

**PRE-BID CONFERENCE
9/28/04 - 1:00 PM
Q&A**

Please note: Because of a change in NYS Office of the State Comptroller current requirements, the amount of initial advance payments, 40% of the annual grant award in current CDRC contracts, will be limited to 25% of the annual grant award in all new CDRC contracts.

Q. What if a budget is not passed in a given year?

A. Payments will continue be made based on prior year's grant award subject to the availability of emergency appropriations.

Q. Will technical assistance be available after September 28, 2004, and if so, what is the scope of technical assistance that will be available?

A We have provided ample time to request information and address questions prior to and during this pre-bid conference. Any questions after the award of a contract should be addressed by the awarded organization to ADR.

Q. Is the information regarding the current organization's contract available to bidders?

A. Any previously awarded contract is available through the Freedom of Information Law (FOIL). To request this information, please send a request on your letterhead to Betty Faltermeier, C&PA, 42 Karner Road, Albany, NY 12205, or fax to (518) 869-4735, citing that law and a copy will be mailed.

Q. We are unfamiliar with the pages dealing with the recycled paper. I assume they are for printing bids. Should we just treat them as standard inclusions?

A. These are printing requirements. You are not required to send back pages 5 of 10, 6 of 10 or 7 of 10.

Q. Are the bid forms available as a word document so they can be filled in on the computer?

A. They are not available as a word document or on disk, only in .pdf format.

- Q. Can NYS Dispute Resolution Association be considered an agency qualified to provide a reference?
- A. **Yes, the NYS Dispute Resolution Association may provide a reference but the NYS Unified Court System's Office of ADR Programs cannot be used.**
- Q. Should the judges submit a letter in addition to being listed with their contact information?
- A. **Judges may (but need not) submit a letter in addition to being listed with their contact information as a reference.**
- Q. Re: Appendix G, References. Is contact information and description of work all that is required here, or, do you want letters of support, as well?
- A. **Proposers need not include letters of reference with their proposals, although proposers are free to include such letters of reference. Individuals listed as references will be contacted by the proposal reviewers.**
- Q. Who received this bid solicitation? Who will receive the next round of bid solicitations for Community Dispute Resolution Centers?
- A. **The solicitation was sent to a list of not-for-profit organizations and was advertised in the NYS Contract Reporter publication and posted on the Internet. We do not provide bidders' lists. The procedure for the next solicitation will be the same.**
- Q. Re: appendix C, page 4 ... Could you more clearly define the 3 categories listed?
- A. **Public Revenue” is revenue (other than UCS Funds) secured from any federal, state or municipal entity that will be used to support the proposed program. “In-Kind Revenue” is an item or service that a program would incur as an expense, but because the item or service is donated, no cash is expended. In-kind contributions are listed both as revenue (the value of the donated item or service) and a corresponding expense (the cost that would have been spent had the item or service not been donated). Examples of in-kind revenue include donated furniture or equipment, donated volunteer service, and donated training services. “Private Revenue” is revenue that is neither public revenue, in-kind revenue, nor funding from the Unified Court System; this revenue might include fees for service, proceeds of fund-raising, or foundation awards.**
- Q. Although counties are listed individually in Attachment IV, it is clear from the Program List (Attachment III) that counties are often grouped within a single program. Should the county groups remain intact for the purposes of proposals?
- A. **Proposers may submit proposals to serve one or more counties, however the services and costs proposed must be clearly delineated by county. Only the counties indicated in the solicitation should be included in the**

proposal, i.e., Third, Fourth, Fifth and Eighth Judicial Districts. There is no requirement that one agency provide services to all or some of the counties that are currently served as part of a multi-county program.

Q. Does the program description need to include separate descriptions for the programs that are funded by CDRCP and the programs funded by the JD, or should the program description reflect the overall description of ADR services for the proposed contract area?

A. The program description may reflect the overall description of ADR services for the proposed contract area.

Q. Since we are in the midst of a 12 month contract at this time (April 1, 2004 - March 30, 2005) and the new contract would be for a period of four years and two months commencing February 1, 2005 and terminating March 31, 2009, how would the CDRCPs be paid for the balance of the current 12 month contract period?

A. The current contracts with agencies serving each county listed in the RFP will be terminated effective January 31, 2005 (the day before the new contract term commences), and the UCS will provide all existing contract agencies that serve those counties with at least 30 days' notice that their contracts are being terminated pursuant to Section II. (A) of the contract.

Accordingly, no agency that provides services in a county listed in the RFP will be paid for expenses incurred on or after February 1, 2005, unless that agency is awarded a new contract pursuant to the RFP, in which case the UCS will reimburse the agency for expenses incurred on or after February 1, 2005. Do not confuse the initial period (which will be prorated for February 1, 2005 through March 31, 2005) with the contract term. Should a new contract be delayed, the current contractor will be reimbursed for the period of service completed.

Q. What time period should the proposed budget represent?

A. The time period should be based on a twelve month period.

Q. Contract term will begin on February 1, 2005. How will funds be made available?

A. Funds will be made available pursuant to a contract between the successful proposer and the UCS. To view a template of that agreement, please visit this web site:

http://www.nycourts.gov/ip/adr/info_for_programs.shtml

Click on “Chapter 2 (Contracts)” of the CDRC Program Manual.

Q. If a new program is awarded a contract, is there any provision for transfer of remaining resources from the existing program? (For example: staff, space, equipment, fund balance)

A. **Furniture and equipment purchased with UCS funding under prior agreements with the Unified Court System’s Office of ADR Programs, as well as case files, may be acquired by an agency that is selected to provide services pursuant to the RFP. Proposers should include in their budget sufficient start-up funds to cover costs associated with transporting such furniture, equipment or files.**

Any unexpended UCS funds would be refunded to UCS. Equipment purchased with UCS funds belongs to UCS and would be transferred the new contractor. Ownership of equipment purchased with combined funds (partly UCS and partly other grant monies) will be negotiated.

Q. Should all in-kind revenue including, volunteer hours, space, etc. be included in the budget?

A. **Yes. The UCS is interested in proposals that creatively use UCS funding to leverage community resources including in-kind contributions. For organizations that are awarded contracts, in-kind contributions need only be included in the contract budget if required to meet matching funds requirement.**

Q. Is there a set or standard rate that is acceptable for valuing volunteer hours as in-kind revenue?

A. **Yes. The following criteria will be used by the UCS for approving in-kind expenditures as credit towards the required match:**

- a) The in-kind item is an expense that the program would normally incur if the item or service were not donated.**
- b) The in-kind item is consistent in both nature and cost with the operations of other similar CDRC programs.**
- c) The dollar value ascribed to the item or service is consistent with fair market value of the item or service.**
- d) There is clear documentation of all in-kind items.**

Allowable In-Kind Pay Rates for Volunteer Time		
Position	Responsibilities	Rate
Clerical	Any support positions such as administrative assistant, file clerk or receptionist.	\$15.00 per hour
Case Management	Any position that provides case intake, statistical compilation or promotion/outreach.	\$15.00 per hour
Neutral	Any person who actually mediates or arbitrates for the center or who attends required training for such a position.	\$50.00 per hour
Trainer	Time spent providing ADR training.	\$75.00 per hour

Time spent in the following types of training sessions can be credited as in-kind contributions for both pro-bono trainers and volunteer training participants:

- a) **Initial training conducted by a UCS certified trainer(s) according to approved training curriculum guidelines. The trainee must be participating with the intent of becoming a certified mediator on the program's roster; and**
- b) **In-service training given to certified mediators.**

Q. Should we include all costs for the dispute resolution programs or just the costs to meet funding dollars plus the matching requirement?

A. **All costs for the dispute resolution program should be listed. The ability to raise local resources to compliment UCS funding will be valued positively.**

Q. Is it possible for a bidder to receive CDRCP funds for a contract area and not JD funds, or will a contractor be awarded all or nothing for the proposed area?

A. **The award will reflect both CDRCP and Judicial District funding, unless there is no Judicial District funding currently available.**

Q. Is it possible for a bidder to receive an amount that is different from the amount requested, or are contracts awarded on an all or nothing basis?

A. **It is possible for the amount allocated to a particular county to differ from the amount requested in proposals.**

Q. Should dollars requested in a proposal be the same as the dollars listed by County in Attachment IV in the RFP? If not what are the parameters for our proposed budgets?

A. **The amounts listed in Attachment IV reflect the approximate 2004-05 allocations for each county. Proposed request may be less than, equal to or greater than these amounts.**

- Q. Regarding Attachment V - Evaluation. How shall we include information for positions that will be filled if we are awarded the contract?
- A. **You should provide both job descriptions and resumes. Where positions are currently not filled, in lieu of a resume, you must describe the position and precisely what qualifications will be required to fill that position.**
- Q. Is a higher value placed on the inclusion of a resume as opposed to a detailed job description?
- A. **A resume must be provided when there is existing staff for the position indicated. If the position is one which will be filled upon award, a detailed job description must be included. There is no extra value placed on a resume.**