

BIP Transformation Fund RFA
Modifications, Questions and Answers

The information contained in this document is to provide updated/clarifying information regarding the New York State Balancing Incentive Program (BIP) Transformation Fund RFA that was announced on August 13, 2014. Specifically, this document addresses questions received during the comment period (August 13, 2014 through September 3, 2014) as well as those received during the September 9, 2014 WebEx presentation in one of the following ways:

- I. Outlines **RFA Modifications**
- II. Addresses **Questions concerning specific program ideas and qualifications**
- III. Provides **Definitions of Terms**
- IV. Responds to **Technical Questions/Clarifications**

I. RFA Modifications

The following text in the RFA has been updated/modified. Strikethrough indicates deleted text; underlined text is new.

Key Dates (Cover Page)

Letter of Intent: The purpose of the Letter of Intent (LOI) is to identify the program areas that the applicant intends on applying for (employment, self-direction, housing, deinstitutionalization, transition to managed care). The Letter of Intent is not binding, but its submission is required no later than 5pm on Friday, September 12, 2014. The LOIs that OPWDD receives will be used for planning purposes only to ensure that appropriate staff are on hand to evaluate and score the Transformation Fund applications that are submitted.

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- III. Project Narrative/Outcomes
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 - C. Review & Award Process
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Page 5. F. Available Funds

All awards will be financed by the New York State BIP Transformation Fund. Awards will be selected contingent upon the quality of the applications received as well as the reasonableness of size and scope of the proposed projects within the contract term. A range of funding amounts will be considered. ~~Awards will be made until funds are exhausted.~~

Page 6 – II. Who May Apply/Eligibility Requirements

~~Collaborations will require Letters of Agreement specifying services, fees and responsibilities which comprise of the partnership(s) to be formed in completing the project. Subcontracting and collaborating organizations may include public and not for profit entities within New York State. For those applicants that propose subcontracting, it is preferable to identify subcontracting agencies during the application process. Applicants that plan to subcontract are expected to state in the application the specific components of the scope of work to be performed through subcontracts.~~

Clarification regarding Letter of Agreement for Application that involve one or more partnership: For applications that include partnership(s), Letters of Agreement between each involved entity must be submitted specifying services, fees and responsibilities of each partner participating in the proposal project. Collaborating organizations can only include public or not-for-profit entities.

Clarification for subcontracted entities: The applicant and lead organization may subcontract portions of the project to public, not-for-profit or for-profit entities. Applicants that plan to subcontract are expected to outline in the application the specific components of the scope of work to be performed through subcontracts. Subcontracting for-profit entities may not be direct service providers.

Page 9 – III. Project Narrative/Outcomes C. (NEW SECTION)

Optional criteria for applications include proposals that:

- Have a statewide impact;
- Impact one or more region(s) (i.e., region is consistent with OPWDD’s Developmental Disabilities Regional Offices, as noted at the following link: http://www.opwdd.ny.gov/opwdd_contacts/ddro;
- Involves a collaboration of two or more organizations;
- Addresses needs in an underrepresented region;
- Addressed needs of underserved population(s); or
- Describes project sustainability beyond the funding period.

Page 10 – IV. Administrative Requirements and Process - D. How to Submit a Proposal

Applicants must submit 2 original, signed applications, 4 copies and an electronic PDF copy of the application with all attachments on a CD or USB flash drive. Application packages should be clearly labeled with the RFA name and number as listed on the cover of this RFA document. Applications will not be accepted via fax or e-mail.

Page 12 – G. Payment & Reporting Requirements of Grant Awardees

1) OPWDD may, at its discretion, make an advance payment to not-for-profit grant contractors in an amount not to exceed ~~10~~ 25 percent.

Page 12 & 13 - H. Minority & Woman-Owned Business Enterprise Requirements Business Participation Opportunities for MWBEs

~~For purposes of this solicitation, OPWDD hereby establishes a goal of 0% on any subcontracted labor or services, equipment, materials, or any combined purchase of the foregoing greater than \$25,000 under a contract awarded from this solicitation. The goal on the eligible portion of this contract will be 0% for Minority Owned Business Enterprises (“MBE”) participation and 0% for Women Owned Business Enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs and outreach efforts to certified MWBE firms). A contractor (“Contractor”) on the subject contract (“Contract”) must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that DOH may withhold payment pending receipt of the required MWBE documentation. For guidance on how DOH will determine “good faith efforts,” refer to 5 NYCRR §142.8.~~

The directory of New York State Certified MWBEs can be viewed at: <https://ny.newnycontracts.com>. The directory is found in the upper right hand side of the webpage under “Search for Certified Firms” and accessed by clicking on the link entitled “MWBE Directory.” Engaging with firms found in the directory with like product(s) and/or service(s) is strongly encouraged and all communication efforts and responses should be well documented.

OPWDD is confirming the minimum goals for participation of minority or women owned business for the BIP Transformation Fund RFA and will provide further clarification in the coming days. The MWBE Utilization plan is available at http://www.opwdd.ny.gov/opwdd_resources/procurement_opportunities/bip-transformation-funding-opportunity (Attachment 6) for reference.

~~By submitting an application, a grantee agrees to complete an MWBE Utilization plan. OPWDD will review the submitted MWBE Utilization Plan. If the plan is not accepted, OPWDD may issue a notice of deficiency. If a notice of deficiency is issued, Grantee agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt. OPWDD may disqualify a Grantee as being non-responsive under the following circumstances:~~

- ~~a) If a Grantee fails to submit a MWBE Utilization Plan;~~
- ~~b) If a Grantee fails to submit a written remedy to a notice of deficiency;~~
- ~~c) If a Grantee fails to submit a request for waiver (if applicable); or~~
- ~~d) If OPWDD determines that the Grantee has failed to document good faith efforts to meet the established OPWDD MWBE participation goals for the procurement.~~

Page 18. – V. Completing the Application, B. Application Format

ALL APPLICATIONS SHOULD CONFORM TO THE FORMAT PRESCRIBED BELOW. POINTS WILL BE DEDUCTED FROM APPLICATIONS WHICH DEVIATE FROM THE PRESCRIBED FORMAT.

Applications should not exceed 20 single-spaced, typed pages. This includes the Applicant Organization, Program Summary/Overview/Timeline, Statement of Need, and Project Components (narrative only). This does not include the application cover page, the work plan (attachment 4 only) the budget narrative and attachments. (not including the cover page, workplan [Attachment 4 only], budget and attachments), Applications must use a normal font of at least size 12. Up to 2 points will be deducted for deviation from format requirements.

	Page Count	Maximum Score
1. Application Cover Page	1 page or less	Not scored
2. Applicant Organization	1 page or less	10
3. Program Summary/Overview/ Timeline	1 page or less	12
4. Statement of Need	2 pages or less	15
5. Project Components/Work Plan	10 pages or less	40
6. Project Budget	Use the attached Budget Format, An additional 2 pages may be included	23

Each section of the application should include a blank page with the section title. Each title page should always start on the right hand page of the document. The title and blank left hand pages will not count against the page limit requirements. OPWDD will evaluate the proposals on a best value basis as determined by the goals established by BIP and this RFA.

Page 19 – C. Review & Award Process, last paragraph

Applications receiving a score of less than 60 will be removed from consideration. The reviewers will consider the clarity of the objectives and priorities of each application and responsiveness to the RFA criteria when making the final selection.

Applications that meet the 60-point threshold will be grouped based on similarity of project/transformation area services provided to further refine selection that will effectively addresses the guiding principles of the transformation objectives as described in this document. ~~best reflect an array of creative solutions. Awards will be made until funds are exhausted.~~

Page 20. – C. Review & Award Section, Scoring of each application will be based on the following:

9) Demonstration of the qualifications, competence and ability of the applicant, organization and others involved in the project to achieve project goals, additionally, ~~two~~ three Letters of Support attesting to the applicant’s ability to carry out proposed activities must be included;

Page 21 – second paragraph

The review process will evaluate applications on the merits of proposed activities in their entirety. OPWDD ~~will not make~~ may consider making partial awards.

II. Questions concerning specific program ideas and qualification:

OPWDD cannot answer specific questions related to what does and does not qualify for funding opportunities without reviewing an entire proposal. Refer to Section D. Use of Funds (p.4).

Transformation Grant Funds **may be** used for the following:

- To support salaries and stipends, fringe benefits, supplies, equipment, subcontractor and consultant costs, travel and other expenses.
- Administrative costs are allowed, but **must be** limited to a maximum of 10 percent of modified total direct costs. These costs should be detailed in the “other” category on the budget section.
- Communication costs, meeting costs, publication expenses.

Proposed projects **cannot** use funds for any of the following:

- For brick and mortar projects;
- To duplicate existing LTSS (although increasing capacity of an existing LTSS is permissible);
- For LTSS in an institution
- To increase institutional capacity;
- To match any other Federal funds;
- To provide services, equipment, or supports that are mandated by Federal or State law and are the legal responsibility of another party; or
- To supplant existing State, local or private funding.

Applications in response to this RFA should address any topic or issue within the above-mentioned parameters. In addition, guiding principles of Transformation include (but are not limited to) initiatives that support increased efficiency and effectiveness efforts related to the following goals:

Housing – Increasing availability of housing options and the number of housing units available to individuals being transitioned from institutional settings. Identifying housing needs and preferences as well as available housing resources. For example:

- Develop new models for supporting individuals and families during transitions;
- Develop mechanisms/trainings or protocols to ensure waiver settings for transitioning individuals meet new HCBS settings standards;
- Creates initiatives to place and support individuals in non-certified settings;
- Develop mechanisms/trainings/protocols to ensure compliance of person-centered planning with new PCP standards;
- Coordinate all housing resources for people with disabilities across state agencies, local governments and municipalities;
- Develop a scientific strategy to identify housing needs for people with intellectual and developmental disabilities on a regional and/or statewide basis improving access to existing housing resources;
- Develop a scientific strategy to identify housing resources for people with intellectual and developmental disabilities on a regional and/or statewide basis;
- Develop a 5- Year Plan to increase the number and type of community-based housing stock available (i.e., region by region) to people with intellectual and developmental disabilities;
- Coordinating all housing resources for people with disabilities across state agencies, local governments and municipalities;

- Implement a Family Care Demonstration that is multi-cultural and seeks to recruit services of specialists in the medical protection and advocacy fields, education fields, and other professional fields to become providers of Family Care;
- Develop a strategy to coordinate and implement a "Banking Committee" for the Home of Your Own (HOYO) Program;
- Develop and implement "Making Homes that Work" for People with Autism;
- Develop an innovative outreach and marketing demonstration model that is ongoing and may be used in diverse regions (i.e., Recognition Events - Retention and Recruitment);
- Develop a research-based Family Care "think-tank" that will review existing methodologies and propose new methodologies to redesign the Family Care Program;
- Address fiscal and legal constraints in moving Shared Living Models forward;
- Propose an array of innovative community-based choice and intensive services that will provide an alternative to care received in IRAs and ICFs without compromising quality and safety;
- Develop regional and statewide HUD-approved housing counseling training sessions for housing coordinators that will lead to HUD-approved certified housing counselors; or
- Develop a strategy to redesign the Family Care Program.

Employment - Increasing the number of individuals engaged in competitive employment including supporting the transition of individuals from traditional day habilitation and sheltered workshops programs to competitive employment. For example:

- Providing vocational assessments to working age individuals currently receiving day habilitation and workshop services that identify the types of supports needed to assist in obtaining competitive employment;
- Developing person-centered transition plans for workshop and day habilitation participants that detail how supports will be provided to assist individuals in obtaining competitive employment;
- Developing peer mentoring networks to support day habilitation and workshop participants as they transition to competitive employment;
- Developing strategies to create self employment opportunities for workshop and day habilitation participants through the operation of a business;
- Providing technical assistance and support to assist workshop providers to convert to competitive employment business models consistent with the Home and Community Based Services (HCBS) waiver definition of community settings; or
- Developing strategies for retirement age workshop participants to engage in meaningful senior, recreational or social activities.

Self-Direction – Increasing the number of individuals who choose to self-direct their services and supports; supporting redesign efforts. For example:

- Activities supporting the new role of the Fiscal Intermediary (FI) in the self-direction redesign;
- Statewide and/or regional partnerships supporting the information technology infrastructure of fiscal intermediary operations; or
- Education and outreach activities for promoting the choice to self-direct services.

Deinstitutionalization – Activities supporting the successful transition of individuals residing in Developmental Centers and campus-based and non-campus based Intermediate Care Facilities (ICFs) to home and community based settings. For example:

- Develop new models for supporting individuals and families during transitions;
- Develop mechanisms/trainings or protocols to ensure waiver settings for transitioning individuals meet new HCBS settings standards;
- Creates initiatives to place and support individuals in non-certified settings;
- Develop mechanisms/trainings/ protocols to ensure compliance of person-centered planning with new PCP standards; or
- Coordinate all housing resources for people with disabilities across state agencies, local governments and municipalities.

Transition to Managed Care – Supporting the transition to managed care to meet the organizational and structural challenges of providing new or expanded offerings of non-institutionally-based long-term services and supports during the transition to managed care, while maintaining high standards of quality services and organizational governance. For example:

- Provide assistance to agencies to support administrative and operational efficiencies;
- Provide assistance to agencies to support the consolidation of duplicative administrative functions within the provider network;
- Provide information technology assistance to agencies that lay the foundation for a move to electronic data systems that will allow agencies and individuals to communicate changing needs and support plans in an immediate or more timely method; or
- Provide assistance for use of the Care Coordination Data Dictionary allowing for the standardized collection and dissemination of information to a DISCO with greater consistency.

III. Definitions of Terms

The definitions below are in response to questions involving the meaning of words/expressions used in the BIP Transformation Fund RFA.

Long Term Services and Supports (LTSS): LTSS refers to a broad range of health and health related services and supports needed by individuals who lack the capacity for self-care due to a physical, cognitive, or mental disability or condition.

Institutional-based LTSS: For purposes of Balancing Incentive Program eligibility, CMS defines institutionally-based Medicaid LTSS as services provided in:

- Nursing facilities;
- Intermediate Care Facilities for individuals with intellectual disabilities (I/DD) ;
- Institutions for Mental Diseases (IMD) for people under age 21 or age 65 or older;
- Disproportionate share hospital payments for IMDs;
- Psychiatric hospitals that are not IMDs; and
- Other institutional LTSS.

No institutionally based services are allowable under BIP.

Developmental Disability: According to New York State Mental Hygiene Law:

- The presence of a developmental disability that is described by certain qualifying diagnoses, or conditions, including intellectual disability, autism, cerebral palsy, epilepsy, familial dysautonomia, and neurological impairment (injury, malformation, or disease involving the Central Nervous System);
- The disability has occurred before the person reached age twenty-two;
- The disability can be expected to continue indefinitely, or permanently; and
- The disability causes a substantial handicap to a person's ability to function normally in society.

Use of Funds / Allowable Medicaid Expenses: For BIP purposes, allowable Medicaid expenses means LTSS covered by Medicaid in either the State Plan or in waivers. Funding provided under this grant opportunity must be in accordance with service provisions outlined in the 1915(c) Home and Community Based Services (HCBS) waiver and/or the Medicaid State Plan.

Links to the draft 1915(c) HCBS Waiver renewal application and the approved State Plan can be found at the following websites:

http://www.opwdd.ny.gov/opwdd_services_supports/people_first_waiver/news/application-1915c-home-and-community-based-services-waiver

http://www.health.ny.gov/regulations/state_plans/

Developmentally Disabled Medicaid Beneficiaries: Funding provided under this grant opportunity must benefit Medicaid-eligible individuals with developmental disabilities that warrant LTSS.

Administrative Costs: Costs incurred by an organization that are not directly due to specific activities of the proposed project. Administrative costs are generally associated with executive, organizational, and clerical costs associated with the general management of the organization. These expenses can also be referred to as indirect costs. Any applicable administrative costs should be included in the Attachment 3 - Budget Template under the "Other" category.

Capital Costs: For the purposes of this RFA, the term refers to payments allocated to property acquisition, design, construction, enhancement, alteration, rehabilitation, refurbishment, replacement, renovation, maintenance or improvement to existing or proposed structures, buildings or facilities. Information Technology (IT) costs are not considered capital costs.

Existing Service/Duplication of Services: Services currently being provided to the same Medicaid-eligible developmentally disabled population group in the same region without specific enhancements, expansion or addition of new populations.

Conflict Free Case Management (CFCM): As part of BIP, states must implement Conflict Free Case Management structural change in their systems of community-based LTSS. CFCM is a separation of eligibility determination and assessment from service provision, as well as a separation of case management from service provision. The goal of CFCM is to develop an independent system with protocols that identify and

mitigate any potential risk of conflict in community LTSS processes for eligibility determination/enrollment, case management and service delivery.

Increasing Capacity of Existing Community LTSS: Increasing access to and/or expanding community services as an alternative to institutional care.

IV. Technical Questions/Clarifications:

Q. How many Letters of Intent were submitted to OPWDD?

A. OPWDD has received over 200 LOIs.

Q. On the Expenditure Based Budget worksheet there are columns for “Match Funds” and “Match %.” Is there a minimum match requirement?

A. No, there is not a match requirement. Those columns in the Budget Template - Attachment 3 can be left zero if not applicable.

Q. Should the curricula vitae (resume) be included in the narrative or as attachments?

A. Yes, a resume would suffice and should be included as an attachment.

Q. What are the guidelines on the sources for Letters of Support?

A. Letters of Support should be submitted by other organizations or individuals/family members that are familiar with the proposed initiative and can attest to the value of the organization. OPWDD staff are prohibited from submitting a Letter of Support.

Q. Are Letters of Agreement counted toward the page limit? What is the difference between Letters of Agreement and Letters of Support?

A. No, Letters of Agreement between collaborating organizations do not count toward the page limit. Please note the distinction between the Letters of Support and Letters of Agreement: Letters of Support are included on behalf of the lead organization and should be related to the overall competency of the organization. A Letter of Agreement is documentation which confirms commitments made between involved organizations to achieve project outcomes.

Q. Does the Work Plan attachment document have to be used in the application submission?

A. Yes.

Q. Is there a page limit on the budget narrative?

A. No. The budget narrative is not included in the page limit.

Q. Does an application have to include detail in the “Other” category on the budget form?

A. No. This category would be used if there are expenses that do not fall into the provided categories. For example: if the proposal includes administrative costs, this sub-category would be used. (see definitions on page 8).

Q. Does the stated application deadline of 5:00PM on 10/22/14 mean that applications must be received at OPWDD by that time or postmarked by that time?

A. All applications must be received at OPWDD's Central Office by the stated deadline.

Q. Is a recap of new Medicaid guidelines for I/DD services available so an agency can determine if services proposed by our agency will be sustainable through Medicaid billing after the 10-month grant period?

A. Medicaid guidelines for I/DD services in NYS are outlined in OPWDD's Waiver application posted on the CMS website at Medicaid.gov. This application will be updated upon CMS approval of pending amendments and the renewal application.

Q. Is OPWDD following GAAP guidelines when it comes to determining Capital Costs?

A. Please refer to Capital cost definition on page 8 above for guidance on capital costs.

Q. Do all lead applicants need to have a confirmed NYS Vendor Identification Number (VIN) to qualify as a grantee?

A. Yes. All entities must be registered as a qualified Vendor and have a confirmed NYS VIN at the time of grant submission.

Q. Can lead entities be for-profit organizations, if they are working with a not-for-profit entity?

A. No. However, the lead organization may subcontract portions of the project to not-for-profit or for-profit entities.

Q. Can a proposal include and seek funding for more than one goal or initiative?

A. Yes.

Q. Since the contract begins simultaneous to the announcement of the awards, will OPWDD consider start up/ramp up activities as legitimate elements of a proposal?

A. Yes, but reimbursement must be within the term date of the approved contract.

Q. Are there minimum or maximum proposal amounts?

A. No, there are no minimum or maximum proposal amounts.

Q. What is the allowable fringe benefit rate?

A. The fringe benefit rate should be in accordance with NYS Office of the State Comptroller (OSC) standards.

Q. What are the travel reimbursement rates?

A. Travel reimbursement rates should be in accordance with the NYS OSC published standards.

Q. Will BIP funds be available beyond the 10 month contract period?

A. No, Section 10202 of the Patient Protection and Affordable Care Act stipulates that the Balancing Incentive Program end no later than October 1, 2015. All funds must be expended prior to this date.

Q. Do project/service recipients need to go through the Front Door?

A. OPWDD DDRO staff will be involved in the grant approval and selection process. If the proposal involves the approval of new or expanded OPWDD LTSS, Front Door staff will be involved to ensure services are not duplicative.