



OCA/CPA-315  
COMMUNITY DISPUTE RESOLUTION CENTERS

BID OPENING - 09/15/05  
11:00 AM

OCA/CPA-315 is hereby amended as follows:

**Amendment #2**

General Specifications, Page 2, Contract Term is hereby amended to read:

The term of any awarded contract shall be for a period of **three (3)** years and two months commencing February 01, 2006 and terminating March 31, 2009.

The following Questions and Answers are incorporated therein:

**Q & A- Page 1**

- Q1. Attachment IV indicates that Chemung County receives 0 dollars for PINS Mediation, yet in fact Chemung County received \$18,679 for that service, currently through the Sixth Judicial District.
- A. Please see Amendment #1, which contains the revised Attachment IV, on our web site: <http://www.nycourts.gov/admin/bids/pdfs/315amend1.pdf>**
- Q2. May judges and court clerks be used as references?
- A. It is acceptable to use judges and court clerks as references.**
- Q3. Should the budget be for 4/1/06 through 3/31/07 or is any 12 month period acceptable?
- A. Your budget should reflect a 12 month period and need not adhere to any specific starting and ending dates.**
- Q4. How much detail is required in each category, i.e., for postage or for supplies?
- A. You may separate out costs for similar or related items or you may group them together with a description that identifies what is included. For example, you might indicate under Supplies "Computer Supplies (e.g., toner, disks, etc)" and "Miscellaneous Office Supplies (e.g., staplers, pads pens)", or you could list costs for "Toner", "Disks" and "Pads".**

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- Q5. There does not seem to be a budget narrative. Am I correct in assuming that no explanation is required other than the information provided in each category?
- A. There is no narrative explanation required for the budget other than that information that is provided in each category as well as information that is responsive to the proposal narrative questions.**
- Q6. May we send the resumes of existing staff that we have from their hire date or do you want updated resumes that show the position they are in?
- A. Please send resumes of staff that describe the duties they perform in their existing positions. Also, applicants are encouraged to redact from those resumes any of their employees' personal information (e.g., social security numbers, home addresses and telephone numbers, etc.) other than the name of the employee, since the Unified Court System might be required to produce these documents in response to a FOIL request.**
- Q7. Does Attachment IV correctly list the amount of Family Court Custody/Visitation funding (\$94,148) available for Westchester County.
- A. That amount is accurate. Accordingly, you should prepare a 12 month budget that includes \$94,148 of revenue for mediation of child custody and visitation cases from the Family Court (assuming that you are applying to provide services in Westchester County).**
- Q8. Appendix B entry fields for "Total CDRC Funds Requested" and "Total Special Projects Funds Requested" do not allow me to make entries.
- A. Appendix B does indeed inadvertently block applicants from typing on that form. Applicants may either fill in the amount on a typewriter or supply it by hand.**
- Q9. The Attachment IV allocation amounts appear similar to the current 2005 - 2006 contract awards. Will these amounts be upgraded to reflect the traditional cost of living increase?
- A. Compensation during the remainder of the FY 2005-06 will be prorated based upon the amounts listed in Attachment IV. For FY 2006-07, each agency's UCS award will likely increase by a cost of living factor to be determined at the time the Legislature passes the state budget, as has traditionally been the case.**
- Q10. If you are applying for more than 1 county, should you list three references for each county for a total of 6, or only 3?
- A. A proposer need only include three (3) references, regardless of the number of counties it is applying to serve.**

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Q11. Can you also include support letters in addition to the reference list?

**A. A proposer may - but it is not required to - submit support letters in addition to naming references on its reference list.**

Q12. Should the budget reflect the amount currently listed in attachment IV? What is an acceptable percentage increase to request?

**A. The amount requested should equal the amount of available UCS funds listed in Attachment IV. The award during the first two months of the contract, which coincides with the final two months of fiscal year (FY) 2005-06, is expected to be 1/6 (or two months out of 12) of the available funds listed in Attachment IV. For FY 2006-07 (and fiscal years thereafter), the UCS office will likely award cost of living adjustments based on the prior year's annualized award; however, the availability of those adjustments depends on appropriations that the Legislature approves. Historically, COLAs have averaged approximately three percent (3%).**

**Applicants should not request a percentage increase over amounts listed in Attachment IV. Once the contracts are awarded, the UCS will negotiate a new budget for FY 2006-07, which will likely include an as-yet-undetermined COLA.**

Q13. In section 1. **ORGANIZATIONAL INFORMATION** - referring to the mission, fiscal capacity, technological capacity etc, does this question seek information about the parent company under the auspices Westchester operates? Or are you seeking that information about Westchester Mediation Center? If the CDRC operates as part of a larger entity how much information is required of that entity and how much of the CDRC itself?

**A. Proposers should respond to Section I of the Narrative Component by supplying information about the entire agency (i.e., the agency's mission statement). Proposers may also but are not required to include relevant information about the mission and capacities of individual departments within the agency.**

Q14. While the RFP refers to only two program areas of Westchester Mediation, Community Mediation and Family Court, should all the program areas of the Center be described (and to what extent) even if they are not funded by UCS and are not part of the matching funds?

**A. Proposers that currently receive funding to operate community dispute resolution centers are encouraged to describe the full scope of dispute resolution services that the proposer provides, even if the resources that supports those services come from a source other than the Unified Court System or matching funds.**

Q15. Attachment IV indicates that a budget should be submitted for \$168,768 (for Westchester County), which is our present funding level. However, it does not reflect an already submitted request made through the Unified Court System for an amount that included a recommended 3%

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increase to account for inflation making the funding amount more than the \$168,768 at \$173,754. Should this RFP be budgeted at the first or second level?

**A. Please see the response to Q12.**

Q16. If we are currently providing services to courts, can representatives of these courts be used as references in Appendix F? E.g., the Family Court Chief Clerk for Intake Assistance services or a Small Claims Court Judge or Family Court Judge. If so, may contact be made with these representatives to discuss being a reference without violating the RFP clause that cautions, "Contact by any prospective bidder, or representative thereof, with any other personnel of the UCS / OCA in connection with the RFP may jeopardize the bidder's standing and cause rejection of its proposal."

**A. Proposers may contact judicial or non-judicial employees of local courts in connection with the RFP without jeopardizing the bidder's standing, provided that such contact is limited to requesting a letter of support or asking the employee if he or she is willing to serve as a reference for the Proposer. Proposers should refrain from discussing with all potential references the merits or limitations of any other potential proposer. Moreover, if a judicial or non-judicial employee of the UCS declines to serve as a reference for a proposer, the proposer should refrain from contacting that employee and asking him or her to reconsider.**

Q17. May additional letters of support be attached to the bid? If so, the same follow-up question applies to court representatives.

**A. Please see the responses to Q11 and Q16.**

Q18. There is a reference in the detailed specifications (last sentence of the last paragraph) indicating that "The Proposer is encouraged to contact the Family Court Chief Clerk . . . to ascertain the needs of the particular Family Court . . ." Can this contact take place to assist in developing this bid?

**A. Consistent with the response to Q16, a proposer may contact a Family Court Chief Clerk or other UCS judicial or non-judicial employee and request information about the needs of the Family Court (or other court). If a judicial or non-judicial employee declines to assist the proposer, the proposer should refrain from contacting that employee and asking him or her to reconsider.**

Q19. Is there a predetermined amount of local matching revenue required?

**A. There is a minimum amount of local revenue that is required to match the available CDRCP funding. These amounts are set forth in Column # 9 ("Local Match Requirement") on Attachment IV. A proposer may include additional local revenue to support the proposed program; however, the inclusion of such additional revenue will not change the amount of available UCS funding. Additional information can be found on page 6 under the heading "FUNDING" in the Detailed Specifications section of the RFP.**

Q20. Is in-kind matching revenue that is included in the sample 12-month budget looked upon more favorably than non-ADR program funding?

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**A. Yes. Please see pages 10 and 13 of the RFP.**

Q21. When will successful and unsuccessful bidders be notified of their bid status?

**A. The contracts for which proposers are bidding are slated to begin February 1, 2006, subject to the approval of the Offices of the New York State Attorney General and State Comptroller. Proposals are due September 15, 2005. It is the intention of UCS to notify all bidders of the status of their proposal as soon as possible after decisions are made.**

Q22. Is in-kind revenue an acceptable source of matching funds?

**A. Yes. However, there is a hierarchy of matching fund sources to consider when creating your budget. Please see pages 10 and 13 of the RFP.**

Q23. Please explain what information a multi-purpose or umbrella organization should include in its proposal. For instance, should programs that will not receive funding from UCS be included in the proposal or not?

**A. The first narrative component(see pages 10-11 in the Detailed Specifications) asks multi-purpose organizations to explain the entire agency's administrative, fiscal, and technological capacity, as well as the agency's method for allocating shared costs among its programs. Responses to the remaining components of the Program Narrative should be limited to describing the community dispute resolution center (and, in the Sixth Judicial District, the intake assistance and referral services) that the agency proposes to administer. The proposed budget should only reflect the revenue (both UCS and matching funds) and expenses that are used to support the proposed community dispute resolution center. Revenue will be evaluated both on the basis on quantity (ability to meet the matching requirement) and quality (type of funds used to meet the matching requirement). Refer to pages 10 and 13 of the Detailed Specifications, Attachment IV, and Attachment V for more information.**

Q24. May references be solicited from court employees?

**A. References may be solicited from non-judicial and judicial employees. However, if a court employee declines to act as a reference for your organization, please do not continue to ask that employee to act as a reference. Please see the responses to Q16, Q17 and Q18.**

Q25. If my organization is not currently providing services to the Family Court but would like to provide services in the future, will funding be available?

**A. Proposals should only include UCS funds that are listed as available on Attachment IV. It is possible that, in future years, funding will become available for enhanced or additional**

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programs. If a proposer is awarded the contract to administer a community dispute resolution center and if in the future a local Judicial District Administrative Judge's Office or the Office of ADR Programs designates funding to support that agency's dispute-resolution work in a court or in another forum, the UCS may amend its contract with that agency to include those funds once they are available. Please note that Attachment IV contains all available funds from the covered Judicial District Administrative Judges' Offices, and the UCS does not anticipate any additional funds from those offices during the initial period of the contract.

Q26. When are proposals due and what happens if a proposal is not submitted on time?

**A. All proposals must be received no later than 11:00 AM September 15, 2005. Any proposals received after that time will not be accepted. Proposals are immediately time stamped when they arrive. If you hand-deliver your proposal, you can watch it be time stamped and/or receive a receipt indicating that it was received on time.**

Q27. Should a cover letter be included with my proposal? To whom should it be addressed?

**A. You are required to include a cover letter, printed on your organization's letterhead and clearly marked OCA/CPA-315, with your proposal. Please see page 8 of the RFP under the heading "PROPOSALS." There is no required addressee for this cover letter, although they may be addressed to Ms. Betty Faltermeier or to Dan Weitz, Esq., Coordinator of ADR Programs. The proposals must be sent to Betty Faltermeier, Court Analyst, New York State Unified Court System, Contract & Procurement Administration Unit, 42 Karner Road, Albany, NY 12205 (please see page 5 of the RFP).**

Q28. Is it acceptable to handwrite portions of the budget appendix?

**A. Yes. The appendices are also available as fillable Adobe forms. Using a typewriter or handwriting will not affect the judgment of your proposal. Please see the answer to Q8.**

Q29. How should copies of the proposal be packaged for delivery?

**A. While an original proposal may be bound, copies should be fastened with rubber bands or butterfly clips. Do not bind the required copies of your proposal. Please see page 8 of the RFP for additional guidance.**

Q30. Should the same person sign in all required signature spaces?

**A. Yes. The same individual must sign the Request for Bid cover sheet, pages 3 and 4 of Attachment I, Contractor Certification ST-220 (Attachment II), and Appendix B (Proposal Bid Cover Sheet). See pages 8-9 of the RFP.**

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- Q31. Should our proposal include the resumes of all staff included in the program narrative and whose salaries are included in the program budget?
- A. Yes. See page 12. Please note that staff resumes and job descriptions will not be counted for purposes of determining the number of pages contained in the Program Narrative. Also, please see the answer to Q6.**
- Q32. Will we be informed if our proposal needs clarification?
- A. Yes, bidders whose proposals are complete but where additional information or clarification is needed will be informed and asked to provide the requested information.**
- Q33. Please explain “complementary programs.”
- A. The term “complementary programs” appears several times on page 13 of the RFP. Complimentary non-dispute resolution programs are components or departments within an agency through which the agency provides services other than dispute resolution services. Funding for these programs may—but need not—be included in your budget and program summary. These programs are distinct from complementary dispute resolution programs, through which an agency provides dispute resolution services that are distinct from the core community dispute resolution programming that CDRCP funds are designed to support. Funding for complementary dispute resolution programs may also—but need not—be included in your budget and program summary. As page 13 of the RFP makes clear, the inclusion of expenses and revenue associated with complementary dispute resolution programs is preferred to the inclusion of expenses and revenue associated with complementary non-dispute resolution programs.**
- Q34. Must our budget proposal be based on our previous spending?
- A. No. Your budget should reflect how your organization intends to spend the allocated grant money if you are awarded the contract.**
- Q35. Will the UCS disclose who is bidding?
- A. Information about prospective and actual bidders will not be made available until after the UCS awards contracts pursuant to the RFP. Once the contracts are awarded and implemented, information about prospective and actual bidders will be available pursuant to a Freedom of Information Law request.**