date	June 30, 2022 July 18, 2022 July 20, 2022
Application Submission Deadline	August 4, 2022 August 22, 2022 August 24, 2022 at 11:59pm ET
<i>Anticipated</i> Notification of Pre-Approval (not earlier than) This is not a guarantee of award, the final award amount to be determined upon licensure	September 1, 2022

1.3 Technical Assistance for Applicants

- Child Care Resource and Referral agencies provide support for existing child care programs by providing training and information on increasing enrollment as well as serving different populations like infants and toddlers as well as children with special needs.
- The Office of Children and Family Services provides support for people and organizations that are interested in expanding their day care programs in their communities. Applicants can find their Regional Office here: <https://ocfs.ny.gov/programs/childcare/regional-offices.php> . Existing child care providers should contact their regulator about expansion possibilities.
- **Claim and Payment Webinar** – OCFS Bureau of Contract Management (BCM) and Division of Child Care Services (DCCS) will present a webinar on how payments will be made. The date of this session will be posted on the OCFS website.

1.4 Submission of Written Questions

With the exception of program specific licensure questions that should go to your OCFS regulator or local CCR&R for assistance or to NYCDOHMH for permitted Article 47 programs, all communications to report errors or omissions in the procurement process, ask questions, or to request clarification of this RFA should cite the particular RFA section and paragraph number and must be **submitted via email to InvestNYChildCareRFA2@ocfs.ny.gov with RFA#2 Existing (Existing Programs) in the subject line with your facility ID number.** If OCFS determines that a submitted question deals with program site or staffing ration requirements for licensure, OCFS will direct your question to the applicable regulator or CCR&R or to NYCHOHMH for permitted Article 47 programs.

The deadline for submission of written questions is specified in **Section 1.2 Calendar of Events**. Questions submitted will be used to develop a Frequently Asked Questions (FAQ) document to address the topics OCFS receives from programs for this RFA, they may not be exactly phrased as submitted. Questions received after the deadline for posting may not be answered. The comprehensive list of Frequently Asked Questions (FAQ) will be posted in the solicitation announcement in the New York State Grants Gateway System (<https://grantsgateway.ny.gov>) (GGG or Grants Gateway), on the OCFS Website (<http://ocfs.ny.gov/main/bcm/RFA.asp>), and the Contract Reporter website at (<https://www.nyscr.ny.gov/login.cfm>) on or about the date specified in **Section 1.2 Calendar of Events as well as on the Child Care Deserts webpage on a rolling basis** <https://ocfs.ny.gov/programs/childcare/deserts/>

Contact information for your local CCR&R is available at [Child Care Resource and Referral Agencies | Division of Child Care Services | OCFS \(ny.gov\)](#).

1.4 Submission of Applications

All proposals must be submitted electronically through the Invest in NY Child Care Online Application, which will be available on the OCFS website at the Application Submission Start Date.

Please refer to **Section 5.0: APPLICATION CONTENT AND SUBMISSION** for further information.

1.5 OCFS Reserved Rights

OCFS reserves the right to

1. place a monetary cap on the funding amount made in each grant award;
2. change any of the schedule dates stated in this RFA prior to the due date for the submission of proposals;
3. reject any or all proposals received in response to the RFA;
4. withdraw the RFA at any time at the agency's sole discretion;
5. make an award under the RFA in whole or in part;
6. disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFA;
7. reject any proposal if, in the sole discretion of OCFS, it determines the bidder is not a responsible vendor;
8. seek clarification and revisions of proposals. Request bidders to present supplemental information clarifying their proposals either in writing or by formal presentation. Other than the requested clarification and supplemental information, submission of new information is not permitted;
9. require that bidders demonstrate, to the satisfaction of OCFS, any feature(s) present as a part of their proposal, which may include an oral presentation of their proposal. Any such demonstration or presentation may be considered in the evaluation of the proposal;
10. amend any part of this RFA prior to opening of bids, with notification to all bidders, and direct all bidders to prepare modifications addressing RFA amendments, if necessary. Expenses incurred in the preparation of any proposals or modifications submitted in response to this RFA are the sole

responsibility of the bidder or other party and will not be incurred or reimbursed by OCFS;

11. make funding decisions that maximize compliance with and address the outcomes identified in this RFA;
12. fund only one portion, or selected activities, of the selected bidder's proposal and/or adopt all or part of the selected bidder's proposal based on federal and state requirements;
13. eliminate any RFA requirements that cannot be met by all prospective bidders upon notice to all parties that submitted proposals;
14. waive procedural technicalities or modify minor irregularities in proposals received after notification to the bidder involved;
15. correct any arithmetic errors in any proposal or make typographical corrections to proposals with the concurrence of the bidder;
16. award to the next highest bidder if the selected bidder(s) does not meet the RFA requirements within an acceptable time frame. No bidder will have any rights against OCFS arising from such actions;
17. fund any or all of the proposals received in response to this RFA. However, issuance of this RFA does not commit OCFS to fund any proposals. OCFS can reject any proposals submitted and reserves the right to withdraw or postpone this RFA without notice and without liability to any bidder or other party for expenses incurred in the preparation of any proposals submitted in response to this RFA and may exercise these rights at any time;
18. require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offeror's proposal and/or to determine an offeror's compliance with the requirements of the solicitation;
19. make additional awards based on the remaining proposals submitted in response to this RFA and/or provide additional funding to awardees if such funds become available;
20. make inquiries of third parties, including but not limited to, bidder's references, with regard to the applicants' experience or other matters deemed relevant to the proposal by OCFS. By submitting a proposal in response to this RFA, the applicant gives its consent to any inquiry made by OCFS;
21. require contractors to participate in a formal evaluation of the program to be developed by OCFS. Contractors may be required to collect data for these

purposes. The evaluation design will maintain confidentiality of participants and recognize practical constraints of collecting this kind of information;

22. consider statewide distribution and regional distribution within New York City, including borough distribution methodology, in evaluating proposals
23. rescind awards for failure of awardees to provide all required W-9 and vendor responsibility information required by OCFS upon request or if applicant does not meet the licensing requirements to operate the program;
24. cancel this RFA, in whole or in part, at any time and to reject any and all proposals when appropriate in the best interests of the state; and
25. make adjustments to the funding amount requested based on program need and based on the total dollar value of the applications submitted.
26. redistribute funds between the total dollar available among modalities and regional funding amounts and total value of award bonuses if funding is left over to maximize the distribution of available funds. Additionally, unused funding may be redistributed from this RFA to the Invest in NY Child Care Emergency Request for Applications (RFA #1) for New Programs to fully utilize American Rescue Plan Act (ARPA) funding.

1.6 RFA Definitions

Capacity: the maximum number of children authorized to be present at any one time as specified on the license.

Children with Special Needs: For the purpose of this RFA, children with Special Needs is defined as children with

- 1.** a currently approved Individual Family Services Plan (IFSP) as part of the Early Intervention program, or
- 2.** an approved Individualized Education plan (IEP) as part of their local Committee on Special Education or
- 3.** an approved 504 accommodation plan as part of their school district.

***OCFS recognizes that there is a broad spectrum of children with special needs, and that Early Intervention, Preschool Special Education, Special Education programs and those children with 504 plans only represent a small portion of that spectrum. OCFS regulations 415.1(c) defined a "child with special needs" in regards to the Child Care Block Grant and those regulations are not specifically applicable here as this grant is not for the provisions of child care subsidies.*

Desert Census Tract:

For the purpose of this funding opportunity, means a Census Tract where there are 3 or more children under 5 years of age for each available child care slot, or there are no available child care slots in the census tract. Available child care slots used

for this analysis include infant, toddler, and preschooler slots in licensed day care centers and NYCDOHMH permitted (Article 47 programs only) group day care programs, as well as 6 weeks to 12-year-old slots in licensed group family day care and registered family day care, based on licensed capacity as of October 2021. All Census Tracts in New York State have been mapped depending on the number of available slots, and information can be found on the Child Care Desert Map: https://bit.ly/cc_deserts Refer to **Section 5.2 Application Content** for definition of deserts for the purposes of scoring.

Diversity Index:

The Diversity Index from Environmental Systems Research Institute (ESRI) represents the likelihood that two persons, chosen at random from the same area, belong to different race or ethnic groups. Ethnic diversity, as well as racial diversity, is included in the analysis. ESRI's diversity calculations accommodate up to seven race groups. If an area is ethnically diverse, then diversity is compounded. The Diversity Index is available down to the block group level geography. http://downloads.esri.com/support/whitepapers/other_/2015_USA_ESRI_Diversity_Index_Methodology.pdf

Downstate region: is defined as: NYC, Long Island (Nassau, Suffolk), Westchester region (Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester)

Funding: is based on number of slots and/or modality of care and program site location in two broad geographic areas of the state. **Section 2.3, Purpose and Funding Availability.**

In Good Standing: is a licensed child care program in a payable status that is not the subject of certain enforcement actions by OCFS or the New York City Department of Health and Mental Hygiene (DOHMH).

Ineligible Statuses Include:

Ineligible OCFS enforcement statuses:

- Suspension of License
- Limitation of License
- Suspension and Proposed Revocation of License
- Denial of Application to Renew License

Ineligible DOHMH enforcement statuses:

- Permit Revoked
- Permit Suspended
- Out of Business
- Expired
- Closed

Questions as to NYC enforcement status should be referred to NYCDOHMH.

Infant/Toddler Slots: Infant/Toddler slots are provided to a child between the ages of birth up to 36 months. Such services and staffing must meet all regulatory and

program requirements for this age group. For NYC Article 47 day care centers, infant/toddler programs are defined as a child care program that provides care to children younger than 24 months of age.

Long Island RO: Nassau and Suffolk Counties

Modalities: Type of program being provided. Please see <https://ocfs.ny.gov/programs/childcare/regulations/> for full legal definitions.

- **Family Day Care (FDC)** a program caring for children for more than three hours per day per child in which child day care is provided in a family home for three up to eight children.
- **Group Family Day Care (GFDC)** a program caring for children for more than three hours per day per child in which child day care is provided in a family home for seven up to twelve children, plus a possible four additional school-age children, for a total of sixteen children
- **Small Day Care Center (SDCC)** a program or facility which is not in a residence in which child day care is provided to three through six children for more than three hours per day per child for compensation or otherwise
- **Day Care Center (DCC)** a program or facility which is not a residence in which child day care is provided on a regular basis to more than six children for more than three hours per day per child for compensation or otherwise
 - For NYC Article 47 Day Care Centers: Child care program means any program providing child care for five or more hours per week, for more than 30 days in a 12-month period, to three or more children under six years of age.
- **School Age Child Care (SACC)** a program or facility which is not a residence in which child day care is provided to an enrolled group of seven or more children under 13 years of age during the school year before and/or after the period such children are ordinarily in school or during school lunch periods. School-age child care programs also may provide care during school holidays and those periods of the year in which school is not in session, including summer vacation.

Existing Program: A child care program that is licensed/permitted/registered before 1/28/2022 with either OCFS or NYCDOHMH (Article 47 day care centers only). Article 47 day care centers are eligible under this RFA#2 if they are expanding by up to 25 newly permitted slots to serve children they are currently permitted to serve as of their licensed capacity before 1/28/22.

Non-Traditional Hours: those hours of care provided after 7 pm until 6 am including overnight care, as well as weekends and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Programs must meet all regulatory and program requirements for these services and obtain license approval to provide services during these hours.

Non-Traditional hours of care as defined in the RFA must be available a minimum of 15 hours per week for Component B providers **only**. Component A providers are not eligible for any non-traditional hour deliverables.

REDC- Regional Economic Development Council:

(<https://regionalcouncils.ny.gov/>), click on Regions to select your region. The Councils are public-private partnerships made up of local experts and stakeholders from business, academia, local government, and non-governmental organizations. NYS Empire State Development (ESD) serves as the lead agency managing the Regional Councils. State agencies, authorities and departments are active participants working with the Councils and provide necessary resources. In addition, academic institutions, think tanks and other independent organizations are invited by the Regional Councils, as appropriate.

Rest of NY includes: All New York State counties outside of the Downstate Region.

Westchester RO: is defined as: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties.

2.0 EXECUTIVE OVERVIEW (Amended 7/07/2022 and 7/14/2022)

2.1 Introduction/Description of Program Objectives and Background

New York State has identified \$100M to address child care deserts by building and expanding licensed child care capacity to those areas of the state with the least supply. The resulting awards, which are being made available through two separate funding opportunities, are for the purpose of increasing the number of available child care slots in New York State in those areas identified as areas of need. Utilizing funding from the American Rescue Plan Act (ARPA), this funding represents an unprecedented opportunity to build capacity and strengthen the state's economy, by addressing the issues that impact businesses including chronic absence, productivity reductions and turnover due to inadequate options for quality child care in the most needed parts of the State. This funding further recognizes the acute shortage of infant and toddler care, services for children with special needs, and the lack of available child care outside of standard business hours and days. This document outlines all eligibility, program and allowable expense requirements relating to the Invest in NY Child Care grant for existing providers licensed before 1/28/22.

OCFS and the Council on Children and Families (CCF) have created an online mapping tool outlining the Census Tracts in NYS that are child care deserts as well as a potential score on this RFA should a program apply from that area. All applicants should review the map carefully for

more details on their proposed program site. Attachment 3 - the REDC Child Care Deserts Map is available at: https://bit.ly/cc_deserts

This RFA #2 will be offered into two parts, Component A and Component B.

Component A: Day Care Centers/School Age Child Care programs

Component A of this RFA is to expand child care in existing **Day Care Centers, including Day Care Centers permitted by NYC DOHMH, and in School Age Child Care programs**. The goal of Component A is to **expand program licensure for up to 25 slots** in existing child care programs. Component A includes a per slot bonus for programs (up to 25 slots) who agree to designate some or all of those **new** slots for infants/toddlers and/or children with special needs. Slots designated for bonuses must have children enrolled for proposed slots by six months after the date of their pre-approval letter to continue to receive bonus payments. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive the per slot bonus until children are enrolled in the infant/toddler and/or special needs slots. SACC programs will not receive bonus funds for infant/toddler care as they are not eligible to serve that population. Once programs achieve enrollment in the bonus slots, payments can resume the following month.

Programs that are eligible to apply under Component A will not receive any additional bonus funds regarding non-traditional hour care.

Component B: Small Day Care Centers (SDCC), Family Day Care (FDC)/ Group Family Day Care (GFDC)

Component B of this RFA is to expand **specific types of child care** within existing programs whose enrollment is currently under their licensed capacity, specifically for infants/toddlers, children with special needs, or expanding program hours to include nontraditional hours. Child care program modalities eligible under Component B are only Small Day Care Centers, Family Day Care providers and Group Family Day Care providers. Slots designated for infant/toddlers or children with special needs must have children enrolled by six months after the date of their pre-approval letter to continue to receive payments. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive payments again until children are enrolled in the designated infant/toddler and/or special needs slots.

OCFS reserves the right to amend the terms and conditions of this grant opportunity and any updates to this document will be posted on the OCFS website.

2.2 OCFS Statewide Considerations

Racial Equity Framework for **Invest in NY Child Care Initiative**

A racial equity framework is built into this funding opportunity so that communities of color who were hardest hit by the COVID-19 pandemic are prioritized and supported in building back child care slots.

Child care providers and their staff are primarily women and people of color, making this historic investment in building child care supply a chance to partner with these leaders and entrepreneurs and make impactful investments that can make real change for families and communities.

This racial equity framework will be highlighted throughout the planning and award process to ensure the opportunity is structured to support the following principles.

Racial Equity Principles:

In NYS, we know that we must do more to address racial equity. For the purposes of this funding opportunity, we choose to take action by implementing the following principles in our work:

To stand with people of color and center the voices of people with lived experience throughout the policymaking process;

To collect and analyze data disaggregated by race and ethnicity to understand and address disparities and publicize this information to bring transparency and accountability to the process;

To expand the focus of racial equity in our work by continuing to examine and address the systemic causes of inequities;

To be anti-racists, committed to actively fighting racism and bigotry in all parts of the initiative.

2.3 Purpose and Funding Availability

OCFS will make available \$100 million in the Invest in NY Child Care: Child Care Desert grant program. Federal funding is available through ARPA. This RFA#2 is making \$30M available **for existing programs only**, with applications due at the date and time in the **Section 1.2 Calendar of Events**.

A separate RFA#1 was released on January 28, 2022 for new programs, totaling \$70M.

Invest in NY Child Care grants is accepting applications **for existing programs** during the date and time period in **Section 1.2 Calendar of Events**, though OCFS reserves the right to extend the application period or add a separate additional application period if additional funding becomes available. Providers can receive only one award per licensed program. If a provider is submitting an

application for multiple program sites, a separate application must be submitted for each program site using the unique facility ID for each site.

The following chart shows the maximum total for the base grant that may be awarded under this RFA by region and program type:

OCFS reserves the right to adjust funding as stated in Section 1.6, OCFS Reserved Rights.

Location	Modality			Total Allocation
	DCC	FDC/GFDC/SDCC	SACC	
COMPONENT A	\$10,800,000	N/A	\$3,600,000	\$14,400,000
Downstate Region (NYC, Long Island RO, Westchester RO)				
Rest of NY	\$7,200,000	N/A	\$2,400,000	\$9,600,000
COMPONENT B	N/A	\$3,600,000	N/A	\$3,600,000
Downstate Region (NYC, Long Island RO, Westchester RO)				
Rest of NY	N/A	\$2,400,000	N/A	\$2,400,000
Total NYS	\$18,000,000	\$6,000,000	\$6,000,000	\$30,000,000

Downstate consists of the New York City, Long Island, and Mid-Hudson Regional Economic Development Council (REDCs)

Rest of State consists of the remaining REDCs not in Downstate.

Regional Economic Development Councils include the following counties:

- **Western New York:** Allegany, Cattaraugus, Chautauqua, Erie, Niagara
- **Finger Lakes:** Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, Yates
- **Southern Tier:** Broome, Chemung, Chenango, Delaware, Schuylar, Steuben, Tioga, Tompkins
- **Central New York:** Cayuga, Cortland, Madison, Onondaga, Oswego
- **Mohawk Valley:** Fulton, Herkimer, Montgomery, Oneida, Otsego, Schoharie
- **North Country:** Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, St. Lawrence
- **Capital Region:** Albany, Columbia, Greene, Saratoga, Schenectady, Rensselaer, Warren, Washington

- **Mid-Hudson:** Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester
- **New York City:** Bronx, Kings, New York, Richmond, Queens
- **Long Island:** Nassau, Suffolk

2022 Child Care Desert Grant Awards- Total Award amounts per child care program, distributed quarterly.

COMPONENT A: Day Care Centers/School Age Child Care: awards are calculated on a per licensed child care slot basis for increasing licensed capacity to up to 25 new slots.

Modality	Location	Base Award Amount per <u>New Slot</u> (up to 25 slots)	Possible Bonuses		Maximum Award Amount (25 new slots plus maximum bonuses for 25)
			Special Needs bonus per slot (up to 25 slots)	Infant/Toddler bonus per slot (up to 25 slots)	
Group Day Care (GDC)	New York City	\$9,000	\$3,000	\$3,000	\$375,000
Day Care Center(DCC)	Long Island RO and Westchester RO	\$9,000	\$3,000	\$3,000	\$375,000
	Rest of NY	\$7,000	\$3,000	\$3,000	\$325,000
School Age Child Care (SACC)	New York City	\$3,300	\$3,000	NA	\$157,500
	Long Island RO and Westchester RO	\$3,300	\$3,000	NA	\$157,500
	Rest of NY	\$2,500	\$3,000	NA	\$137,500

Component A awards are per slot, up to 25 slots, with the potential for bonuses for those new slots if they are infant/toddler or designated by a special needs child. Component A programs are not eligible for any bonuses for nontraditional hours. Infant/toddler slots or slots for children with special needs must have children enrolled by six months after the date of their pre-approval letter to continue to receive bonus payments. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive the per slot bonus until a children are enrolled in the infant/toddler and/or special needs slots. SACC programs will not receive bonus funds for infant/toddler care as they are not eligible to serve that population.

Component B: Small Day Care Center (SDCC)/Group Family Day Care (GFDC)/ Family Day Care (FDC): are calculated on a program basis for licensed capacity

Modality	Location	Base Award Amount <u>per</u> Program
Small Day Care Center (SDCC)	New York City	\$18,000
	Long Island RO and Westchester RO	\$18,000
	Rest of NY	\$14,000

Modality	Location	Base Award Amount <u>per</u> Program
Family Day Care (FDC)	New York City	\$18,000
	Long Island RO and Westchester RO	\$18,000
	Rest of NY	\$14,000
Group Family Day Care (GFDC)	New York City	\$30,000
	Long Island RO and Westchester RO	\$30,000
	Rest of NY	\$23,000

Component B awards are per program (only 1 award possible per program, with no bonuses) and programs qualify based on one(1) or more of the following criteria:

- 1) expanding the program to provide non-traditional hours care,
- 2) enrolling at least 1 special needs child by six months after the date of their pre-approval letter, or
- 3) enrolling at least 1 infant/toddler child by six months after the date of their pre-approval letter to continue to receive payments. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive payments again until children are enrolled in the designated infant/toddler and/or special needs slots.

If you are a Component B eligible program (SDCC/FDC/GFDC) that is already designated as providing nontraditional hour care, you can **only** apply under #2 and or #3 above (serving infant/toddlers or children with special needs) assuming you are underenrolled and without displacing existing children.

Allowable uses of the Child Care Desert Funding

For purposes allowed under the Federal guidelines and incurred from the date of the grant application submission, allowable uses of the Invest in NY grant award funds include:

- Program development costs and short-term program operating expenses, including but not limited to: Personnel costs, including payroll, salaries, similar employee compensation, employee benefits, retirement costs, educational costs, other child care business expenses; and supporting staff expenses in accessing COVID-19 vaccines; Rent (including under a lease agreement) or payment on any mortgage obligation, Utilities (heat, insurance, electricity). For Component B providers, expenses should align with their approved cost allocation methodology.
- Training and technical assistance expenses, including professional development, business trainings, and business services.

This Invest in NY Child Care RFA emphasizes the importance of paying a livable wage for child care staff. Providers cannot succeed unless there is an emphasis on recruiting, retaining and training staff to fill the needs of the program. Overwhelmingly, staff at child care programs are women, and over 30% are women of color, and in order to achieve equity, funding levels in this RFA must address fair workforce wages.

Workforce expenses are eligible expenses and applicants are encouraged to use funds to incentivize hiring, provide hiring bonuses, and other workforce expenses.

Examples of Allowable Expenses include, but are not limited to, the list provided in **Attachment 4, List of Allowable Expenses**

Building and Construction Funding

Funding available through this Emergency RFA cannot be used for major renovations or capital expenses, per Federal Child Care and Development Fund (CCDF) guidelines. Providers requiring capital funding will be assisted in identifying potential funding sources through their Regional Economic Development Councils and other potential sources.

Federal awarding agencies have certain responsibilities related to the federal awards they make. Code of Federal Regulations (CFR) Title 2 §200.210 of the “Pre-federal Award Requirements and the Contents of Federal Awards,” of the Office of Management and Budget (OMB) Uniform Guidance (2014) provides the federal award information that must be provided to each subrecipient of a federal award. OCFS has determined that awardees under this procurement are deemed Subrecipients as outlined in 2 CFR §200.330 for the purpose of carrying out a portion of a Federal award. OCFS is providing this information to assist the awardee meeting the Contract Provisions for Non-Federal Entities Appendix II to 2 CFR Part 200.

In addition, please review **Attachment 5 - ARPA Federal Grant Requirements**.

No payment advances will be allowed under this procurement.

As noted in **Section 1.5 OCFS Reserved Rights** above, OCFS reserves the right to place a monetary cap on the funding amount made in each award.

Grant Award Designations

Component A Eligible Programs:

1. Infant/Toddler Care:

Infant/Toddler slots are provided to a child between the ages of birth up to 36 months, or up to 24 months for NYC Article 47 day care centers. Such services and staffing must meet all regulatory and program requirements for this age group. NYC Article 47 day care centers are not eligible under this RFA if they are proposing to change age groups they are serving or add an additional age group that they are not currently licensed for (separate permits are needed to serve under three and over three). Those that are proposing to serve a different age group from their current program would need a new license and thus are eligible under RFA#1 for new licensees.

Component A eligible programs (DCC, GDC, and SACC) that increase their license capacity by up to 25 slots to serve infant/toddlers will be eligible to receive an additional \$3,000 per infant/toddler slot. To be eligible for this bonus, providers must provide staffing plan/work schedules, staff qualifications and staff attendance log documentation to meet the staff/child ratio for the awarded slots. In addition, the program must report on its quarterly report the number of new infant/toddlers enrolled for each quarter of the grant to receive the quarterly payment for providing these slots. Programs must reach full enrollment of their licensed capacity by six months after the date of their pre-approval letter or payments will be held until enrollment is achieved. Enrollment of infant/toddlers or special needs children in any slots designated for bonus awards must be achieved by six months after the date of their pre-approval letter to continue to receive bonus payments. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive the per slot bonus until a children are enrolled in the infant/toddler and/or special needs slots. SACC programs will not receive bonus funds for infant/toddler care as they are not eligible to serve that population.

2. Care for Children with Special Needs:

Component A eligible programs (DCC, GDC and SACC) who increase their license capacity by up to 25 slots to serve children with special needs will be eligible to receive an additional \$3,000 per slot, in line with the definition of children with special needs as defined in this RFA. To be eligible for this designation, providers must document partnership with either their local Early Intervention official, their local Committee on Preschool Special Education, or their school district's Special Education program or school district administrator overseeing 504 plan implementation. The grantee must provide on-site staffing for

those designated slots and ultimate enrollment in new special needs slots for children to receive the quarterly payment for providing these slots six months after the date of their pre-approval letter.

Programs must reach full enrollment of any slots designated for children with special needs by six months after the date of their pre-approval letter, to continue to receive bonus payments. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive the per slot bonus until children are enrolled in the special needs slots.

Component B Eligible Programs:

Component B eligible programs (SDCC/FDC/GFDC) can apply for an award if they agree to implement one or more of the following program changes:

1. Expand their program hours to include at least 15 hours per week of nontraditional hour care; or
2. Make available and eventually enroll by six months after the date of their pre-approval letter at least one infant/toddler ***assuming the program enrollment at the time of application is under its licensed capacity***; or
3. Make available and eventually enroll by six months after the date of their pre-approval letter at least one child with special needs ***assuming the program enrollment at the time of application is under its licensed capacity***.

If you are a Component B eligible program (SDCC/FDC/GFDC) that is already designated as providing nontraditional hour care, you can **only** apply under #2 and or #3 above (serving infant/toddlers or children with special needs) assuming you are underenrolled and without displacing existing children.

Please note: Award payments will only be made for new enrollments achieved by six months after the date of their pre-approval letter. Providers will not be eligible for payments if they release currently enrolled children to open up new infant/toddler or children with special needs slots. If enrollment is not achieved by six months after the date of their pre-approval letter, programs will not receive payments again until children are enrolled in the designated infant/toddler and/or special needs slots.

2.4 Term of Award & Payment Information (Amended 7/07/2022 and 7/14/2022)

Invest in NY Child Care awards are for up to one year and 10 months. Applicants will apply starting no earlier than ~~June 30~~ ~~July 18~~ **July 20**, 2022 and ending no later than ~~August 4~~ ~~August 22~~ **August 24**, 2022. Once award decisions are made, grant awardees will be sent a pre-approval letter.

For Component A eligible programs, upon license change approval, verification of SFS ID as provided or created through the application, and after applicants

are determined to be responsible by OCFS after submitting their Vendor Responsibility information, a formal award letter will be issued.

For Component B eligible programs, upon any necessary license change approval, and grantees have cleared all pre- and post-award requirements, they will be eligible to receive their first payment.

Upon award, grant payments can be applied to eligible project expenses that applicants paid beginning on the grant application submission date. Final grant payments will not be made after June 30, 2024.

Final award amounts and ongoing payments will not exceed the lower of the number of slots proposed as of the application submission date or the capacity approved for the license, and may be adjusted based on quarterly inspections per Section 4.1, Desired Outcomes and Program Requirements. Upon any necessary license change approval, grant payments can be applied to eligible project expenses that applicants paid beginning on the grant application submission date. Final grant payments will not be made after June 30, 2024.

Payment Information

Funding is currently anticipated to be available for the duration of the grant but depends on continued availability of federal funds which are not guaranteed. Providers may not begin to provide child care at an increased capacity prior to OCFS/ NYC DOHMH approval, and awardees cannot use the funds for any eligible expenses incurred prior to the grant application date (if awarded); OCFS has no obligation to pay for services rendered prior to that time. Payments cannot be made prior to formal grant award and completion of all pre- and post-award requirements including vendor responsibility. Programs must NOT be **displacing any existing children in care**.

For Component A eligible programs, the first of seven quarterly payments (1/7th of the award amount) will be approved after any licensed change is approved. Subsequent payments will be delivered quarterly after the license change has been issued to the program and all pre and post-award requirements are met. The additional payments will be made quarterly after the initial payment as long as the awardee is meeting all deliverables as indicated in **Section 4.1 Desired Outcomes and Program Requirements**. Bonus award amounts will be added once the quarterly certification is completed and enrollment information is confirmed, starting with the 2nd quarterly payment. Component A eligible programs that receive bonuses for infant/toddler care or serving children with special needs must have eligible children enrolled in care by six months after the date of their pre-approval letter, or the program will not receive payment for the third quarter and until enrollment is achieved and eligibility will be reviewed. Once enrollment is achieved, payments will restart to the program for any remaining quarters where enrollment is achieved. Providers must remain open, provide in-person care (or have staff on site to provide care for approved slots), be “in good standing” and whose quarterly inspection or desk review shows grant deliverables are met for the quarter. Providers must

submit any **Section 4.1** program deliverable documentation requested by OCFS within 30 days following the ending of each quarter completion and complete the OCFS quarterly certification within the OCFS grant system. Providers will be required to maintain documentation of all grant-related expenses but not required to submit documentation to OCFS unless requested to do so.

For Component B eligible programs, the first of the seven quarterly payments (1/7th of the award amount) will be made once all pre and post award requirements are met. If by six months after the date of their pre-approval letter the new enrollment of designated children (e.g. infant/toddlers, or children with special needs) has not occurred, the program will not receive payment for the third quarter and until enrollment is achieved and eligibility will be reviewed. Once enrollment is achieved, payments will restart to the program for any remaining quarters where enrollment is achieved. Providers must remain open, provide in-person care (or have staff on site to provide care for approved slots), be “in good standing” and whose quarterly inspection or desk review shows grant deliverables are met for the quarter. Providers must submit any **Section 4.1** program deliverable documentation requested by OCFS within 30 days following the ending of each quarter completion and complete the OCFS quarterly certification within the OCFS grant system. Providers will be required to maintain documentation of all grant-related expenses but not required to submit documentation to OCFS unless requested to do so.

Component A&B Programs

If programs close or reduce capacity before the end of the grant period, they will not be eligible for OCFS grant funds after the date of program closure or capacity reduction and will be required to return any unspent grant funds received to OCFS.

To be eligible for all award payments, all licensed providers must be “In good standing” and not in an ineligible status as defined in **Section 1.6 RFA Definitions**. Questions as to NYC enforcement status should be referred to NYC DOHMH.

Providers have until the award end date to make any payments for allowable Invest in NY Child Care Grant uses in accordance with the terms and conditions of this grant opportunity. All records relating to the program and funding must be maintained for 6 years after the end of the grant period, per Federal and State record retention rules.

3.0 MINIMUM QUALIFICATIONS TO APPLY (Amended on 6/06/2022)

3.1 Minimum Qualifications to Apply

Eligible Providers Must:

1. Be operating an existing licensed child care program ~~on or~~ before 1/28/22 that scores at least 30 points in categories A1-A4 in **Section 5.2 Application Content**. (Amended on 6/06/2022)

- **Notice is also required for any change in Taxpayer ID within 30 days of the change. Failure to notify OCFS of this change will risk the grant and associated payments being delayed or rescinded. Please note that some business organization changes require an application for a new license.**

2. Have contacted the assigned OCFS regulator about changes to program license and initiated the process for updating program specifics, if necessary, before submitting your application.

Or

For NYCDOHMH permitted Article 47 day care centers, have contacted the borough office regarding permit changes.

3. Component B Programs: Have documented program enrollment as of the date the grant portal is opened in the FAMS system by the date of application submission.
4. Be a Component A eligible program (Day Care Center or School-Age Child Care) program proposing to expand licensed capacity.

Or

Be a Component B eligible program (Small Day Care Center, Family Day Care, Group Family Day Care) and proposing one or more of the following:

- 1) expanding the program to provide non-traditional hours care,
- 2) enrolling at least 1 special needs child by six months after the date of their pre-approval letter, or
- 3) enrolling at least 1 infant/toddler child by six months after the date of their pre-approval letter.

Important Note: If you are a Component B program (SDCC/FDC/GFDC) that is already designated as providing nontraditional hour care, you can **only** apply under #2 and or #3 above (serving infant/toddlers or children with special needs) assuming you are under enrolled and without displacing existing children.

5. Certify they will meet certain requirements for the duration of the time they are receiving grant payments. Providers must attest in their application to all statements to be considered for award including all attestations in **Section 4.1**.

6. Attest willingness to accept families receiving child care subsidy as space permits. Providers will not be required to maintain families receiving subsidy throughout the duration of the grant if the families chose another provider.
7. Certify that within the first six months of the award, to develop a sustainability plan for after the award ends and will develop that plan in partnership with their CCR&R, OCFS, their Regional Economic Development Council (REDC) and other local and state stakeholders.
8. Certify that the organization will participate in annual meetings for Invest in NY Child Care awardees, focusing on technical assistance and support for programs, in addition to any regional awardee meetings for the duration of the grant term. These meetings, with OCFS, Council on Children and Families and other partners, will be scheduled in advance with enough notice to all providers.
9. Certify that the organization will complete business development trainings within the first year of the award. OCFS and their CCR&R will assist with providing resources of available trainings. Business development trainings may charge a fee, which is an allowable expense for this award.
10. Certify that the organization will work to coordinate the child care program with any relevant public school district implementing a Pre-K program, as applicable.
11. Certify that the organization will collaborate with the local maternal, infant, and early childhood home visiting program and/or actively discuss how the home visiting program could provide professional development/coaching to the child care program.
12. Certify that the organization will work to serve certain high-need populations, such as children experiencing homelessness and/or children in foster care, as appropriate.
13. Certify that the organization agrees to the workplan deliverables and program requirements in **Section 4.1, Desired Outcomes and Program Requirements**.

The following providers are NOT eligible to apply under this RFA:

- Programs that became newly licensed /registered/permitted on or after 1/28/2022
- Programs that do not meet requirements for expansion.
- NYC Article 47 day care centers are not eligible under this RFA if they are proposing to change age groups they are serving or add an additional age group that they are not currently licensed for (separate permits are needed to serve under three and over three). Those that are

proposing to serve a different age group from their current program and need a new license are eligible under RFA#1.

- Programs that receive 100% of their funding from public sources such as Head Start/Early Head Start or publicly-funded Pre-K programs are not eligible.

3.2 Vendor Responsibility Requirements (All Applicants)

Section 163(9)(f) of the NY State Finance Law requires that a state agency make a determination that an applicant is responsible prior to awarding that applicant a state contract. Vendor responsibility will be determined based on the information on-line and information provided by the applicant, on-line, through the Invest in NY Child Care grant application. For all awards, a limited portion of questions will be required to be answered by providers. OCFS will review the information provided before making an award.

OCFS reserves the right to reject any application if, in its sole discretion, it determines the applicant is not a responsible vendor. All applications are subject to a vendor responsibility determination before the formal grant award is made, and such determination can be revisited at any point prior to each grant payment. Vendors must maintain their vendor responsibility throughout the duration of the award.

4.0 PROGRAM REQUIREMENTS (Amended on 6/06/2022)

4.1 Desired Outcomes and Program Requirements (Amended on 6/06/2022)

To fulfill the goal of the initiative, programs will be approved to expand and make changes to their child care program license to increase the availability of child care access to the children and families of New York State. Programs will be inspected on a quarterly basis by the applicable oversight agency for their modality and region. The program must cooperate with local authorities on this inspection process and have all of the documentation listed in the Invest in NY Child Care Grant Program Deliverables chart below available on their assigned inspection dates.

The programs will adhere to all applicable rules and laws outlined in the NYS regulations which are available at <https://ocfs.ny.gov/programs/childcare/regulations/> or NYC DOHMH requirements for NYC GDC programs which are available at <https://www1.nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page>. Programs will have the required space and staff to accommodate the slots awarded under the grant. Staff must be present as documented by staff work schedule plans and attendance logs.

Programs will continually attempt to meet and maintain full enrollment and attendance throughout the grant period. The program will engage

with their local Child Care Resource and Referral Agency to assist in this goal.

For both Component A and Component B eligible programs, those applicants that are awarded pre-approval for Invest in NY Child Care grants must complete any necessary change to their license to receive final approval for funding. Applicants granted pre-approval must make any necessary changes to their license and be granted approval for the changes within 60 days from the date on the grant pre-approval letter unless there are extenuating circumstances and the provider submits documentation demonstrating that the delay is out of the providers control for OCFS final determination. OCFS will apply the same review criteria to all provider submissions. Once the required license change(s) is granted, OCFS will proceed with the Vendor Responsibility review and award process for the Invest in NY Child Care Grant funding to providers deemed responsible. If the license changes are not granted within 60 days (from the date on the grant pre-approval letter), OCFS reserves the right to withdraw its pre-approval and funding.

Please note: If the license changes are not approved within 60 days but the applicant is deemed eligible for the grant award, applicants will not be operating at the funded level, which means they may not meet the grant deliverables to receive all payments and their total potential award. This is because the grant period ends on 6/30/2024 and no payments may be made beyond this date.

To be eligible to receive an award from OCFS, the provider must remain “In good standing” which is defined as a child care program that is licensed and at the time of the signing of the attestation is not the subject of an active enforcement action by OCFS or the NYCDOHMH.

QUALITYstarsNY Participation: (Amended 6/06/2022)

QUALITYstarsNY is New York’s Quality Rating and Improvement System (QRIS) for early childhood programs, and is designed to assess, improve, and sustain early care and education quality in all licensed programs. **Child care programs that are awarded Invest in NY Child Care Grant Program funds must apply for QUALITYstarsNY.** Once selected for participation, programs must enroll and participate in QUALITYstarsNY for the duration of the grant period. Programs that receive Invest in NY Child Care funds and do not participate in QUALITYstarsNY once selected, may jeopardize their grant award. School Age Child Care (SACC) programs are not currently eligible to participate in QUALITYstarsNY, but SACC programs will be required to apply once available.

QUALITYstarsNY participants benefit from a variety of resources, at no cost, to support them to establish new programs or classrooms that meet high-quality standards. The features of participating include, but are not limited to, the following:

- ~~Intensive technical assistance and support to rapidly address foundational and regulatory issues and get on the path to providing high quality early childhood education opportunities;~~
- Frequent contact with a designated Quality Improvement Specialist, an expert in the early childhood field, who will work closely with program leadership to define quality goals and to provide regular support;
- Access to high quality materials, supplies, and equipment to improve the learning environment; and
- Individualized professional development and training opportunities on various early childhood topics.

In collaboration with their Quality Improvement Specialist, the program leader will identify tailored strategies and resources needed to meet their goals, ~~ultimately leading to a transition to QUALITYstarsNY,~~ to continue the development of the program and receive their initial Star rating.

Providers must apply to QUALITYstarsNY for participation in QualityStarsNY, within 30 days of their receiving the final award notification. The Aspire Registry is the first step to applying to QUALITYstarsNY, and grantees will join the Aspire Registry for New York’s Early Childhood Workforce by first creating an Organization Account for their program. For information on how to create an Organization Account, please visit nyworksforchildren.org.

More information and directions on how to apply for QUALITYstarsNY can be found here: ~~<https://qualitystarsny.org/providers/start-with-stars/>~~
<https://qualitystarsny.org/>.

Invest in NY Child Care Grant Program Deliverables

Component A programs: (GDC, DCC, SACC)

Deliverable	Criteria	How Deliverable is Measured
License change reflected	Program receives changes on their operating license	Changes to existing license are granted by OCFS/DOHMH
Deliverable 1: Program is open and operating.	<input type="checkbox"/> Staff attendance logs <input type="checkbox"/> Staffing plan/work schedules	<input type="checkbox"/> Program/room must have the required staffing ratio of dedicated staff <input type="checkbox"/> Qualified staff employed and working during hours of operation includes number of staff required by regulation in the assigned room as awarded. <input type="checkbox"/> Program must stay in ‘active’ status (not including temporary closures related to

Deliverable	Criteria	How Deliverable is Measured
		COVID Quarantine or vacation days) <ul style="list-style-type: none"> <input type="checkbox"/> Program must meet the space/room size requirements for slots approved. <input type="checkbox"/> Program/ room number of staff and children present are in accordance with regulations
Deliverable 2: Program in good standing.	<ul style="list-style-type: none"> <input type="checkbox"/> Childcare Facility System (CCFS) or Child Care Activities Tracking System (CCATS) records checked to see if Program is in good standing. See Section 1.7 for definition of In Good Standing. <p><u>In Good Standing</u> is a licensed child care program in a payable status that is not the subject of certain enforcement actions by OCFS or the New York City Department of Health and Mental Hygiene (DOHMH).</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The program's enforcement status will be reviewed during the quarterly recertification process by OCFS staff or designee.
Deliverable 3: Program has applied and/or is actively engaged in QUALITYStarsNY (excludes SACC, until program is available).	<ul style="list-style-type: none"> <input type="checkbox"/> Application for QUALITYstarsNY within 30 days of final award notice <input type="checkbox"/> Standards inventory complete <input type="checkbox"/> Quality improvement plan (QIP) <input type="checkbox"/> Other supporting documents demonstrating active engagement with QualityStarsNY such as meetings with Quality improvement specialist, professional development certificates as outlined in QIP and as documented by Quality Stars staff. 	<ul style="list-style-type: none"> <input type="checkbox"/> Programs work with their Quality Improvement Specialist to create a Quality Improvement Plan (QIP) to address the areas for improvement that were identified during the rating process and set quality improvement goals. QUALITYstarsNY will provide OCFS with a list of participating programs monthly. <p>As of RFA release, SACC programs are not eligible to apply for QUALITYStarsNY. If/when the option becomes</p>

Deliverable	Criteria	How Deliverable is Measured
		available, all SACC programs must apply.
Deliverable 4: Staff completed training in compliance with OCFS regulations and/or Article 47 requirements.	<input type="checkbox"/> Training records reviewed for compliance off-site or during quarterly inspections for staff related to grant award	<input type="checkbox"/> Staff must be compliant with pre-service and ongoing training requirements. **Programs must meet all licensing requirements including training requirements.
Deliverable 5 (if applicable to award): Infant/toddler slots - Bonus slots must be filled by six months after the date of their pre-approval letter (birth up to 36 months or birth to 24 months for NYC) as reflected in grant award.*	<input type="checkbox"/> Staff attendance logs <input type="checkbox"/> Staffing plan/work schedules <input type="checkbox"/> Staff qualifications <input type="checkbox"/> Child enrollment documentation for Infant/Toddler slots, if children enrolled or to document slots available	Program's licensed/permitted capacity and staffing for compliance related to grant funded positions and slots. Slots must be filled by six months after the date of their pre-approval letter.
Deliverable 6: (If applicable to award) Care is available and to children with special needs, as outlined in grant award, with ultimate enrollment six months after the date of their pre-approval letter	<input type="checkbox"/> Child enrollment documentation for those identified with Special needs <input type="checkbox"/> Individual Family Services Plan (IFSP) as part of the Early Intervention program, or an approved Individualized Education plan (IEP) for the child(ren) or an approved 504 accommodation plan as part of their school district.	Program has contacted their Early Intervention Official and/or Committee on Preschool Special Education/Special Education, as evidenced by a letter on letterhead from one of the offices listed above or Program must have child(ren) actively enrolled and providing care to them by six months after the date of their pre-approval letter.

All programs must meet and continue to meet all licensing requirements throughout the period. Grant deliverables do not replace licensing requirements. Not achieving grant deliverables impacts only the grant award and does not absolve the provider from not meeting licensing requirements.

Component B: SDCC/FDC/GFDC Home Based Programs and Small Day Care Center (SDCC): (FDC, GFDC)

Deliverable	Criteria	How Deliverable is Measured
Online FAMS profile shows current enrollment as of the date this grant is issued	Current online profile indicates availability for enrollment	FAMS profile for CCFS ID shows availability for enrollment at the date the grant portal is opened in the FAMS system by the date of application submission
License change is reflected, if necessary	Program receives changes on its operating license	Changes to existing license are granted by OCFS
Deliverable 1: Program is open and operating.	<input type="checkbox"/> Staff attendance logs <input type="checkbox"/> Staffing plan/work schedules	<input type="checkbox"/> Program/room must have the required staffing ratio of dedicated staff <input type="checkbox"/> Qualified staff employed and working during hours of operation includes number of staff required by regulation in the assigned room as awarded. <input type="checkbox"/> Program must stay in 'active' status (not including temporary closures related to COVID Quarantine or vacation days) <input type="checkbox"/> Program must meet the space/room size requirements for slots approved. <input type="checkbox"/> Program/ room number of staff and children are present in accordance with regulations
Deliverable 2: Program is in good standing	<input type="checkbox"/> Childcare Facility System (CCFS) or Child Care Activities Tracking System (CCATS) records checked to see if Program is in good standing. See Section 1.7 for definition of In Good Standing. <u>In Good Standing</u> is a licensed child care program in a payable status that is not the subject of certain enforcement actions by OCFS or the New York City Department of Health and Mental Hygiene (DOHMH).	<input type="checkbox"/> The program's enforcement status will be reviewed during the quarterly recertification process by OCFS staff or designee.

Deliverable	Criteria	How Deliverable is Measured
<p>Deliverable 3: Program has applied and/or is actively engaged in QUALITYStarsNY</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Application for QUALITYstarsNY within 30 days of final award notice <input type="checkbox"/> Standards inventory complete <input type="checkbox"/> Quality improvement plan (QIP) <input type="checkbox"/> Other supporting documents demonstrating active engagement with QualityStarsNY such as meetings with Quality improvement specialist, professional development certificates as outlined in QIP and as documented by Quality Stars staff. 	<ul style="list-style-type: none"> <input type="checkbox"/> Programs work with their Quality Improvement Specialist to create a Quality Improvement Plan (QIP) to address the areas for improvement that were identified during the rating process and set quality improvement goals. QUALITYstarsNY will provide OCFS with a list of participating programs monthly.
<p>Deliverable 4: Staff completed training in compliance with OCFS regulations and/or Article 47 requirements.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Training records reviewed for compliance off-site or during quarterly inspections for staff related to grant award 	<ul style="list-style-type: none"> <input type="checkbox"/> Staff must be compliant with pre-service and ongoing training requirements. <p>**Programs must meet all licensing requirements including training requirements.</p>
<p>Deliverable 5: (if applicable to award) Non- traditional hours are available as reflected in grant award.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Staff work schedules <input type="checkbox"/> Staff attendance logs <input type="checkbox"/> Documentation of fire drills and/or shelter in place drills <input type="checkbox"/> Request for additional shift of care <p>Child enrollment documentation for non-traditional hours</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Program is open and operating with required staff ratio to provide in the non-traditional hours to the number of slots stated in the application. <input type="checkbox"/> At least one of the quarterly inspections will occur during the nontraditional hours stated in the application.
<p>Deliverable 6: (if applicable to award) Care is available and ultimately enrolled by six months after the date of their pre-approval letter to child with special needs.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Child enrollment documentation for those identified with Special needs <input type="checkbox"/> Individual Family Services Plan (IFSP) as part of the Early Intervention program, or an approved Individualized Education plan (IEP) for the child(ren) or an approved 504 accommodation plan as part of their school district. 	<p>Program has contacted their Early Intervention Official and/or Committee on Preschool Special Education/Special Education, as evidenced by a letter on letterhead from one of the office(s) listed above.</p> <p>Program has updated enrollment in OCFS FAMS system, regarding current enrollment.</p>

Deliverable	Criteria	How Deliverable is Measured
		Program must have child(ren) actively enrolled and providing care to them by six months after the date of their pre-approval letter.
Deliverable 7: (if applicable to award): Infant/toddler slot is available and ultimately enrolled by six months after the date of their pre-approval letter as outlined in grant award.	<input type="checkbox"/> Staff attendance logs (as applicable) <input type="checkbox"/> Staffing plan/work schedules (as applicable) <input type="checkbox"/> Staff qualifications (as applicable) <input type="checkbox"/> Child enrollment documentation for Infant/Toddler slots, for existing and new enrollments	Program's licensed/permitted capacity and staffing for compliance related to grant funded positions and slots. Program must have enrollment availability at the time of application, as documented in the FAMS system. Newly enrolled infant/toddler must be enrolled by six months after the date of their pre-approval letter.

Reduction(s) of quarterly funding for Component A & B Programs:

- If deliverables one (1) and two (2) are not met, the program will not receive any quarterly funding allocations for each quarter they do not meet the deliverables. Programs that have a status of ineligible will not receive any funding for the quarters they are in this status.
- Programs not meeting the requirements for deliverable three (3) and/or four (4) will receive a 25% reduction of that quarterly award for each deliverable not met.
- Programs that do not achieve the new enrollment of infant/toddlers and/or children with special needs (or non-traditional hours for Component B programs) by six months after the date of their pre-approval letter will not receive payment for the third quarter and will not be paid until enrollment is achieved and eligibility is reviewed. Once enrollment is achieved, payments will restart to the program for any remaining quarters where enrollment is achieved. If those programs do not achieve by the fourth quarter, their award may be rescinded to fund other eligible programs.

Please Note: The addition of infant/toddler and/or children with special needs **cannot be accomplished by displacing existing children from care.**

Quarterly Inspections for Awardees

All awarded providers will receive quarterly onsite inspections by the OCFS Regional Office in their region or NYC DOHMH, depending on status. Site visits will include a review of the program deliverables mentioned above. In the event an inspection is not possible, the documents identified in the “How Deliverable is measured” chart above must be submitted by the program for quarterly claiming. Attachment 6, Ongoing Eligibility Report provides the checklist that OCFS or DOHMH staff will use to perform the quarterly onsite inspections.

OCFS reserves the right to require programs to submit the documentation required in the Invest in NY Child Care Grant Program Deliverables chart above and all program records at any time throughout the grant period and for six (6) years following the end of the grant period. Programs may be subject to audit during or after the grant period.

Attestations for Providers

Child care providers must certify they will meet regulatory and other grant requirements for the duration of the time they are receiving grant payments. Providers must attest in their application to all statements in order to be considered for award and to receive quarterly payments under the grant.

As a recipient of the Invest in Child Care grant, I attest that I will:

- Meet all grant requirements for the duration of the time I am receiving grant payments.
- Have contacted the OCFS assigned regulator about any necessary changes to program license and initiated the process for updating program license to reflect capacity or other changes by the application date. Or, for NYCDOH/MH permitted Article 47 day care centers, have contacted their borough office regarding any changes.
- Accept families receiving child care subsidy, as space permits.
- Will develop a sustainability plan for after the grant term date to encourage long term success, within the first six months of the grant
- Commit to meeting all workplan deliverables and providing any necessary documentation regarding deliverables.
- Will participate in annual meetings for Invest in NY Child Care awardees, focusing on technical assistance and support for programs, in addition to any regional awardee meetings for the duration of the grant term. These meetings, with OCFS, Council on Children and Families (CCF) and other partners, will be scheduled in advance with enough notice to all providers.
- Within 30 days of being issued the final grant award, I will join the Aspire Registry and apply to QUALITYstarsNY.
- I will notify the Office of Children and Family Services (OCFS) within seven (7) days of any changes to information provided in this application, including, but not limited to,
 - the closure of my child care program,
 - change in the active status of my program including but not limited to enforcement action and voluntary inactive status

- I understand that if my child care program permanently closes during the grant period, I must return all unspent funds and am no longer eligible to receive any additional grant payments. I understand that funding can be used until 9/30/24 as long as the program is open and serving children
- I agree that my program will comply with all OCFS regulations and New York State Department of Health guidance, and New York City Department of Health and Mental Hygiene regulations if applicable, and maintain good standing (as defined in this RFA) and, to the greatest extent possible, implement policies in line with guidance from the Centers for Disease Control and Prevention (CDC) (available at <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-forchildcare.html>).
- **I understand that I cannot displace existing children currently receiving care to accomplish the requirements of this grant award.**
- **If a Component B eligible program, I understand that to continue to receive award payments, the program must enroll new: Infant/Toddler, or special needs child(ren) by six months after the date of their pre-approval letter. If this has not occurred, I realize the program will not receive payment for the third quarter nor until enrollment is achieved for the months enrollment was achieved.**
- If I am a Component A eligible program receiving the Infant/Toddler or Special Needs bonus funding, I commit to ensuring those funded slots have children enrolled by six months after the date of their pre-approval letter to these children.

To comply with all audit and monitoring requirements of this grant and project, as a recipient of this grant, I understand and agree to the following statements:

- OCFS or its agents may monitor this application and use of funds to ensure the accuracy of the information that I have provided and the proper use of funds.
- I understand that at any time, I may be asked to produce records for verification including receipts and proof of payment purposes upon audit of any Invest in NY Child Care funds.
- I agree to provide information and supporting documents as requested.
- I agree to provide, for audit purposes, access to the child care facility for which this application is submitted, information and documentation related to the application and use of funds, and access to interview child care staff members in connection with this application and the use of funds received.
- I must retain supporting documentation for a period of six (6) years following the last quarter for which funding was provided and promptly submit it to OCFS upon request.
- I understand that providing false or inaccurate information on this application or improper use of funds will result in the return or repayment of funds. I agree to repay funds as required by OCFS.
- I agree to report the use of funds received to OCFS or its agents upon request.

- I agree I will not reduce salary or benefits to employees of my child care program for the duration of the grant term. For each employee of the child care program, I agree to pay at least the same amount in weekly wages and maintain the same benefits (such as health insurance and retirement, if applicable) for the duration of this grant.
- I agree to prevent any involuntarily furlough of employees from the date of application submission through the duration of the grant period, to the extent possible.
- I agree to provide relief from copayments and tuition payments for the families enrolled in my child care program, to the extent possible, and prioritize such relief for families struggling to make either type of payment.
- I agree that I cannot use Invest in NY Child Care funds to pay for expenses expressly covered by another external source or grant, e.g., the Child Care Stabilization grant, the Paycheck Protection Program (PPP), or to supplant other federal or state funds.
- I must spend all Invest in NY Child Care funds by September 30, 2024.
- **I certify that grant funds will be used in accordance with Federal guidelines with eligible expenses incurred since the date of grant application submission.**
- **I certify that I understand the grant funds cannot be used for major renovations or capital expenses, per Federal CCDF guidelines. Support for renovations and construction activities may be available through my Regional Economic Development Council and other sources.**

Applicants will sign and attest in the grant application portal that all information is true and accurate to the best of their knowledge.

Applicants will attest in the grant application portal that they have read and agree to the terms and conditions and are an authorized person to submit this application.

4.2 Accessibility of Web-Based Information and Applications

Any web-based Intranet and Internet information and applications development or programming delivered pursuant to this procurement must comply with New York State Enterprise IT Policy NYS-P08-005, Accessibility Web-Based Information and Applications, and New York State Enterprise IT Standard NYS-S08-005, Accessibility of Web-Based Information Applications, as such policy or standard may be amended, modified or superseded, which requires that state agency web-based intranet and internet information and applications are accessible to persons with disabilities. Web content must conform to New York State Enterprise IT Standards NYS-S08-005 as determined by quality assurance testing. OCFS will conduct such quality assurance testing and the test results must be satisfactory to OCFS before web content will be considered a qualified deliverable under the contract or procurement.

5.0 APPLICATION CONTENT AND SUBMISSION (Amended on 6/06/2022)

5.1 Application Content and Scoring

NOTE: This section describes the application process, what you need to submit in your application and how answers will be scored. Please refer to **Section 5.3 Application Submittal Process**, for information on how to submit your application.

Grant Application Process

Step 1: Review Grant Requirements: Review this document thoroughly.

Step 2: Determine the projected expansion of the program:

For Component A eligible programs determine the expansion of the licensed capacity and/or the possibility of offering care to children with special needs, infant/toddler care. Awards will be final after any license changes are approved. **If a program cannot expand their existing license to add additional slots, they will be consider not eligible for an award.**

For Component B eligible programs, consider providing one (1) or more of the following:

- 1) expanding program hours to include non-traditional hours care,
- 2) enrolling at least 1 special needs child by six months after the date of their pre-approval letter, or
- 3) enrolling at least 1 infant/toddler child by six months after the date of their pre-approval letter.

Important Note: If you are a Component B program (SDCC/FDC/GFDC) that is already designated as providing nontraditional hour care, you can **only** apply under #2 and or #3 above (serving infant/toddlers or children with special needs) assuming you are under enrolled and without displacing existing children.

Step 3: Contact your regulator regarding capacity questions: For questions regarding your licensed capacity and space limitations, please contact your regulator. Prior to applying, programs must have initiated the process with their OCFS regulator or NYC DOHMH borough office for updating changes to license.

Step 4: Grant Application Submission: Providers will complete an online application to provide details on their proposed program and how it will address child care deserts in their area of the State.

OCFS and the Council on Children and Families (CCF) have created an online mapping tool outlining the Census Tracts in NYS that are child care deserts as well as a potential score on this RFA should a program apply from that area. All applicants should review the REDC Child Care Deserts Map carefully for more details on their proposed program site: https://bit.ly/cc_deserts

OCFS will review each grant application against a set of scoring criteria in **Section 5.1, Application Content and Scoring** and available funding as described in **Section 2.3, Purpose and Funding Availability** to determine whether the application can be granted pre-approval.

Important Notes:

- Applicants must submit one (1) application per facility ID in response to this RFA.
- Pre-approval is not a guarantee of funding, applicants must have an approved license change, as applicable, and be deemed responsible for the proposed program to be issued a formal award.

Step 5: Licensing and Pre-Award Requirements: Once granted pre-approval, providers must complete the process for any necessary proposed request for license change to receive funding. A license change must be granted within 60 days (from the date on the grant pre-approval letter) to the provider unless there are extenuating circumstances and the provider submits documentation demonstrating that the delay is out of the providers control for OCFS final determination. Once the required license increase is granted, OCFS will proceed with the Vendor Responsibility review process for the Child Care Desert Grant funding.

Please note: If the license change is not granted within 60 days but the applicant is deemed eligible for the grant award, applicants will not be able to meet the grant deliverables to receive all payments. This is because the grant period ends on 6/30/2024 and no quarterly payments may be made beyond this date.

Component A applicants with an increased license capacity and who meet all pre-award requirements will receive a formal letter informing them of their award based on their approved increase in licensed capacity. If an applicant with pre-approval is not able to be licensed for an increase, OCFS will rescind their pre-approval and no award will be made to the program. Component B programs who meet all pre-award requirements will receive a formal letter informing them of their award.

To be approved for formal award and payment, all programs must be in good standing with OCFS or NYC DOHMH, be deemed a responsible vendor by OCFS and must agree to follow all regulations promulgated by OCFS, the New York State Department of Health, and NYC DOHMH, if applicable, regarding the COVID-19 pandemic as well as other grant reporting requirements. Grant payments made directly to the child care provider will be based on the type of program, increase in capacity allowed under the license, and adjusted for geography as noted in **Section 2.3**.

5.2 Application Content (Amended on 6/06/2022)

The application will consist of responses to the following questions in the Application. These will be found in the online application available on the OCFS website at the date of the Application Submission Start Date.

Applicants must complete all of the questions for the application to be considered complete.

Eligibility Questions:

Please review and respond to **Eligibility Questions** carefully. See RFA **Section 3.1 Minimum Qualifications to Apply** for additional information regarding requirements. These questions must be answered in the grant opportunity portal available on the OCFS website on the Application Submission Start Date. **There will not be a written application, do not submit paper applications. Applications will only be accepted via the application portal available on the OCFS website.**

No.	Question	Yes/No
1. Minimum Qualifications to Apply - Eligibility Questions		
1a.	Are you an existing licensed child care program, on or before 1/28/22 and have you scored at least 30 points in categories A1-A4 in Section 5.2 Application Content ?	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1b.	Have you contacted the assigned OCFS regulator about changes to program license and initiated the process for updating program specifics, if necessary, before submitting your application? Or If you are a NYCDOHMH permitted Article 47 day care center, have you contacted the borough office regarding permit changes?	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1c.	If you are a Component B Program, have you documented program enrollment as of the date the grant portal is opened in the CCFS/FAMS system by the date of application submission?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <input type="checkbox"/> N/A
1d.	Are you a Component A eligible program (DCC, SACC) proposing to expand licensed capacity? Or Are you a Component B eligible program (SDCC, FDC, GFDC) and proposing one or more of the following: 1) expanding to provide non-traditional hours care, 2) enrolling at least one special needs child by six months after the date of their pre-approval letter, or 3) enrolling at least one infant/toddler child by six months after the date of their pre-approval letter. Important Note: If you are a Component B program (SDCC, FDC, GFDC) that is already designated as providing nontraditional hour care, you can only apply	<input type="checkbox"/> Yes <input type="checkbox"/> No*

	under #2 and or #3 above (serving infant/toddlers or children with special needs) assuming you are under enrolled and without displacing existing children.	
1e.	I certify that I will meet certain requirements for the duration of the time I am receiving grant payments. I attest in my application to all statements to be considered for award including all attestations in Section 4.1	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1f.	I attest willingness to accept families receiving child care subsidy as space permits. Providers will not be required to maintain families receiving subsidy throughout the duration of the grant if the families chose another provider.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1g.	I certify that within the first six months of the award, to develop a sustainability plan for after the award ends and will develop that plan in partnership with my CCR&R, OCFS, my Regional Economic Development Council (REDC) and other local and state stakeholders.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1h.	I certify that the organization will participate in annual meetings for Invest in NY Child Care awardees, focusing on technical assistance and support for programs, in addition to any regional awardee meetings for the duration of the grant term. These meetings, with OCFS, Council on Children and Families and other partners, will be scheduled in advance with enough notice to all providers.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1i.	I certify that my organization will complete business development trainings within the first year of the award. OCFS and their CCR&R will assist with providing resources of available trainings. Business development trainings may charge a fee, which is an allowable expense for this award.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1j.	I certify that my organization will work to coordinate the child care program with any relevant public school district implementing a Pre-K program, as applicable.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1k.	I certify that my organization will collaborate with the local maternal, infant, and early childhood home visiting program and/or actively discuss how the home visiting program could provide professional development/coaching to the child care program.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1l.	I certify that my organization will work to serve certain high-need populations, such as children experiencing homelessness and/or children in foster care, as appropriate.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
1m.	I certify that my organization agrees to the workplan deliverables and program requirements in Section 4.1., Desired Outcomes and Program Requirements.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
Application Submission Requirements		
1.	By submission of a proposal, I agree not to make any claims for or have a right to any damages because of any misrepresentations or misunderstanding of the specifications or because of any lack of information.	<input type="checkbox"/> Yes <input type="checkbox"/> No *

3.	I certify that all information provided in connection with this application is true and accurate.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
4.	I understand that proposals that do not provide all the documents requested in RFA Section 5.0 APPLICATION CONTENT AND SUBMISSION and/or are not submitted as required by the instructions provided in RFA Section 5.3 Application Submittal Process may be subject to rejection.	<input type="checkbox"/> Yes <input type="checkbox"/> No *
* A “No” response to any Eligibility Questions or applicant submission requirements in this section or failure to submit the required documentation with your application may result in disqualification of your application.		

Application General Information Questions: Below is other information needed for the Invest in NY Child Care grant application, which will be in an online portal.

No.	Question	Response
2. Primary Contact Information		
The primary contact should be the applicant’s executive director or other authorized individual who will receive official notifications from OCFS regarding this procurement.		
2a.	Provide the PREFIX (Mr./Ms./Dr./etc.) of the primary contact.	Text Field
2b.	Provide the FIRST NAME of the primary contact.	Text Field
2c.	Provide the LAST NAME of the primary contact.	Text Field
2d.	Provide the JOB TITLE of the primary contact.	Text Field
2e.	Provide the STREET ADDRESS of the primary contact.	Text Field
2f.	Provide the CITY of the primary contact.	Text Field
2g.	Provide the STATE of the primary contact.	Text Field
2h.	Provide the ZIP CODE of the primary contact.	Text Field
2i.	Provide the PHONE NUMBER of the primary contact.	Text Field
2j.	Provide the EMAIL ADDRESS of the primary contact.	Text Field
3. Person Authorized to sign a contract for the organization		
The secondary contact is another authorized individual who will receive official notifications from OCFS regarding this procurement.		
3a.	Provide the PREFIX (Mr./Ms./Dr./etc.) of the secondary contact.	Text Field
3b.	Provide the FIRST NAME of the secondary contact.	Text Field
3c.	Provide the LAST NAME of the secondary contact.	Text Field
3d.	Provide the JOB TITLE of the secondary contact.	Text Field
3e.	Provide the STREET ADDRESS of the secondary contact.	Text Field
3f.	Provide the CITY of the secondary contact.	Text Field
3g.	Provide the STATE of the secondary contact.	Text Field
3h.	Provide the ZIP CODE of the secondary contact.	Text Field
3i.	Provide the PHONE NUMBER of the secondary contact.	Text Field
3j.	Provide the EMAIL ADDRESS of the secondary contact.	Text Field
4. Administrative Questions		
4a.	Have you completed the Vendor Responsibility Questionnaire? (See RFA Section 3.2 Vendor Responsibility Requirements (All Applicants)). I have uploaded any supporting documentation required by the questionnaire.	<input type="checkbox"/> Yes <input type="checkbox"/> No

4b.	Do you understand that OCFS recommends submitting your application well in advance of the Deadline for Submission of Applications ? Waiting until the last day to submit your application is NOT RECOMMENDED. (See RFA Section 1.2 Calendar of Events and Section 5.3 Application Submittal Process .)	<input type="checkbox"/> Yes <input type="checkbox"/> No
4c.	Do you understand that a “No” response to any Eligibility Questions MAY RESULT IN THE DISQUALIFICATION OF YOUR APPLICATION? Please review your responses to these questions carefully. (See RFA Section 3.1 Minimum Qualifications to Apply and Section 5.2 Application Content .)	<input type="checkbox"/> Yes <input type="checkbox"/> No
4d.	Do you understand that you MUST NOT UPLOAD PASSWORD PROTECTED OR SECURED DOCUMENTS? ENSURE ALL PASSWORDS ARE REMOVED BEFORE UPLOADING TO THE APPLICATION. If an uploaded document cannot be viewed, THE APPLICATION MAY BE DISQUALIFIED.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4e.	Have you DOUBLE CHECKED to make sure all documents are uploaded to your application? APPLICANTS ARE RESPONSIBLE FOR VERIFYING ALL UPLOADED DOCUMENTS ARE COMPLETE, CORRECT, VIEWABLE, AND COMPLY WITH THE REQUIREMENTS OF THE RFA. OCFS recommends performing this verification before submitting your application. Your verification may include, but is not limited to: signatures, dates, required fields, confirming all pages are included, text is legible, scanner artifacts, necessary information, etc. If an uploaded document does not meet the requirements of the RFA, THE APPLICATION MAY BE DISQUALIFIED. We will not be able to issue pre-approval to organizations if you have not submitted all responses to the limited Vendor Responsibility All required supporting documentation must be uploaded as well.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Program Application Questions (Up to 100 points)

Please refer to **Section 5.1 Application Content and Scoring** for additional information and guidelines regarding these questions.

Scoring of Grant Applications:

Grants will be scored separately by program type (modality) based on the scoring matrix below that includes whether the proposed program:

1. Is in a high, medium or low level of child care desert census tract
2. Is in a REDC with a high medium or low rate of desert
3. Is in an area with a high score on Diversity Index1

4. Serves a high poverty neighborhood, as identified by the percentage of families at or below 200% Federal Poverty Level.

No.	Question	Max. Points
A1.	What level of desert census tract is the proposed program located in? <ul style="list-style-type: none"> • High (Desert with no child care and > 49 children) – 40 points • Medium (Desert with > 10.0 children per slot) – 35 points • Low (Desert with 3.01-9.99 children per slot, or desert with no child care and < 50 children) – 30 points • Not a desert - 0 points 	40
A2.	Is the proposed program in a REDC with high rate of Desert Census Tracts (CTs)? <ul style="list-style-type: none"> • High ($\geq 68.0\%$) - 20 points • Medium (64.0-67.9%) - 15 points • Low ($\leq 63.9\%$) CT's desert – 10 points 	20
A3.	Area of High Diversity, per Diversity Index <ul style="list-style-type: none"> • High (50.0-100 Diversity Index) – 20 points • Medium (25.0-49.9 Diversity Index) – 14 points • Low (<25.0 Diversity Index) – 6 points 	20
A4.	Area with High Rate of Children living below 200% of Federal Poverty Level <ul style="list-style-type: none"> • High (25.0-100% of Families Under 200% Poverty) – 20 points • Medium (10.0-24.99% of Families Under 200% Poverty) – 14 points • Low (0-9.99% of Families Under 200% Poverty) – 6 points 	20
MAXIMUM POSSIBLE SCORE		100

If there are tie scores among applicants, ties will be resolved by awarding in date/time order of application submission.

To review the potential score of any given area of the state, review the REDC Child Care Desert map, created by OCFS and Council on Children and Families: https://bit.ly/cc_deserts

REDC	Percent of census tracts in REDC that are "deserts"	Average number of children under 5 yrs per cc slot*	Number of Children Under 5 yrs in REDC	Proportion of NY Population Under 5 yrs in REDC
Capital Region	68.1%	7.7	54,878	4.8%
Central NY	70.2%	9.8	42,458	3.7%
Finger Lakes	66.2%	9.0	64,872	5.6%
Long Island	62.6%	7.1	154,027	13.3%
Mid-Hudson	59.5%	7.4	135,400	11.7%
Mohawk Valley	70.5%	8.5	25,853	2.2%
New York City	57.3%	5.6	544,971	47.2%
North Country	72.1%	8.6	24,303	2.1%
Southern Tier	73.1%	10.4	32,180	2.8%
Western NY	65.3%	7.9	75,259	6.5%
Total	61.8%	7.0	1,154,201	100%

Data sources: child care capacity data for licensed child care providers (excluding School Age Child Care Programs) from Child Care Facility System, October 2021; child care capacity data for permitted day care centers in New York City data extracted from Open Data NYC, October 2021; number of children under 5 years of age per census tract, U.S. Census Bureau, American Community Survey 2019, 5-year estimates, Table B01001.

*Average ratio of children to slots only includes census tracts with a calculated ratio. Census tracts with no child care are coded as deserts but do not have a valid ratio.

Forms Required Within the Application

The information from the forms below will be required to be provided in the application. **Please review the forms so that you can pull together the information you need to fill out your application in the online grant portal.**

A. **Attachment A-2, Federal Assurances and Certifications**

B. **AC 3237-S**, Substitute Form W-9 - Recipients of grant awards must also be registered in the New York Statewide Financial System (SFS) Central Vendor Registry File. Applicants who do not already have an SFS Vendor ID entered into their application will be asked to provide the program's Legal Business Name and Taxpayer Identification Number (TIN) used for filing taxes with the Internal Revenue Service (IRS) so that payments can be made to them as a New York State Vendor. You will complete the information on this form within your application. Award and payments may not be made without an SFS Vendor ID. The

following link to the form is only to show you the information you need to fill out your application. [New York State Substitute Form W-9](#)

If you have any questions on the information required by this form, contact your accountant and/or attorney before completing the application.

C. For all awards, a limited portion of vendor responsibility questions will be required to be answered by providers.

D. For all awards over 100,000, submit proof of Workers Compensation and Disability Benefits Proof of Coverage Form – See RFA Section 7.2 for form requirements (amended on 6/06/2022)

5.3 Application Submittal Process

How to Submit a Proposal

The online application will be available on the OCFS website on the Application Submission Start Date. Step by step application instructions will be available prior to the application submission period.

In order to access the online proposal and other required documents such as the attachments, you must first:

1. **For Component A programs, contact your regulator regarding capacity questions:** For questions regarding your licensed capacity and space limitations, please contact your regulator. Prior to applying Component A programs must have initiated the process with their OCFS regulator for updating program capacity.

For Component B programs, consider providing one (1) or more of the following: 1) expanding to provide non-traditional hours care, 2) enrolling at least 1 special needs child by six months after the date of their pre-approval letter, or 3) enrolling at least 1 infant/toddler child by six months after the date of their pre-approval letter. Prior to applying, programs must have initiated the process with their OCFS regulator for updating program license, if necessary.

Important Note: If you are a Component B program (SDCC/FDC/GFDC) that is already designated as providing nontraditional hour care, you can **only** apply under #2 and or #3 above (serving infant/toddlers or children with special needs) assuming you are under enrolled and without displacing existing children.

2. Review all the questions above and have all the required information together before you start your application. You will also need to have the

information required for the forms listed in **Section 5.2, Forms Required Within the Application** that will be included in the application questions.

3. The application will also require that you provide the Tax Identification number, and type (Employer ID No. (EIN), Social Security No. (SSN) Individual Taxpayer ID No. (ITIN) that will be used to submit tax returns to the Internal Revenue Service and the legal business name.

Please note:

- Late proposals will not be accepted.
- **Proposals must be submitted on the online application and may not be submitted via email, postal delivery, hand delivery, facsimile nor in hard copy format.**

6.0 MINIMUM CRITERIA/EVALUATION PROCESS

6.1 Minimum Criteria (Pass/Fail Review Criteria)

Applicants must meet the Minimum Qualifications to submit an application in accordance with **Section 3.1 Minimum Qualifications to Apply** and **Section 3.2 Vendor Responsibility Requirements (All Applicants)**. Bidders not meeting these requirements will not be considered for award.

6.2 Evaluation Process

Application answers will be automatically scored via the electronic application as explained in **Section 5.2 Application Content** and as described in this section as indicated in this document. Award recommendations will be made in score order to all eligible provider modalities (program types) listed in **Section 2.3, Purpose and Funding Availability**, out of the funding available for each program type and region.

After the application submission deadline in **Section 1.2 Calendar of Events**, applications will be ranked in final average score order (from highest to lowest) within each region and pre- approvals will be issued. Awards will be made in score order (from highest to lowest) to licensed programs until funding is exhausted.

In the event of a tie between two or more applications, ties will be resolved by awarding in date/time order of application submission.

OCFS reserves the right to make adjustments to the funding amount requested based on programmatic need, funding availability, geographic distribution of awards, and the total dollar values of all applications. In addition, OCFS reserves the right to redistribute funds between the total dollar available for all program modalities, total regional funding amounts and total value of award

bonuses if funding is left over to maximize the distribution of available funds. Additionally, unused funding may be redistributed from this RFA to the Invest in NY Child Care Emergency Request for Applications (RFA) for New Programs to fully utilize ARPA funding.

Important Notes:

Pre-approval awards do not ensure final license capacity. Final grant award amounts are contingent on obtaining any necessary change in license, successful completion of all grant requirements and OCFS determining that the applicant is a responsible vendor.

7.0 MANDATORY AWARD REQUIREMENTS (Amended on 6/06/2022)

7.1 Award Readiness

OCFS will rescind the pre-approval letters or awards of selected awardees who cannot successfully complete the process to make any necessary changes to their license, vendor responsibility requirements or do not comply with the grant requirements included in this RFA.

7.2 Workers Compensation Insurance and Disability Benefits Proof of Coverage Form - Will need to be uploaded to the Application after License Approval for Awards of \$100,000 or above (Amended on 6/06/2022)

Sections 57 and 220 of the Workers' Compensation Law (WCL) and section 142 of the State Finance Law require that businesses contracting with New York State have and maintain and provide evidence of appropriate workers' compensation and disability benefits insurance coverage. If an award is made from this RFA, updated proof of coverage must be provided after license approval and prior to grant award. Failure to submit the proof will delay the grant award, and may result in the award being rescinded. Municipalities are not required to show proof of coverage.

Please note: The ACCORD form is not acceptable proof of Workers' Compensation or Disability Insurance coverage.

A. Proof of Workers' Compensation Coverage

To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate workers' compensation insurance coverage, submit ONE of the following four forms:

<http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>

- **Form C-105.2** - *Certificate of Workers' Compensation Insurance* issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund; or
- **Form SI-12** - *Certificate of Workers' Compensation Self-Insurance*; or **Form GSI-105.2** *Certificate of Participation in Workers' Compensation Group Self-Insurance*; or
- ~~**CE-200** - *Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.*~~

B. Proof of Disability Benefits Coverage

To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a state contract, or contract renewal, submit appropriate proof of coverage to the state contracting entity issuing the contract. To prove the awardee has appropriate disability benefits insurance coverage, submit ONE of these three forms:

<http://www.wcb.ny.gov/content/main/forms/AllForms.jsp>

- **Form DB-120.1** - *Certificate of Disability Benefits Insurance*; or
- **Form DB-155** - *Certificate of Disability Benefits Self-Insurance*; or
- ~~**CE-200** - *Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage.*~~

7.3 Awardee, Contractor, Employee and Volunteer Background Checks

OCFS is responsible for maintaining the safety of the youth served by OCFS programs. NYC DOHMH is responsible for maintaining the safety of the youth served by NYC DOHMH programs. Programs are responsible for complying with all regulatory requirements for background checks.

7.5 Federal Requirements

See Attachment A-2, *Federal Assurances and Certifications*, which is found at the link in **Section 5.2 Application Content**. Providers will attest to compliance with this document when completing their application for submission.

In addition, review Attachment 5 – American Rescue Plan Act (ARPA) 2021 or additional terms and conditions.

7.6 Required Electronic Payments and Substitute Form W-9 – Will be submitted within Application

The Governor's Office of Taxpayer Accountability has issued a directive that all state agency and state authority contracts, grants and purchase

orders executed after February 28, 2010 shall require vendors, contractors and grantees to accept electronic payment (e-pay).

To assist OSC in this project, applicants must include all required *Substitute Form W-9* information into their application which includes the taxpayer identification number, business name, and business contact person. This data is critical to ensure that the vendor file contains the information state agencies need to contract with and pay vendors.

7.7 Minority and Women-Owned Business Enterprises (MWBE) – Equal Employment Opportunity (EEO) - Requirements and Procedures

7.8.1 New York State Executive Law (Article 15-A)

Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations OCFS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of OCFS contracts.

7.8.2 MWBE Business Participation Opportunities – OCFS Established Goals

For purposes of this solicitation, OCFS hereby establishes an overall goal of 0 percent for MWBE participation, 0 percent for New York State-certified Minority-Owned Business Enterprise (“MBE”) participation and 0 percent for New York State-certified Women-Owned Business Enterprise (“WBE”) participation (based on the current availability of MBEs and WBEs). A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFA, the respondent agrees that OCFS may withhold payment pursuant to any Contract awarded as a result of this RFA pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how OCFS will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25% of the total value of the contract.

7.8 **Service-Disabled Veteran-Owned Business (SDVOB)**

The Service-Disabled Veteran-Owned Business Act, signed into law by Governor Andrew M. Cuomo on May 12, 2014, allows eligible veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB) in order to increase the participation of such businesses in New York State's contracting opportunities. The SDVOB Act, which is codified under Article 17-B of the Executive Law, acknowledges that SDVOBs strongly contribute to the economies of the state and the nation. Therefore, and consistent with its Master Goal Plan, OCFS strongly encourages vendors who contract with OCFS to consider the utilization of certified SDVOBs that are responsible and responsive for at least **six (6) percent** of discretionary non-personnel service spending in the fulfillment of the requirements of their contracts with OCFS. Such partnering may include utilizing certified SDVOBs as subcontractors, suppliers, protégés, or in other supporting roles to the maximum extent practical, and consistent with the legal requirements of the State Finance Law and the Executive Law. Certified SDVOBs may be readily identified through the directory of certified businesses at: List of Certified NYS Service-Disabled Veteran-Owned Businesses.

8.0 PROGRAM-SPECIFIC REQUIREMENTS AND FORMS

The following attachments can be found on the OCFS website, NYS Contract Reporter System or in the Grants Gateway System Opportunity Portal. Please review the Grant Opportunity Profile and access the below by clicking on the View Grant Opportunity button at the bottom of the opportunity profile.

- [Attachment 1 - Schedule of Technical Assistance Sessions](#)
- [Attachment 3 - the REDC Child Care Deserts Map](#)
- [Attachment 4 - List of Allowable Expenses](#)
- [Attachment 5 - ARPA Federal Grant Requirements](#)
- [Attachment 6 - Ongoing Eligibility Report](#)

* Attachments marked with an asterisk are required to be completed and provided with your application.