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NEW YORK STATE
DEPARTMENT OF PAROLE
COMMUNITY-BASED RESIDENTIAL PROGRAM
RFP 2006 - 04
BIDDER'S CONFERENCE

DATE: Friday, December 15, 2006

TIME: 1:00 p.m.

PLACE: 97 Central Avenue
Albany, New York

Reported By: Brenda L. Bigelow

Associated Reporters International, Inc.
234 Hudson Avenue
Albany, New York 12210
Tel: (800) 523-7887

1 MR. NESICH: I'd like to welcome
2 everybody to the Bidder's Conference for Request
3 For Proposal 2006-04 Community-based Residential
4 Services.

5 This is a contract program that
6 we've had in operation for almost 20 years. We've
7 had what we call the CBRPs, so we've started put-
8 ting them out to bid about five years ago, and this
9 is the second time we're doing that.

10 The program is similar to the pro-
11 gram we've been running, with some minor updates.
12 And there's some changes in terms of the forms that
13 the State Controller requires -- procurement proce-
14 dures, and things like that.

15 I'm going to apologize in advance
16 for sipping my coffee. Some of us need that in the
17 afternoon. What we're going to do, is we'll do
18 introductions. I'm going to introduce the Parole
19 people here.

20 And then, Grant, if you could intro-
21 duce the Parole people there. And then we'll go
22 around the room for the providers who have decided
23 to attend.

24 First, I have at 10:00, in front of
25 me, Omoye Cooper. She's the Director of Equal

1 Employment Opportunity, an affirmative action
2 program.

3 Behind me, we have the very
4 sophisticated Terrence Tracy, Agency Counsel.

5 MR. TRACY: Good afternoon, every-
6 one.

7 MR. NESICH: Without him, I would be
8 in deep trouble -- without his guidance over the
9 years.

10 MR. TRACY: You're too kind.

11 MR. NESICH: Behind me, we have Cira
12 DiPietro. She is the Director of Program Services
13 for Region 3, which is the area between Albany and
14 New York City, as well as Long Island.

15 This is Patricia Fitzmorris. She is
16 the Director of Program Services for Region 4,
17 which is Albany, up to Canada, and all the way out
18 to Syracuse.

19 MS. FITZMORRIS: And Dutchess,
20 Sullivan, and Ulster Counties.

21 MR. NESICH: Next to Pat, is Ms.
22 Barbara Farley. She's the Director of our Contract
23 Management Unit. She is going to be doing a little
24 presentation in a few minutes.

25 One of the things that unit does, is

1 it oversees this entire Request For Proposal pro-
2 cess, as well as the contract renewals, and general
3 contract management issues of an administrative
4 capacity that fall outside the purview of the
5 actual Program Services Managers.

6 Next to Barbara, we have Ms. Robin
7 Filmer. She is a Special Assistant in the Coun-
8 sel's office. She works with Terry in the writing
9 of all the contracts -- all the drafting.

10 Next to Robin, we have Dawn Lewan-
11 dowski. Dawn works with Omoje in the Office of
12 Equal Employment Opportunities.

13 Next to Dawn, we have Carolyn Leevy,
14 who works in our Policy Analysis and Information
15 Unit. And her unit is responsible for monitoring
16 the reporting requirements of the programs, analyz-
17 ing the effectiveness of the programs, and all the
18 things that go with that particular task.

19 Next, we have Melissa Perrotti. She
20 is the Director of our Budget Unit. And it is her
21 unit that will actually be monitoring the budget
22 requirements, as well as the budget reimbursement
23 requests for all the contracts.

24 This is a unit that used to be
25 pretty much one person, which was me. And now we

1 have some real full-time focus on this. So you're
2 going to see a lot more interaction coming from
3 Melissa's unit, than you would have gotten in the
4 past in terms of feedback, and questioning, and
5 things like that.

6 Next, we have Mr. Tom Tortora. Tom
7 is the Director of Program Services for Region 5,
8 which is Buffalo, Rochester, Elmira -- that western
9 wing of the State.

10 We also have to my right, Ms. Marla
11 Henriquez. Marla works with Barbara in our Con-
12 tract Management Unit. So she also is involved in
13 the actual monitoring, and the coordination of the
14 whole contract process.

15 So as you can see, we have very much
16 an interdisciplinary process here of a lot of
17 units. There's five or six units in the program.
18 We all work very closely together to make your
19 experience here, in terms of working with us, as
20 pleasant and effective as possible.

21 Now if we can go, I think to my left
22 -- first, Grant, why don't you introduce us to the
23 Parole personnel down there in the City.

24 MR. VALENTINE: Thank you, Jeff.
25 Let me start with our Captain Spock here, Karyl

1 Hawks-Jones. She works with Al Rosario. Point the
2 camera towards Al. (Pause).

3 They are part of the Management Team
4 in Region 2 that handles the contracts in Region 2.

5 Also part of Region 2, the Manage-
6 ment Team includes Mary Washington. Mary, could
7 you stand up, please. (Pause).

8 Okay, that's Mary Washington, part
9 of the Region 2 Contract Team.

10 In Region 1, we have the two Bobs.
11 We have Bob Mitchell. Bob, do you want to say
12 hello for us?

13 MR. MITCHELL: I'm Bob Mitchell, the
14 Regional Program Specialist for the Bronx, Manhat-
15 tan, and the rest of the world.

16 MR. VALENTINE: And we have Bobby
17 Boatwright. Bobby.

18 MR. BOATWRIGHT: Hello.

19 MR. VALENTINE: Okay. We also have
20 with us Elizabeth Woods, who handles most of the
21 management stuff out of the New York office down
22 here.

23 So that's our Parole folks down here
24 in New York. Jeff, back to you.

25 MR. NESICH: Okay. Now let's start

1 with my left, which would be your right, I think
2 -- actually, I don't know if that's true -- our
3 providers. If you could, please, give us your
4 name, and the organization that you're with.

5 MR. BRYCH: Edwin Brych, Horizon
6 Center.

7 MR. RICHARDSON: Matthew Richardson,
8 Horizon Center.

9 MR. BALLESTER: Michael Ballester,
10 Phoenix House.

11 MR. TUKEL: George Tukel, Bridges of
12 New York.

13 MS. GRAHAM: Veronica Graham,
14 Buffalo Halfway House.

15 MS. GREATHOUSE: Leslie Greathouse,
16 Buffalo Halfway House.

17 MR. HATCH: Carl Hatch, Catholic
18 Family Center in Rochester.

19 MR. ELY: Dick Ely, Altamont Pro-
20 gram.

21 MS. GENTILE: Jackie Gentile, Alta-
22 mont Program.

23 MS. SCHLANG: Joann Schlang, Task in
24 Albany.

25 MR. WADE: Ronnie Wade, Ulster

1 County Corrections.

2 MR. NESICH: Now in New York City.
3 You guys do your introductions now. Speak clearly
4 and loudly, because the transcriber has to hear to
5 record it.

6 MS. KELLY: Maureen Kelly, Provi-
7 dence House.

8 SISTER KINNEY: Sister Janet Kinney,
9 Providence House.

10 MS. DuBISSETTE: Elaine DuBissette,
11 Palladia.

12 MR. WELIN: Jonathan Welin, Palla-
13 dia.

14 MR. MAFTIAS: William Maftias,
15 J-Cap.

16 MR. HORTON: Edward Horton, Divinity
17 Amour.

18 MR. EPPS: Darryl Epps, Alternative
19 Living.

20 MR. WOOD: Ron Wood, Society of St.
21 Vincent DePaul.

22 MR. SINGLETON: Zach Singleton,
23 Society of St. Vincent DePaul.

24 MR. NELSON: Bishop Nelson, Hope
25 Center Development Corporation.

1 MR. VALENTINE: That's it, Jeff.

2 MR. NESICH: Okay, good. Well
3 welcome, everyone. Thank you for coming.

4 What we're going to do, is go
5 through the RFP very quickly in terms of some of
6 the critical points that we want to make sure
7 everyone understands. And then we'll be turning it
8 over for questions. And we're going to, you know,
9 attempt to answer every question you have.

10 The purpose of the Bidder's Confer-
11 ence, is so that you have an opportunity to ask us
12 questions, so that we can explain exactly what we
13 want. The purpose is not to explain why we want
14 something.

15 You know, this is not the forum if
16 somebody is saying, Why did you ask for ten beds
17 instead of fifteen, or instead of four? Those
18 decisions that are embodied in the RFP are based
19 upon analysis, and research, and decisions that we
20 made here.

21 So we want to make sure you under-
22 stand what we want, but we're not engaging in a
23 dialogue as to why we want that. Sometimes there
24 is a gray area between those points. But we don't
25 want to get bogged down in having to justify what

1 we're asking for here. We just want to explain
2 what we're asking for here.

3 There's a couple things about the
4 RFPs that are very important. We'll bring Barbara
5 up for moment, because there are specific require-
6 ments that have to be adhered to. There are a
7 number of horror stories that have occurred over
8 the past, of which we could do nothing to help the
9 provider.

10 We've had situations where providers
11 paid FedEx -- I don't mean to put down FedEx, but
12 FedEx, UPS, one of those entities, to deliver the
13 proposal on time -- to have it received by the
14 appropriate time, and it didn't happen. A car
15 accident, worst case scenario, you know, death,
16 anything, it doesn't matter. We cannot make an
17 exception for that.

18 So if the proposal is not here on
19 time, no matter what happens, we can't give you an
20 extension of our deadline. So it's absolutely
21 critical you get it here on time.

22 Also, the requirements, the items
23 that have to be provided, every one of those. You
24 have got to sit there, and you've got to make sure
25 that your original submission, as well as the

1 copies, has all the components.

2 We've actually had programs in the
3 past that were disqualified because they put every-
4 thing together, but they didn't sign the authorized
5 signature. We can't make an exception for that,
6 so you have to make sure everything is absolutely
7 perfect.

8 I'd suggest that you take an hour,
9 an hour-and-a-half, sit there with a staff person,
10 and literally look at every single piece of paper.
11 We don't do this to be cruel. We have to do that.
12 It's critically important that you make sure that
13 all of the things that are required, that you
14 provide them, and you provide them in the format
15 that we need.

16 What I would like you to do, is turn
17 to page 5 of your proposal. Actually, I apologize.
18 Start with page 3, the evaluation process. Barbara
19 Farley and Marla, they work in our Contract Manage-
20 ment Unit.

21 We're going to ask Barbara to talk
22 about Phase 1, the pass/fail checklist, the items
23 that have to be part of the process. And please,
24 you know, if you have any questions, jump in, on
25 what these items are.

1 MS. FARLEY: I just want to let you
2 know, for Phase 1, we're really only looking at
3 your original proposal. We want everything in
4 there. We're looking for your signed Attachment D,
5 which is the Application Cover Sheet. Everything
6 in this original, we're really looking for
7 compliance. It's not actually reviewed by the
8 Committee.

9 This Phase 1 will then go to the
10 Committee for review. You have to make sure that
11 Attachment A, the TB Policy, the McBride Princi-
12 ples on the second page -- they're all initialed,
13 so we know that you've agreed with those.

14 And we're going to look at the ten-
15 page narrative, to make sure it's double-spaced.
16 If it's not double-spaced, it will be disquali-
17 fied. That is a big thing. You'll put a lot of
18 time and effort into this, and we wouldn't want to
19 see that happen.

20 MS. SCHLANG: Where do you put --
21 where do you note the compliance?

22 MS. FARLEY: On Attachment D, the
23 second page, there is a place for your initials
24 there. If you're looking for --

25 MS. SCHLANG: I don't see Attachment

1 D.

2 MS. FARLEY: It's the second page,
3 that whole checklist. That's part of the first
4 page that you're submitting. So we put everything
5 on that second piece, that whole checklist, so that
6 you could just review it, and go right through,
7 look for your signature, the double-space, make
8 sure everything is there, comply with that, initial
9 it, and that should -- you should be set there.

10 MR. TUKEK: Where in the proposal
11 itself is this included?

12 MS. FARLEY: In Section 7 in the
13 RFP, under requirements. It lists everything out
14 for TB control.

15 MR. TUKEK: Where do we put this in
16 the body of the proposal?

17 MS. FARLEY: You just need to ini-
18 tial that you've complied with what we want.

19 MR. TUKEK: So would we put this on
20 a separate page, and write this out, and then ini-
21 tialize it?

22 MS. FARLEY: No. You can initial it
23 right on the second page of Attachment D, which
24 this is (indicating). There's a line for please
25 initial, and that's all you need to do. So that's

1 included with the first portion, so your signature
2 is on the front.

3 MR. NESICH: We make it easy for
4 you.

5 MS. FARLEY: Yeah, you really don't
6 need to say anything else. Just that you've com-
7 plied with it.

8 MR. TUKEL: But this is --

9 MS. FARLEY: Attachment A, that
10 you've read it. So on the second page of the
11 Application Cover Sheet, you can just initial right
12 on the checklist. There are three lines on page 2
13 of Attachment D, that you can initial right next to
14 it.

15 And that's your agreement that you
16 read it, you understand it, you've established your
17 TB control plan, your policy and procedure manual.
18 And if there's anything with the McBride --

19 MR. TUKEL: So we don't have to
20 include the TB --

21 MS. FARLEY: No. The actuals, no.

22 MR. TUKEL: We don't have to include
23 that?

24 MS. HENRIQUEZ: You're initialing
25 that you'll provide it. It's established that you

1 have some kind of policy.

2 MR. TUKEL: Okay.

3 MR. NESICH: What I'll do is, I'll
4 go over that. I'll explain how all those pieces
5 fit.

6 MS. FARLEY: The double-space, I
7 mentioned. That's a big thing.

8 MS. HENRIQUEZ: The narrative for
9 the budget.

10 MS. FARLEY: The next piece, we'll
11 look for everything to be in order: the Applica-
12 tion Cover Sheet; your Proposal Response Narrative,
13 that's the ten pages; the case record forms; the
14 budget form.

15 Everything is listed on there. It's
16 pretty easy. I think it's listed three or four
17 times in the RFP -- the actual checklist.

18 The forms then, Attachment F through
19 J, if you need any clarification of any on those
20 forms -- if you've done business with the State
21 before, and have contracts, I'm sure you know how
22 to fill those out.

23 If you need any other reference to
24 them, the last page of the RFP references the
25 websites that you can go to. They are OGS, OSC

1 websites. And any clarification on those in our
2 RFP, is in Section 7 under requirements, also.

3 MS. SCHLANG: Everything has to be
4 -- all of these, submitted in order, have to be in
5 all of the copies?

6 MS. FARLEY: Yes, in all of the
7 copies. We're looking at the original proposal for
8 this compliance. Anything in the copies that you
9 have made that are not complete, and you can prob-
10 ably note in Phase 2, the Committee will deduct
11 five points for anything that they find missing.

12 So you won't actually be disquali-
13 fied, as we did in previous RFPs. Just points will
14 be deducted. So the original really stands for
15 everything. Make sure it's signed.

16 I think that's it.

17 MR. NESICH: Thank you, Barbara.

18 All right, now what you just heard,
19 is Phase 1 of the evaluation process. We'll take
20 you through the whole process, and then you're
21 going to interact with different people. We're
22 going to explain different things as part of that
23 process.

24 The Phase 1 process moves you to
25 Phase 2. Phase 2 is a subjective process, where a

1 committee of evaluators are going to go through
2 your proposal and evaluate it, as described in the
3 RFP.

4 The reason why we need all those
5 copies of everything, is because each member gets a
6 separate package. They don't share things. They
7 do the evaluation in private, and then they bring
8 their evaluation to the Committee meeting. So that
9 this way, you don't have anyone influencing anybody
10 else. So everybody has to get a copy of every-
11 thing.

12 When you get to the Phase 2 process
13 -- when you've moved into Phase 2, there will prob-
14 ably be eight, nine, ten individuals that will be
15 splitting up into teams, so that everybody who
16 reviews a proposal for Region 4, will be the same
17 team. So the playing field is level. So you don't
18 have somebody -- so you don't have mixing and
19 matching.

20 We make sure that the same group of
21 people evaluate every proposal that is competing
22 against another proposal in that catchment area.

23 In Phase 2, of course, there are two
24 very critical components. The main component, the
25 program component, What are you offering? Can you

1 give us what we want?

2 And that, I think, perhaps is an
3 overview.

4 Grant, would you want to talk a
5 little bit about the program requirements, and what
6 we're looking for, and how they're going to be
7 evaluated?

8 MR. VALENTINE: Well I don't know,
9 because I'm in a tough situation. Cira, would you
10 guys from up there do it, because I can't speak --

11 MS. DiPIETRO: Well I just wanted
12 to know if you wanted to do it, that's all. If you
13 don't want to, that's fine.

14 MR. VALENTINE: Thank you.

15 MR. NESICH: This is Cira DiPietro.

16 MS. DiPIETRO: Okay. So what are we
17 talking about?

18 MR. NESICH: If you could just touch
19 on the -- what we're looking for in terms of the
20 program requirements that they are going to be
21 scored on.

22 MS. DiPIETRO: Okay.

23 MR. NESICH: And then after that,
24 Melissa is going to talk about the budget.

25 MS. DiPIETRO: We are looking for

1 housing. We're looking for housing for all, or as
2 many of our clients as we can possibly get housing
3 for who need housing, in our homeless population.
4 So you have to have a place for them to live.

5 They have to get three meals a day.
6 They have to get linens. And in addition to the
7 basics, we also need referrals if they need treat-
8 ment in any area.

9 For instance, mental health, sub-
10 stance abuse services, sex offender treatment --
11 anything. Any kind of service that they might
12 need, we're hoping -- not hoping, we are requiring
13 that you have linkages to those service areas, and
14 service providers, that can provide these services
15 to our parolees.

16 You don't have to provide those ser-
17 vices yourself. If you do, that's fine, but you
18 can refer everything out. What we want from you,
19 is a bed, a dresser, a kitchen, meals, bedding, and
20 referrals. That's basically what we want.

21 Did you want to add anything, Jeff?

22 MR. NESICH: No.

23 MS. DiPIETRO: That's really what
24 we're looking for. Now in your --

25 MR. VALENTINE: Actually, could I

1 say something?

2 MS. DiPIETRO: Sure.

3 MR. VALENTINE: Basically, what I
4 want to say to all the folks with regard to the
5 housing piece, is understand that transitional
6 housing for a criminal justice agency is important,
7 because it helps us reduce those individuals who
8 are at high risk of re-offending.

9 We know that if they don't have
10 housing, a lot of the other things that we work on
11 tend to fall apart. So with the housing -- the
12 transitional housing that this RFP is looking to
13 provide, will help those parolees who may be on the
14 borderline of re-offending.

15 Our goal as a criminal justice
16 agency, is to reduce crime, to help our parolees
17 complete their parole supervision. Housing is one
18 of the cornerstones of doing that. This RFP is put
19 together with that scope in mind, and to help
20 accomplish that overall goal. And this is why we
21 are doing this.

22 So that's all I wanted to add, Cira.

23 MS. DiPIETRO: I figured you would.
24 That's why I told you to speak first.

25 When the proposals come in, the

1 proposals that best deliver the most complete and
2 comprehensive package, will be those who will be
3 awarded the award -- or the contract.

4 MR. NESICH: Thank you.

5 MR. VALENTINE: Can I say one last
6 thing, Jeff, before you go on?

7 MR. NESICH: Sure.

8 MR. VALENTINE: What's also very
9 important to understand, is that our parolee popu-
10 lation is very diverse. We have a wide range of
11 individuals, and we're looking for programs that
12 can service the type of parolee profile that's not
13 just your average parolee.

14 They're going to have a lot of
15 issues going on with them, and the expectations
16 that -- you can help us work with those expecta-
17 tions.

18 That's what I wanted to add, Jeff.

19 MR. NESICH: Okay, thank you.

20 Now what I'd like to do, is turn it
21 over to Melissa Perrotti, who is in charge of our
22 Budget Unit, to talk to you a little bit about the
23 budget structure, and what's important in submit-
24 ting your application in that regard.

25 And then I understand -- Omoye,

1 you're going to address the MWBE; is that correct?

2 MS. COOPER: Yes.

3 MR. NESICH: Okay. And then we'll
4 have -- Omoje's office will address the MWBE sub-
5 contracting requirements, and the goals.

6 Then at that point, we will probably
7 be able to move to questions. Because we've found
8 in the past, the questions are a much better use of
9 our time, than for us to talk here for an hour
10 about things that are actually written in the
11 document.

12 MR. TRACY: Jeff, before we go fur-
13 ther, we have a new arrival.

14 MR. NESICH: Yes, thank you. We
15 have a new arrival.

16 Sir, could you state your name, and
17 your organization.

18 MR. SMITH: Yes. My name is Van
19 Smith, and I represent Recovery Houses of Roches-
20 ter, which is a supportive housing program located
21 in Rochester, New York.

22 I also am here in support of Enrich
23 House, which is another supportive housing organi-
24 zation in Rochester, New York. We provide transi-
25 tional and permanent housing.

1 MR. NESICH: Welcome. Thank you for
2 coming.

3 Melissa Perrotti, Director of the
4 Budget Unit.

5 MS. PERROTTI: Hello, everyone. How
6 are you? I just want to go over quickly, just what
7 we're expecting to see in the budget piece of the
8 proposal.

9 Obviously, we're looking for a com-
10 prehensive budget, which shows the total program
11 amount, any third-party revenue that you project to
12 receive, and the total amount that the Division of
13 Parole will be expected to be reimbursing you for
14 your services.

15 Just a couple of housekeeping things
16 that, you know, we've kind of seen over the last
17 year as, you know, we've started reviewing propo-
18 sals that we've done in the past. These are things
19 that you need to look out for, and make sure you
20 have them there, so that your proposal actually
21 makes it through the process, and is scored
22 properly.

23 As Barbara mentioned, in the origi-
24 nal piece, that pass/fail checklist, you do have to
25 have a budget narrative and justification -- or

1 Attachment E in there. If the budget narrative is
2 not in there, and Attachment E isn't in there, then
3 the program won't move forward to the next phase.
4 You will be disqualified.

5 You do need to submit budgets for
6 two first years. That's May 1st of '07 through
7 4/30/08, and May of '08 through April of '09. We
8 do need separate and distinct budgets for each of
9 those years. If they're not in there, we can't
10 score it.

11 We do need to see that there is a
12 distinct difference between the years. If the same
13 exact numbers are going to be used for each year,
14 print out two pages, and put different years on it.
15 We still need to see the difference in there.

16 You need a budget narrative in there
17 as well. We need to see in your budget what you're
18 requesting, and why you're requesting it. For
19 example, if you have like transportation costs,
20 what are they for? Why?

21 Start-up costs. If you're request-
22 ing start-up costs in your program, please denote
23 them in the first year of the budget. They will
24 only be reimbursed in the first year of the budget.
25 They need to, as I said, be denoted in the actual

1 budget sheet.

2 This is different than cash advances
3 in the past. Cash advances are an advance that you
4 get for the first 60 days of the program. Start-up
5 costs are investments that are made in the begin-
6 ning of the contract to help start-up the contract.

7 If you include client fees as part
8 of your third-party revenue, we can't accept that.
9 We don't expect our parolees to pay for their ser-
10 vices. That's why we're doing the contract. So if
11 they are included in there, we're going to subtract
12 them out, increasing the overall amount that Parole
13 would pay out, and therefore, maybe affecting your
14 score.

15 I think that was pretty much it.

16 Also, clearly define in each of the
17 years -- the budget narrative has to be in there,
18 properly noting start-up costs, and no client fees.

19 MR. NESICH: I think that's it.

20 MR. TUKEL: May I ask a quick ques-
21 tion?

22 MR. NESICH: Sure.

23 MR. TUKEL: In the RFP, you make
24 reference to a detailed sheet and a budget narra-
25 tive.

1 MS. PERROTTI: Right.

2 MR. TUKEL: Are those one in the
3 same? Or are they different? Or how would you --

4 MS. PERROTTI: Well the budget
5 narrative will show -- it's just an explanation of
6 what you're requesting for services. The budget
7 sheet, detail sheet is actually showing personal
8 service costs lined-out.

9 MR. TUKEL: If we put those line
10 items on this --

11 MS. PERROTTI: Which we expect, yes.

12 MR. TUKEL: -- do you want it --

13 MS. PERROTTI: We still want the
14 narrative that explains -- if you say you need
15 transportation costs at \$1,300, I don't know what
16 that means. Are you providing transportation for
17 clients? Or are you --

18 MR. TUKEL: But we don't need the
19 detailed sheet then, if we do this, or we need
20 both?

21 MS. PERROTTI: You need both, yes.

22 MR. TUKEL: Okay.

23 MS. PERROTTI: That's a good ques-
24 tion, actually.

25 If you're doing a budget narrative,

1 and you're doing a detailed sheet, you need to make
2 sure that everything actually foots-up against each
3 other. You want to make sure that the numbers that
4 you say in the budget narrative, match the detailed
5 budget sheet.

6 Now you'll see on the website this
7 year, we actually have Attachment E separate and
8 downloadable for you to actually work in that docu-
9 ment, which I'm sure you probably all appreciate.

10 If you -- you know, we expect that
11 you can download that, and manipulate that document
12 as you see fit for your program. If you still want
13 to submit another attachment, because you prefer
14 your program over ours, you can do that. You can
15 submit another sheet, but you still need to have
16 that other Attachment E sheet in there.

17 So just make sure that the totals on
18 Attachment E match every one of the sheets, so that
19 we can see that -- we can clearly see what the
20 amount is being requested from Parole. Because if
21 we can't tell the difference, we're obviously going
22 to go off of our Attachment E sheet.

23 And make sure everything foots, too.
24 I mean, you -- I know there are formulas in Attach-
25 ment E, but I think that the final -- there's a

1 piece in the final total amount that the formula
2 might be a little off. I don't think it actually
3 captures the third-party revenue in there.

4 So just make sure if you're putting
5 it in, it actually adds up to what you expect it to
6 be. And we'll recalculate it, but you just want to
7 make sure that you check everything two or three
8 times, and have someone else look at it.

9 You know, we've had people submit in
10 requests before, that they forgot a zero or some-
11 thing, and we can't make up those differences after
12 the fact. If the amount is awarded -- there is no
13 change to the contract amount once it has been
14 awarded.

15 MR. NESICH: Thank you.

16 There's more questions later for
17 budget, if you want. You know, you don't have to
18 just ask them now.

19 MS. PERROTTI: Thank you. Good
20 luck.

21 MR. NESICH: Before I turn it over
22 to Omoye for the MWBE requirements, I want to men-
23 tion something about the budget narrative.

24 The budget narrative is far more
25 important, I think, in this RFP than in the past,

1 when we've done Relapse Prevention RFPs for drug
2 treatment. The reason being, that there is no
3 licensing agent here.

4 So for example, there is wide dis-
5 cretion as to staffing that you might feel your
6 program should have as opposed to someone else's.
7 But the drug treatment program, OASAS, has certain
8 requirements. So you're not going to get someone
9 saying 20 to 1, and someone else saying 100 to 1,
10 because the 100 to 1 is not going to get licensed.

11 It's not the case for residential
12 programming. So if you know that you happen to be
13 richer-staffed than some of your competitors,
14 because you have two people on in the evening
15 instead of one, the budget justification is where
16 you can make that point.

17 If you don't really make that point
18 clear, it might be missed by the program people.
19 It's not going to affect your budget score, but the
20 program people, in reading it, might say, Oh, look
21 at this. They've got two people on. And because
22 there are two people on, X-Y-Z is going to happen.

23 So in your personal service you'd
24 say, The justification for the staff is as follows,
25 ba-ba-ba-ba-ba. We believe that we -- that it's

1 more important to have this configuration, or this
2 thing. Make the case, because otherwise there is
3 going to be no context.

4 It's the same thing for fringe bene-
5 fits. It's the same thing for space, and for food.
6 If you feel that you actually provide -- you know,
7 that it's your program's philosophy to provide
8 better food, healthy food, that you don't use
9 trans fats, and things like that, say it in there.
10 Because otherwise, we won't have a context for the
11 budget.

12 And the program people could consi-
13 der that in terms of some of the categories for the
14 overall essence of the program that's being
15 offered. But you've got to be concise as well. So
16 choose your words carefully, because that is where
17 you want to make the point.

18 Another big part of this, is the
19 MWBE requirements. This is something that --

20 MR. ELY: Is there a page limitation
21 on the narrative?

22 MR. NESICH: For the budget narra-
23 tive, no. Good question.

24 The MWBE requirements have been
25 around for about seventeen years. These are

1 requirements that the Executive has set for goals
2 that the agencies have to achieve in terms of doing
3 business with minority and women-owned businesses.

4 Some of the forms get completed as
5 part of the RFP process, but there's also a large
6 part of those requirements which are done after a
7 contract is awarded.

8 You'll find that there are a lot of
9 things that -- someone asked earlier about, Does
10 this have to be provided? Does that have to be
11 provided? If you receive a contract, then some-
12 one's going to say, Let me see the TB plan. And
13 they're going to look at it in detail. They're
14 going to do a site visit, and look at the site.

15 I mean, there's certain things that
16 you have to provide up-front, and then there's
17 certain things that are going to be provided only
18 once you get the contract.

19 So with no further ado, Ms. Cooper.

20 MS. COOPER: I refer you to Attach-
21 ment F in your packet. That's the section that
22 deals with minority and women-owned business
23 requirements.

24 As Jeff stated, this is mandated
25 through Executive Law, Article 15A, and it requires

1 that state agencies take affirmative action to
2 increase the participation in state contracts with
3 minority and women-owned businesses.

4 We do this through our service pro-
5 grams, through the subcontracting that you all
6 would be involved in, if you were to get the con-
7 tract with the Division.

8 There are two levels of submission
9 with requirements for MWBE. When you submit your
10 proposal, what's mandated that you include in that
11 package, is an EEO Policy Statement, which I
12 believe was in your bidder's folder.

13 There is some boilerplate language
14 there, with some other information as to what your
15 EEO Policy Statement should reflect. And basic-
16 ally, that's a statement on nondiscrimination in
17 employment, and that type of thing, and services --
18 provision of services.

19 The second part that's required with
20 the submission of your proposal, is a staffing
21 plan. Here, we ask that you complete the form
22 staffing plan, which would outline your anticipated
23 work force. If you haven't hired yet, you outline
24 what you anticipate your work force will look like.

25 And the staffing plan is divided by

1 what's called Federal Occupational Categories,
2 which breaks it out by what your official adminis-
3 trator population will look like, your technicians,
4 your professionals, support staff, etc.

5 If you don't know what your staffing
6 plan is going to look like, or what your work force
7 is going to look like after you receive the con-
8 tract, you can supply what your current work force
9 looks like, just so that we can get an idea of -- a
10 snapshot of what your present work force looks
11 like.

12 The papers that are in your packet
13 that deal with utilization plans or goal-setting
14 plans, you won't have to deal with until after
15 you've been awarded a contract. In that instance,
16 we would want you to outline for us what your goals
17 are in terms of utilizing minority or women-owned
18 businesses.

19 And we do this. Our office helps
20 you with this, by looking at your budget that Jeff
21 talked about earlier. We'll look at your budget,
22 and we'll identify those areas where you may be
23 able to utilize minority and women-owned busi-
24 nesses.

25 For example, if you have a line in

1 your budget for laundry services, if there is a
2 minority or women-owned business in your local that
3 provides laundry services, we would help you iden-
4 tify that. We would encourage you to utilize that
5 business for that particular service.

6 MR. SMITH: For example, if we were
7 looking to joint venture with an MWBE that would
8 provide employment, could they be like the lead
9 organization in terms of going after this contract?

10 Do you follow what I'm saying? We
11 provide housing -- my organization would provide
12 the housing.

13 MR. NESICH: Here's what we -- there
14 can only be one contractor. So they could certain-
15 ly be the contractor, and then subcontract with
16 another organization. But there can't be two con-
17 tractors.

18 MR. SMITH: Right.

19 MR. NESICH: Now if they were to
20 subcontract with another organization, I think your
21 question is, would that count as credit towards
22 these goals?

23 MR. SMITH: Right.

24 MR. NESICH: I think the answer is
25 maybe, depending on the specifics. It very well

1 could.

2 MS. COOPER: So we have the forms
3 that you'll see here. We have separate forms for
4 supplies, and one for consultants -- suppliers,
5 consultants, services, that type of thing. So
6 there are a number of different areas you can
7 utilize.

8 And again, my office acts as a re-
9 source in helping you to identify if there are any
10 available minority or women-owned businesses in
11 your area that you can subcontract with.

12 In reviewing your good faith effort,
13 we do take that into consideration. If we find
14 that there is no MWBE in your area for you to sub-
15 contract with, you won't be penalized. We do offer
16 waivers.

17 But it's important that you be able
18 to demonstrate that you initiated a good faith ef-
19 fort in terms of identifying and utilizing minority
20 and women-owned businesses.

21 MR. NESICH: Thank you.

22 A couple things I want to mention
23 before we get into the questions. The first thing
24 is on the budget. A big part of the budget is a
25 big calculation, as they say, it's always third-

1 party revenue.

2 We do not have the ability to make
3 up for third-party revenue that you think you'll
4 get and don't. So it's very important, when you
5 project your third-party revenue, to be careful to
6 not over-project.

7 And it's also important that you
8 give us the calculation as to what the amount is
9 going to be. A certain number of clients, times a
10 certain amount of money, if it's like the housing
11 assistance program, for example.

12 Now we recognize that if we start
13 giving you a lot of people from outside the county
14 that you're in, that there could be an impact on
15 third-party revenue.

16 We also recognize that the rules
17 could change. And if the rules change, and your
18 third-party revenue is not what you projected, as
19 long as we understand that you didn't over-project,
20 but that the rules have changed, we'll work with
21 you.

22 We might have to reduce the beds.
23 We might have to do something. But as long as it's
24 something that we can explain, that we can work as
25 partners, because that's what we are. But if you

1 go, and you over-project just to drive down the
2 Parole cost to get a contract, that doesn't serve
3 our interest or yours.

4 So make your best estimate, and tell
5 us what that estimate is based upon. And then from
6 there, we can proceed as partners. If the third-
7 party revenue picture changes, which it may, then
8 we'll be working together with the same set of
9 figures, and the same intention.

10 The other thing is, Barbara had men-
11 tioned that the Comptroller's Office has gotten
12 very strict in the last couple of years. So it's
13 important that your original copy really have
14 everything, and it's in absolute perfection. Spend
15 the time to make sure that it does, and that you --
16 if you have to drive it here, make sure it's deli-
17 vered here on time.

18 If you -- this RFP -- a lot of work
19 has gone into this by Barbara's unit. You can
20 start on Attachment C -- and really, Attachment C
21 to the end, is your proposal. You go right to
22 Attachment C, the proposal response questions.
23 That's where you're answering questions based upon
24 what we ask for in Attachment B, the scope of
25 services. It's right there: ten pages, answer all

1 those questions, and make sure you answer them
2 accurately.

3 And then from there, everything
4 flows. You see Attachment D. Well part of that is
5 the checklist that we talked about. It's all right
6 there. All you've got to do, is make sure that
7 it's there.

8 Attachment E, there is the budget
9 detail sheet. And behind it, is the justification.
10 And again, you're not limited to the ten pages.
11 So just do a justification sheet behind it, of all
12 the categories.

13 Then you have your MWBE. Then you
14 have your vendor responsibility, workers compensa-
15 tion, and it all flows from there. We took a lot
16 of time to make this as less cumbersome as poss-
17 ible, recognizing it is very cumbersome.

18 But look at it that way, make sure
19 you have everything in there, and an original copy,
20 and that it's here on time.

21 MR. TUKEL: Can I ask you a ques-
22 tion?

23 MR. NESICH: Sure.

24 MR. TUKEL: On Attachment C, I'm
25 assuming that item A through E, we have ten pages

1 to that. And then item G, budget fiscal, we have
2 -- we can take what we need.

3 MR. NESICH: You have the -- yes.
4 Because see then, you go to Attachment E. Budget
5 fiscal is a separate attachment.

6 MR. TUKEL: I just wanted to clarify
7 that.

8 MS. HENRIQUEZ: There is no F.
9 There is no F in this.

10 MR. NESICH: There is no F. There's
11 actually very good reasons why there is no F. But
12 as I said earlier, we're not here to explain. We
13 are just here to answer your questions.

14 So thank you, Marla. That was very
15 good.

16 Let's go to questions now. Let's
17 make sure everybody gets all their questions asked
18 and answered. There will be a transcript of this
19 hearing, which will be on-line within a couple
20 days.

21 Is there an actual estimated time
22 frame for that, Barbara, for the transcript being
23 on-line?

24 MS. FARLEY: January 12th it should
25 be on-line.

1 MR. NESICH: Okay.

2 MS. FARLEY: The question deadline
3 is January 22nd. It should be posted on the web-
4 site by the 24th.

5 MR. NESICH: Excellent. That will
6 be all the questions that were asked, and that I
7 answered in writing. They will be on the website.

8 When the thing is on the website --
9 by the way, we apologize in advance, because it
10 never sounds as good reading it, as it does saying
11 it.

12 And we had a bidder's conference
13 where I made a joke about food. And that we don't
14 want our -- you know, we don't want you guys serv-
15 ing them buckets -- no food should come in a
16 bucket, and things like that. Seeing it in the
17 transcript, you know, looked a little funny because
18 it was a joke.

19 Well just generally speaking, I
20 think most of you people are professionals, and you
21 can agree with me: food is not meant to be con-
22 sumed out of a bucket. Can we agree with that? No
23 one is agreeing. (Laughter)

24 All right, let's start with the
25 questions. And again, say your name, please.

1 MS. SCHLANG: I have a couple of
2 questions. The business about programs using a
3 cognitive behavioral therapy model in Attachment C,
4 under B, Scope of Services. Is there -- do you
5 have a projection -- or can you give me an idea of
6 what the relative weight of that part of Section B
7 might be?

8 There are ten questions. It looks
9 to me like it's -- the way that the RFP reads, it
10 looks to me like it's more than ten percent.

11 MS. DiPIETRO: It's going to be
12 twice as much as any other question in that section
13 only.

14 MS. SCHLANG: Okay. I had raised
15 the question with Jeff, and I'm going to raise it
16 again. I think that nonlicensed programers have
17 some issues doing what you have referred to as
18 therapy. I think that there are other words that
19 could be used, that doesn't get us in trouble with
20 either with the State Education Department or our
21 insurance companies.

22 MR. NESICH: I'm going to turn it
23 over to Grant Valentine, who is our expert on CBT.

24 MR. VALENTINE: I think the RFP says
25 pretty clearly, that if you're not able to provide

1 that service directly, you certainly have the abil-
2 ity to refer it out to someone who you feel comfor-
3 table about doing that, if you don't feel confident
4 yourself.

5 The cognitive behavioral tract is --
6 again for us, in terms of criminal justice, we're
7 looking to change how -- an individual's thinking
8 about their behavior. And if we're not doing that
9 as a criminal justice agency, we're not going to be
10 very successful in terms of changing people's lives
11 around.

12 So we have to start somewhere by
13 doing that, and the cognitive tract is the way that
14 we want to go. If you feel your agency doesn't
15 have the ability to do that itself, you're going to
16 have the ability to refer it out to those programs
17 in your network that are able to do that.

18 MS. SCHLANG: Grant, I'm not as
19 concerned about doing the work, as I am about the
20 language saying that we're doing it as a therapy
21 model. I think that's where the stumbling block
22 is.

23 MR. VALENTINE: You have an issue
24 only with the word therapy.

25 MS. SCHLANG: Right. I think ther-

1 apy under the State Education Department has to be
2 provided by licensed professionals.

3 MR. VALENTINE: So if you're not
4 able to provide that yourself, by your staffing or
5 a licensed professional, then you clearly have the
6 option of referring it out. That's what the RFP
7 says.

8 MR. NESICH: Let me clarify two
9 things. Number one, you don't have to provide it.
10 The preference is given.

11 And Cira pointed out, that in terms
12 of the overall scoring piece, it's a point or two.
13 It's a very small amount once the calculation is
14 done.

15 MS. DiPIETRO: How many questions
16 are in that section?

17 MS. SCHLANG: Ten.

18 MS. DiPIETRO: Ten, all right. So
19 instead of that one question being counted as one,
20 you count it as ten and eleven. It's two -- it's
21 worth two questions. It's worth twice as much, but
22 only in that section. Once the total -- there's 25
23 points for the whole section.

24 MR. NESICH: So it's --

25 MS. DiPIETRO: So it's only going to

1 come out to -- if you said no, and you weren't
2 going to do it, you would lose a couple of points
3 off that section in total.

4 MR. NESICH: The other thing is, it
5 certainly is acceptable -- in your proposal, you
6 could just reference that you will use analytical
7 behavior modification methods.

8 You know, you can put in paren-
9 theses, referred to in the RFP as CBT, and that
10 will suffice. I mean, you can certainly call it
11 something else.

12 MS. SCHLANG: I don't want to be
13 penalized because I don't call it therapy.

14 MR. NESICH: No, we would not pen-
15 alize you for that. I would just reference --

16 MR. VALENTINE: I also think, too,
17 Jeff, that -- I mean, in most cases, most networks
18 you have, there should be someone who is doing some
19 sort of behavioral therapy in most of your net-
20 works.

21 So if you connect with that in your
22 community, you're still going to be able to find
23 someone who might be able to work with you on that.
24 I don't know think it's that difficult to do.

25 MR. NESICH: But it's not our place

1 in this forum to tell them that, because this is --

2 MR. VALENTINE: I understand that.

3 MR. NESICH: Grant, our only objec-
4 tive here, is to explain to them what we mean, and
5 to give them an opportunity to comply that works
6 for them.

7 So what I'm saying is, if a program
8 chooses to do it, or does do it, it is a prefer-
9 ence. It is not a requirement.

10 And certainly, you could call it
11 something other than therapy, so that you're not
12 jammed-up in terms of the concerns that you raised.
13 Which may be very legitimate, depending on your own
14 licensing requirements, and your own situation with
15 the county.

16 MS. SCHLANG: I have one other ques-
17 tion for Melissa. We have -- we are -- we have two
18 sites, but we use one accounting system and budget
19 system for the whole thing. Can we -- do we have
20 to have two different budgets?

21 MS. PERROTTI: Yes. You should have
22 a separate budget for each of the sites. But for
23 your accounting purposes --

24 MS. SCHLANG: Well what if you want
25 to be -- aren't you going to run into trouble that

1 way, if -- let's say I have ten, and I'm saying
2 that I'm going to have five here and five there,
3 but it might work out that there are six here, and
4 four there?

5 MR. NESICH: You just work with
6 Melissa to modify the two separate site budgets.

7 MS. PERROTTI: So when you submit
8 your budget, it should show the two sites.

9 MR. NESICH: The modification part
10 won't be difficult. We understand that if you have
11 two sites, you might move a division from here to
12 here.

13 MS. SCHLANG: No, that's not the
14 issue. The issue is, that I can be flexible one
15 way, and I can't be flexible as to the number of
16 clients.

17 MS. PERROTTI: If you submit your
18 budget as one package for the two sites, you have
19 more flexibility as opposed to submitting it as two
20 separate proposals.

21 In that case, if you -- and correct
22 me if I'm wrong, Jeff -- but if you're going to
23 submit for two sites, you're going to do it under
24 one proposal.

25 MS. SCHLANG: That's right.

1 MS. PERROTTI: There is two budgets
2 in that proposal.

3 MR. NESICH: We've had it both ways.
4 We have had programs that have submitted, you know,
5 three separate budgets rolling up to one for dif-
6 ferent sites. We had a program in New York City
7 that did that.

8 And we also -- you could also do it
9 your way. The only thing that's key, is you have
10 to make sure that the Parole expenses are tractable
11 for purposes of the post audit.

12 MS. SCHLANG: Okay, thank you.

13 MR. NESICH: You're welcome.

14 Grant, the young lady to your right
15 I think, came in after we started.

16 MR. VALENTINE: We have a couple new
17 folks here. Just explain who you are, and what
18 agency you're with.

19 MS. FLEMMEN: My name is Pamela
20 Flemmen. I'm here with J-Cap.

21 MS. HAYNES: My name is Daffney
22 Haynes from Peace Valley Haven, located in Roose-
23 velt. We provide transition and emergency shelter
24 for the homeless.

25 MR. VALENTINE: We've got one more

1 over here, too.

2 MR. EPPS: My name is Darryl Epps.

3 MR. NESICH: We got you, yes. You
4 were here in the beginning. You're right, sir. So
5 we're going to record you down twice.

6 MR. VALENTINE: So Jeff, we have
7 some questions on this side.

8 MR. NESICH: Yes.

9 MR. EPPS: I'm right now servicing
10 37 people. And at 3:30, I'm going to negotiate
11 another building. It will be able to hold 35
12 people, but I won't put but 30 in there. And I
13 have two other buildings.

14 In other words, in the next two
15 months, I'm looking to be servicing at least 100
16 people, because the Department of Housing won't
17 assist you unless you're servicing 100 people. Now
18 what should I -- how should I do that with a
19 budget?

20 Because I have quite a few profes-
21 sionals that say they will help me as far as the
22 budget and everything. How should I do that?
23 Should I project, if I'm like reasonably sure that
24 I'm going to be servicing 100 people when this
25 proposal goes through? Or should I just work with

1 the people that I have in-hand?

2 MS. PERROTTI: The proposal amount
3 that you submit should just be for those parolees
4 that you're submitting. So if you're servicing 100
5 people, your budget is going to be based on the
6 people that you're providing service to through the
7 contract.

8 As far as third-party revenue goes,
9 if you're likely to get that, your projection would
10 be based on that. If it's unlikely that you're
11 going to get that, then you don't want to put it in
12 there.

13 Because if you don't receive it,
14 then the budget amount is going to go up, and you
15 are not going to be able to provide the services
16 that you had planned on providing originally to the
17 Division.

18 MR. EPPS: I couldn't hear that last
19 part.

20 MS. PERROTTI: If you project more
21 third-party revenue than you actually receive, the
22 Division of Parole can't make up the difference in
23 the contract. So you might run into a problem
24 where your funding will run out, and you'll have no
25 ability to pay for your program, basically.

1 So you want to make sure that your
2 third-party revenue projections are based on reve-
3 nue you're actually going to receive.

4 MR. NESICH: Sir, let me back-up a
5 little bit, just to make sure we understand what
6 you're saying. We're looking for an 80-bed maximum
7 program in New York City for men, and a 20-bed
8 maximum program for women.

9 So first, in terms of your reference
10 to 100 beds, were you referencing a program of
11 which you would have 80 of your 100 being Parole?
12 Or are you looking at the whole building just
13 being this program?

14 MR. EPPS: No, well I -- right now,
15 I have three buildings, and I'm only working with
16 parolees.

17 MR. NESICH: Okay.

18 MR. EPPS: So I have two other
19 buildings that I'm negotiating. All I have to do
20 is say yes, and I'll get the buildings. But I --
21 there are some other particulars I want to get from
22 the people.

23 MR. NESICH: Right.

24 MR. EPPS: And I know --

25 MR. NESICH: Do you have a contract

1 with Parole?

2 MR. EPPS: No. I've been indepen-
3 dent for quite a few years. I've been surviving
4 with private funds and so forth. But someone told
5 me about this, and told me to be here -- a couple
6 months ago, anyway. So that's what I'm trying to
7 see, what is here available for me.

8 MR. NESICH: All right. Here's what
9 I think you should --

10 MR. EPPS: Well actually the organi-
11 zation, not me.

12 MR. NESICH: Okay. Here's what I
13 think might be a good way for you to proceed. If
14 you are able to get two buildings, one building,
15 whatever it is, and can fit between 70 and 80, if
16 you look at catchment area 2, male parolees in
17 those sites, then you have the parameters that you
18 need to make a proposal.

19 Then what you would do, is you'd
20 have to figure out exactly how much it's going to
21 cost you to run those two buildings with the 80
22 male parolees in them. Figure out the total cost,
23 and then figure out how much third-party revenue
24 you're going to get for those 80, and minus that
25 from the overall number.

1 What you're left with, is what you
2 have to ask us for. And that, in effect, becomes
3 your proposal.

4 MR. EPPS: Okay, thank you.

5 MR. NESICH: Anymore New York City
6 questions?

7 MR. HORTON: I have a similar situ-
8 ation. And just to expound on it a little bit, we
9 presently have ten houses, but we have all types of
10 individuals, not just parolees and sex offenders.

11 We house 300 individuals. Out of
12 that group, I may have 25 percent which are paro-
13 lees. Now this program only deals with parolees?

14 MR. VALENTINE: Yes.

15 MR. HORTON: Okay. So then my bud-
16 get is going to have to take away all the other
17 individuals. That's the outside money you're
18 speaking of?

19 MR. NESICH: Well no, no, no. Let
20 me explain. The third-party revenue that you
21 receive for a parolee, the whole point is -- for
22 Parole, as well as for the local government -- you
23 don't want to be what they call double-dipping.

24 So for example, the program that you
25 could run, let's say is in Phantom County X, and

1 they give you \$24.00 a day for every homeless per-
2 son who you take in. What we're saying here, is if
3 you take in parolees, we want you to do all of this
4 stuff.

5 So if you're able to go to the
6 county and say, When I take in a county resident,
7 who is a homeless parolee, will you still give me
8 the \$24.00? And if the county says yes, then to
9 provide all the other stuff in here, you need
10 another \$30.00 from Parole, because we're asking
11 for a lot more than just, you know, three hots and
12 a cot.

13 So in that case, you would be pro-
14 viding for every parolee in your program, \$55.00
15 worth of service, of which you would get \$24.00
16 from the county, and \$30.00 from Parole. That's
17 the way it would work.

18 Now if you got less than the \$24.00,
19 then you're going to have a problem. If you get
20 more than the \$24.00 from the county, then you're
21 double-dipping in that you've provided \$54.00 worth
22 of service, the \$30.00 and the \$24.00, but you got
23 \$30.00 from Parole and \$30.00 from the county. So
24 you provided \$54.00 of service, but you got \$60.00
25 back.

1 You can't do that, because you're a
2 not-for-profit. That \$6.00 either becomes a credit
3 for the Division of Parole, or you might engage
4 your contract manager, which would be Tom, or Bob
5 Mitchell, or Cira, or Pat, or Al.

6 And they would work with Melissa's
7 office to say, We're getting this extra third-party
8 revenue. Rather than just refund it to Parole, we
9 think we should add a new element to the program.
10 And we can help pay for it, because we're getting
11 additional third-party revenue. So that's the way
12 that works.

13 All the homeless people who are in
14 your program now, you get the third-party revenue
15 for them, that's revenue associated with them. If
16 you have a parolee who is in your program, and
17 you're going to make a proposal here, the third-
18 party revenue works with the Parole money, because
19 you can't provide these services with just the
20 housing assistance program. At least I don't think
21 so.

22 Excuse me for a moment.

23 MS. DiPIETRO: All right, do we have
24 another question up here?

25 MR. SMITH: I just want some clari-

1 fication. If the county is paying \$20.00, and the
2 bill is \$55.00, then Parole will pick up the
3 \$35.00. Therefore, I wouldn't bill that \$20.00 to
4 Parole that the county is paying.

5 MR. NESICH: That's right, exactly.

6 MS. SCHLANG: But is reimbursement
7 going to be based on individuals, or on --

8 MR. NESICH: No. The reimbursement
9 from Parole is based upon the cost of the program
10 -- or the fixed cost of the program. But your
11 reimbursement from the county, is probably tied to
12 individuals. I mean, maybe it's not.

13 I don't know if -- there are some
14 organizations that have contracts with counties,
15 where for every individual who they provide a
16 shelter to for one night, they get \$24.00. There
17 are other organizations that have a contract with
18 the county, where the county says, Here's \$250,000,
19 you make sure you have ten beds open every night
20 for the whole year.

21 Those are different things. And
22 that's an arrangement that the program would have,
23 which is not our arrangement.

24 MS. SCHLANG: Is this going to be
25 justified at the end of the year, or is it every

1 month?

2 MR. NESICH: Every month.

3 MS. SCHLANG: We have to report --

4 MR. NESICH: Every month --

5 MS. SCHLANG: -- income that we've
6 gotten, and take that off?

7 MR. NESICH: Yes. Every month you
8 report the third-party revenue that you received
9 associated with the parolees.

10 MS. SCHLANG: Okay.

11 MR. NESICH: Yes, sir.

12 MR. BALLESTER: I'm just wondering
13 about indirect costs. Is there a cap, or a set
14 limit that is required?

15 MR. NESICH: No, there is not. But
16 let me address that. Let me address that with a --
17 I hate anecdotes, but I'm going to use one.

18 A couple years ago, the guy who ran
19 administration was a legendary figure -- somewhat
20 of a tyrant at times. Anyway, we awarded a
21 contract to a program that had an indirect cost
22 recovery of 48 percent. They were still the low
23 bidder.

24 Well when I had a discussion with
25 this individual, he was, you know, ready to rip

1 down the walls. What happened is, obviously this
2 program had a ton of things in indirect costs, that
3 normally are direct billings.

4 We will -- so right now, we recog-
5 nize that everybody does business differently. We
6 are -- sometime in the future, in the next year or
7 two, Melissa's office is going to be promulgating
8 some rules, regulations for contract programs, to
9 work with people collectively to say, these are the
10 kinds of things we want to see in indirect costs.
11 These are the kinds of things we want to see in
12 direct billing.

13 We haven't done that yet. We will
14 be doing that. It's not going to be an aggressive
15 thing. It's not going to be a penalizing thing.
16 We just might work with you, within your budget to
17 say, You know what? When we renew your program
18 next year, we'd like you to take those three posi-
19 tions that you're charging us for, you know, 30
20 percent of the account, we'd rather see that in
21 indirect costs -- things like that -- but we'll
22 work with you cooperatively in that area.

23 MR. VALENTINE: Do we have a ques-
24 tion on this side?

25 MR. WELIN: -- who are currently

1 providers under the set of contracts that are
2 expiring?

3 MR. NESICH: I'm sorry, I didn't
4 hear the beginning of your question, sir.

5 MR. WELIN: Can you list -- can you
6 release the list of agencies that are currently
7 providers for the five catchment areas, in the set
8 of contracts that's expiring?

9 MR. NESICH: Let me tell you the
10 process for that. That information is -- under the
11 Freedom of Information Act, everybody is entitled
12 to that information in terms -- including a list of
13 all the current contractors, and copies of all the
14 current contracts.

15 However, to get that, you have to
16 submit a Freedom of Information request, a FOIL
17 request, to our counsel's office, Mr. Tracy, who is
18 here. And Robin, I believe, is still here.

19 Now I'm not going to speak for them
20 in terms of their judgment. But I can tell you, in
21 the past the FOIL position has always been that
22 once the agency is engaged in a request for propo-
23 sal process, the provision of that information
24 isn't considered appropriate, unless it would be
25 provided to every single entity that would ask for

1 it, including literally having to put it all up on
2 the website.

3 And we're not willing to do that,
4 because what we do with these RFPs, is provide all
5 the information that we feel is necessary for
6 someone to bid.

7 So you certainly can submit the
8 request, and Robin can give you the address to sub-
9 mit it, and then counsel's office would have to
10 make a judgement.

11 MR. WELIN: So you're not going to
12 put it up on your website.

13 MR. NESICH: No.

14 MR. WELIN: Also, my second is, How
15 much money has been allocated to each catchment
16 area, or in total? Is that information we can get?

17 MR. NESICH: No, that is also infor-
18 mation that we don't provide. Best case, I'd like
19 to get all the contracts awarded in each catchment
20 area for about a dollar each. But I realize that
21 that's not going to happen.

22 We have a sufficient level of fund-
23 ing to make awards consistent with our current
24 program. But the funding is limited, and it's no
25 -- it probably comes as no surprise that we exer-

1 cise third-party revenue with our contracts as much
2 as possible.

3 We get a lot of Medicaid on the
4 Relapse Prevention side, and we do get a fair
5 amount of housing assistance funding. When I say
6 we, our contract programs. But we don't give any
7 caps for how much money is available, or how much
8 money will be for each area.

9 MS. SCHLANG: Are these beds in
10 addition to the current beds being paid for through
11 Parole Stabilization contracts?

12 MR. NESICH: Yes. The Parole
13 Stabilization that's known as the RSP, Residential
14 Stabilization Program, that is a short-term pro-
15 gram. 30 days is the optimal time to turn over.

16 This is the community-based resi-
17 dential program. This is a longer residential
18 program. It's more than 30 days. Sometime in the
19 future, we're going to look at the 30-day programs,
20 and the longer programs, and we're going to make a
21 determination as to which are more effective, and
22 which is the best way to go.

23 And we might be going with more
24 short-term or more long-term. But right now, we
25 don't have that information, so we run both pro-

1 grams. And this is different. This is the
2 longer-term. You will see the scope of services is
3 a little different because of that.

4 MR. VALENTINE: Anymore questions
5 from this side?

6 MS. WASHINGTON: Will there be an
7 opportunity for providers that are not here to
8 e-mail questions to you?

9 MR. VALENTINE: Jeff, we have a
10 question.

11 MR. NESICH: Okay.

12 MS. WASHINGTON: Will there be an
13 opportunity for providers that are not here, to
14 e-mail questions to you, Jeff?

15 MR. NESICH: Yes, there will. Yes,
16 there is. Yes, there shall be. I don't know what
17 the details are.

18 Questions must be submitted by
19 January 22nd. That's on page 10 of the main
20 proposal. And then we will put the questions and
21 answers up on the website after that.

22 MS. WASHINGTON: Okay, thank you.

23 MR. NESICH: And as Ms. Schlang
24 pointed out, sometimes my answers are very short,
25 because I type with two fingers. So sometimes if I

1 can say yes or no, I'm not -- it's not that I'm
2 trying to be rude. It's just that's the general
3 level of effectiveness that I have.

4 MS. WASHINGTON: Thank you.

5 MR. NESICH: You're welcome.

6 MS. HAYNES: I understand, sir, that
7 you do not give us an amount of money so we can
8 budget ourselves on that. But if we put a program
9 together which is acceptable, and the budget is
10 higher than you intend to give, do you give us a
11 chance to adjust it, or you just disqualify us for
12 that?

13 MR. NESICH: No, we are not allowed
14 to give you a chance to adjust it. And you're not
15 disqualified. You will just probably receive less
16 points than a proposal that is more cost-effective
17 than yours. You're not disqualified, but it's part
18 of the overall scoring.

19 MS. HAYNES: Thank you.

20 MR. NESICH: You're welcome.

21 MR. VALENTINE: Jeff, we have a
22 question over here.

23 MR. HORTON: How many contracts are
24 going to be awarded? Can you tell us that?

25 MR. NESICH: We do not know. It is

1 our intent to award -- to consider for award every
2 one of the major catchment areas, and there are
3 five catchment areas. We believe we will have
4 sufficient funding to do that.

5 Beyond that, we just don't know,
6 depending on how large or how small, you know, the
7 contracts are. So probably at least, you know, one
8 per area. But will we be able to do eight, or
9 nine, or ten contracts? That's unclear right now.

10 We have a question to my right.

11 MS. GRAHAM: I don't know if this is
12 the correct forum for this question, but maybe
13 someone here can give me a little advice. We have
14 been having a terrible time with the third-party
15 funding from social services.

16 Number one, because most clients
17 that we have, really go to work within a couple
18 weeks of entering the program. Social services
19 requires a 45-day residency. In addition to that,
20 if the client works, he's not eligible for social
21 services. How do you get around that?

22 And even when I submitted a proposal
23 for a contract with the county, the additional
24 money to supplement the Parole money they said was
25 not enough for them to warrant a contract. Can

1 anybody answer that question? How do you get
2 around that?

3 MR. NESICH: I don't think we can,
4 in terms of how to get around that. I'm familiar a
5 little bit with your situation. I believe a number
6 of years ago we tried to assist, and the county was
7 -- they kind of balked.

8 Some counties tend to be much more
9 flexible than others. I know that Albany County is
10 less flexible certainly, than others. I think all
11 you can do, is just project what your honest cost
12 needs are, and lay out why your third-party revenue
13 projection would be so small, and you would be able
14 to do that based upon past experience, and explain
15 the rules of the county.

16 MS. PERROTTI: If it's county-
17 specific, then it's likely other proposals in that
18 county will have a similar problem.

19 MR. NESICH: That's right. It would
20 involve a level playing field, at least. Your
21 third-party revenue in that regard isn't going to
22 be compared to programs down in New York City. It
23 will just be compared to programs within that
24 catchment area. That's a good point.

25 Do we have someone in the Grant

1 section?

2 MR. EPPS: That 45-day wait is not
3 for homeless people. That 45-day wait is for
4 people that already have an abode, even if they're
5 staying with someone and laying on the floor, or
6 whatever. If you're homeless, you can get a check
7 the very same day.

8 I've been independent since '96, and
9 I've never had a problem of getting a check within
10 the first day, or two days, for anybody that I
11 submit to HRA that's homeless, because they send an
12 emergency check. I've never had a problem. I
13 don't know about anybody else.

14 So that 45-day wait is, as I said,
15 for people that already have a place to stay. One
16 of the first regulations of being homeless, is not
17 having your name on a deed -- or a lease, I should
18 say, not a deed to own a house. I've never had a
19 problem with a check. If I send somebody down
20 there, it's like the same day, or --

21 MS. DiPIETRO: Each county inter-
22 prets this differently, I find.

23 MR. EPPS: That's why I was trying
24 to find out what county she was in.

25 MS. GRAHAM: I'm from downstate.

1 MR. NESICH: Thank you. That's
2 very useful information. I think the difference
3 from county to county, it makes it very difficult
4 for those of us in the service-related business to
5 do business, particularly when you have programs
6 that cross different counties.

7 And, you know, perhaps maybe over
8 the next four or five years, there will be an ef-
9 fort to get more consistency from county to county,
10 in terms of how these funds are allocated, and what
11 the rules are.

12 I think a lot of people in our
13 business would admit that that would be helpful.
14 Because right now, you have one county who is
15 generous, and the next county is not generous at
16 all. And you're thinking, Well somebody is
17 obviously wrong then.

18 The rules should not be so flexible
19 that you can say no to the same client just based
20 upon where they live. We do that nationally. I
21 understand that New York is not Mississippi. But
22 within -- thank goodness. But within New York
23 State, we should have rules that should be more
24 consistent from county to county.

25 MR. VALENTINE: Jeff, don't put down

1 Mississippi.

2 MR. NESICH: This is my Civil War
3 tie, right here -- Ulysses S. Grant.

4 We have some other providers here.
5 First, do we have more questions down in New York?

6 MR. VALENTINE: No questions here,
7 Jeff.

8 MR. NESICH: All right, we have two
9 new visitors here.

10 Hello. Could you please announce
11 your names, and what program you're with.

12 MS. THOMPSON: Ebony Thompson, New
13 Beginnings in Rockland County.

14 MS. HOPKINS: I'm Jackie Hopkins,
15 also from New Beginnings.

16 MR. NESICH: All right, we have two
17 new individuals who just came in. We're basically
18 answering questions now. Most of the session is
19 done, but certainly any questions that you have.
20 And we're still answering questions from everyone
21 else here. Anybody else have any questions?

22 MR. TORTORA: I'd like you to
23 explain the difference between a cash advance and
24 start-up costs.

25 MR. NESICH: Okay. Melissa, do you

1 want to do that?

2 MS. PERROTTI: Yes. The cash ad-
3 vance is something that's awarded to not-for-profit
4 programs. It's basically because you start the
5 program on day one, for 30 days you provide ser-
6 vices, then you submit a bill to the Division of
7 Parole, and it takes up to 60 days before you get
8 reimbursed.

9 We actually give you a cash advance
10 of 60 days. That's what we're allowed by the
11 Comptroller for you to start your services, and
12 reimburse your employees, and pay for expenditures
13 and stuff up-front.

14 Start-up costs are investments that
15 are made at the beginning of a program, to get you
16 basically going. You know, computers for your em-
17 ployees, furniture, those types of things. That's
18 basically the difference.

19 So the cash advance is just, you
20 know, a 60-day cash advance based on the actual
21 program billing cycle. And a start-up cost is an
22 investment that's made in the program initially,
23 for one-time costs, basically, to get you going.

24 That has to be done in the first
25 year of the contract. And it should be denoted in

1 the first-year budget. And when you submit your
2 budget, you should star it, and then show what the
3 costs are in a narrative, so we know what they are,
4 because they're going to be factored into the
5 first-year budget amount.

6 MR. TORTORA: And are those reim-
7 bursable? Does the program have to reimburse the
8 Division of Parole for those?

9 MS. PERROTTI: Yes, and that's a
10 good question. Start-up costs are -- the program
11 doesn't have to reimburse the Division of Parole
12 for the start-up costs that they request.

13 A cash advanced is recooped by the
14 Division of Parole at the end of the contract. So
15 at the end of that five-year period, you know, we
16 cash-in, basically, on that advance that we gave
17 you, and you have to give it back to us.

18 MR. NESICH: Any others questions?
19 How about our new guests. Do you guys have any
20 questions that we can answer for you? You came up
21 all the way up here.

22 MS. HOPKINS: We've been riding
23 around in your beautiful city for about an hour.

24 MR. NESICH: You will have an op-
25 portunity to ask questions up until the 22nd. And

1 then all the questions and answers will be on the
2 website. Anymore questions?

3 MR. VALENTINE: Could you explain
4 who should be getting these questions -- or who is
5 restricted to getting the questions?

6 MR. NESICH: Well pursuant to the
7 RFP, all the questions have to come to me. The
8 reason we do that -- and I'm glad you mentioned
9 that, Grant.

10 We do that because we take this
11 process extremely seriously. No one in this
12 agency, other than the people involved in the
13 Evaluation Committee, are going to know who bid on
14 the RFP. No one is going to be discussing it, or
15 having side conversations, anything like that.

16 So for example, even if you've been
17 working with, you know, Bob Mitchell for years, and
18 you know, Bob's a nice guy. He's always willing to
19 help you out. If you ask him questions, he can't
20 help you. All he can do, is tell you to e-mail me.

21 Not because he's blowing you off,
22 but because it has to be that no one received any
23 special assistance, or any little side conversa-
24 tions. So to protect everybody, including our own
25 employees, every question comes to me, in writing,

1 in an e-mail. I give you the response back, and
2 then the questions and answers are on the website
3 at a certain point in time.

4 Once the proposals come in, only the
5 Evaluation Committee knows who bid. So if the
6 Chairman of the agency says to us, Oh, did so and
7 so bid? We would say we can't tell you, for your
8 own protection.

9 Because this way what happens is, if
10 after awards are made, you find out that one of the
11 programs who got an award, that the manager of the
12 program, or the president of the program is Elliot
13 Spitzer's brother-in-law, well everyone could say,
14 Look, there was no collusion in that, because
15 nobody in the hierarchy even knew that that program
16 bid, because we won't tell them.

17 The Chairman says, Who bid? We say,
18 We will not tell you. And that is until the whole
19 evaluation is done, and then the Committee makes
20 its recommendations for contract award. And at
21 that particular time, it's my job to award the
22 contracts pursuant to a conversation with counsel's
23 office.

24 So it's not -- so we're very, very,
25 very careful. And therefore, questions just come

1 to me, so that no one can say that they received
2 any kind of special attention or assistance.

3 MS. HENRIQUEZ: And it's now law.

4 MR. NESICH: It's the law now, too.
5 We were ahead of the law then.

6 MS. HENRIQUEZ: Yeah, we were.

7 MR. NESICH: The Comptroller's
8 Office caught up with us.

9 We're here to help you guys. If you
10 have questions, e-mail -- you know, just ask.

11 Let me just -- in ending this, let
12 me mention something. We look at this as a part-
13 nership. This is not a relationship where -- those
14 of you who have done business with us, know this.

15 This is not we're hiring somebody to
16 paint the house, and we want to be mean, and nasty,
17 and fight. We're partners in a very difficult en-
18 terprise. We are the last line of defense for a
19 lot of people coming out of prison.

20 And the assumption is, that with a
21 stable residence, and with some support services,
22 we're going to give that person an opportunity to
23 turn their life around.

24 So when we even audit your program,
25 we do it as partners. When Melissa looks at your

1 budget, and asks a lot of questions, it's as part-
2 ners. The same thing with Pat and Cira. It's not
3 adversarial.

4 We have to work as a team, because
5 what we're being asked to do together, is one of
6 the most difficult things in State government. I
7 don't know if there's much more difficult. Because
8 corrections, their main job is security. That's
9 their main job. Our job is rehabilitation, and
10 that's hard enough.

11 Thank you, very much.

12 (Meeting adjourned)

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STATE OF NEW YORK

I, Brenda L. Bigelow, hereby certify that the foregoing is a true and accurate transcript of the proceedings that have taken place on Friday, December 15, 2006 in the above entitled matter, to the best of my knowledge and ability.

Brenda L. Bigelow

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