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THE BIDDER'S CONFERENCE HELD FOR

RFP 2010-06

RESIDENTIAL STABILIZATION PROGRAMS

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HELD AT: NYS Division of Parole
97 Central Avenue
Albany, New York

December 16, 2010, at 1:30 p.m.

REPORTER: DURR COURT REPORTING
ANN MARIE TESTA, Hearing Reporter
(315) 735-7429

1 MR. NESICH: Let's do some introductions. This is for the benefit of the
2 Court Transcriber so she has the proper names of the people who are here.

3 First from the parole side we have Lucretia Bailey from the Contract
4 Management Unit. We have Marla Henriquez, Contract Management Unit. We have
5 Sara Bryans from the Policy & Analysis Unit. Ricky Knuth from the local radio station
6 and Parole Operations, I love saying that. Kathy Kiley from Counsel's Office. Barbara
7 Farley, who is our Director of the Contract Management Unit. I am Jeff Nesich, I am
8 Director of Administration, CEO. Pat Fitzmaurice, from Re-Entry. To her left is Janet
9 Reeves, Assistant in the Re-Entry to Region IV. We just did the introductions for the
10 Division of Parole. We also have Maria Holmes, who just came in, from Administration
11 Office.

12 Let's start with Region V, have our program representatives, who are they, if
13 you can give us your name and program.

14 MS. DRAKE: I am Pat Drake and I am with Volunteers of America.

15 MR. NESICH: Region IV, Joe, do you want to introduce yourself?

16 MR. POPITTI: Joe Popitti from the Altamont Program.

17 MS. ENRIGHT: Ana Enright, this is Region III, and Seiveright Miller,
18 Assistant Director.

19 MR. NESICH: For clarification, Ana Enright is Region III Re-Entry and
20 Seiveright Miller is one of the Assistant Directors from New York City.

21 MS. NEWMAN: Region V, Laura Newman, Guidance Center.

22 MR. NESICH: The program name again, we didn't get that?

23 MS. NEWMAN: The Guidance Center.

24 MR. NESICH: Your name, sir?

25 MR. THOMAS: Thomas E. Thomas.

1 MS. ENRIGHT: We have somebody else that just joined us.

2 MS. WATSON: My name is Jennis Watson with the Community Action
3 Program.

4 MR. NESICH: And the previous introduction from Region V is Mike
5 Iacucci, he is Re-Entry Director out in Region V. The lady is from the program.

6 So we are all here, we all know who we are.

7 The point of these bidder's conferences is to make sure that we give you all
8 the information that you need to submit a proposal. We strive pretty hard to make sure
9 that your proposals are easy to read and understandable, but when you are dealing with
10 some of this volume, now the complexity of the state procurement laws, it is important to
11 make ourselves available to answer questions to clarify things. If there is a need to
12 formally clarify what is in the RFP, we'll do that pretty quickly, within the next 24 hours,
13 for clarification, where we clarify it very quickly. And also, the transcription of this
14 bidder's conference will be on the website so you will be able to get ahold of that, and for
15 the RFP, to submit questions, we'll answer formally and then provide answers to those
16 questions. There is a cutoff date for that. There is a lot of opportunity to get your
17 questions answered. Actually, the deadline for the questions is 12/28. You will have
18 another twelve days after today to ask questions in writing.

19 The purpose here is not to explain or defend why we are asking for certain
20 things, those are decisions that have been made by a committee of managers, but as I
21 said, for you to understand exactly what we are asking for so that you are in the best
22 possible position to submit a proposal.

23 The most important thing that I can tell you right now from years of
24 experience, it doesn't matter how many times we say it and often every time we do a
25 bidder's conference I feel like I am saying this too much and it is really annoying and then

1 we get proposals in and I realize we don't say it enough, it is absolutely critical that the
2 items that are required to be submitted, that you submit them, otherwise we are forced to
3 disqualify your proposal. Barbara's unit is working with Re-Entry and Counsel's office
4 continuously making this process go as smooth as possible.

5 So I would like to turn your attention to Attachment D in the RFP, it is
6 Application Cover Sheet. Behind that Application Cover Sheet, which is a requirement,
7 is a proposal checklist, which is now part of your proposal. That checklist details
8 everything that we need to give your proposal a fair and full review. However, on that
9 checklist you will see that there are asterisk components. The first five, for example,
10 those are required and if they are not submitted, your proposal will have to be
11 disqualified. So you see, for example, signed Application Cover Sheet, you have to make
12 sure that is done.

13 The original proposal plus eight copies. If it is seven copies, we have to
14 disqualify you. If it is nine copies, I think it is okay because it is more than eight. Copy
15 of Certificate of Incorporation, we want that. If you don't provide it, it could hurt you in
16 scoring in terms of the points. But if you don't have the Certificate of Occupancy, which
17 has the asterisk, we have to disqualify your proposal.

18 Every time we have done an RFP we have seen a number of very good
19 proposals because they were bounded, nice little cover sheet, nice box, looks like a lot of
20 time was put into it and something silly is missing. Silly not because it is not important,
21 because it makes no sense that that kind of thing would be left out; failing to sign it,
22 failing to make sure that all the copies have all the pages.

23 You cannot proof check these proposals enough, I cannot emphasize it
24 enough. If you think your proposal is perfect, you have checked everything, you have
25 included everything, find somebody, if you can't find somebody in your organization,

1 shake down your spouse or uncle, get an independent person to determine that everything
2 that is required is here. If not, hours and hours of work are going to go out the window,
3 we have to disqualify the proposal. It may indeed be a proposal that we really feel that
4 we could utilize and a proposal that could potentially get an award. Please be as
5 absolutely careful as you can be to follow this checklist. Ask any questions about it.
6 Make sure that you provide anything necessary.

7 And last thing, make sure it is on time. If it is a minute late, we have to
8 reject it. We'll watch the clock and we'll be down at the front and when the closing
9 period ends, we'll comment on that.

10 Pay particular attention to all the paperwork here, is all the signatures there
11 and is it here on time. That is as important as the proposal itself. Please take that very
12 seriously.

13 Did we forget anything?

14 MS. KILEY: Make sure that all legal forms are there, all four.

15 MR. NESICH: Good point. You are talking about Attachment G?

16 MS. KILEY: Yes.

17 MR. NESICH: If you note in Attachment G, legal forms, you see those four
18 attachments under the State Finance Law, those are asterisks. You see vendor
19 responsibility under that, again all of these are important. Some are got to be and some
20 should be there and disqualification is based on not having what has to be there there.
21 You will lose points, however, if you don't have three letters of reference, that is going to
22 hurt you significantly in the scoring, that has to do with the quality of your program,
23 experience of your program.

24 All right. Somebody is moving around a lot of stuff there. That was good.
25 Okay.

1 MR. RATA: Dominic Rata, Renwick Recovery, City of Newark. I am the
2 executive director.

3 MR. NESICH: Welcome to our humble abode, one of our humble abodes.

4 So now that there is a clear understanding of how this has to be
5 documented, that is academically speaking in terms of requirements and pages and
6 signatures and all of those things, what we want to provide you is plenty of opportunities
7 to ask about those technical things, like budget areas as well as program areas. We'll give
8 you the answer and if we don't have the answer today we'll strive to get back to you
9 quickly with that; and if it is clarification, we'll do that as well.

10 As far as, Pat, I don't know if you want to mention anything about the
11 proposal programatically. If not, go right to questions.

12 MS. FITZMAURICE: I don't have anything in particular. I want to
13 emphasize what Jeff said. When you ask your questions, please look over this proposal
14 checklist again, as you look at this right now. If you look at it and are saying does that
15 asterisk really mean that I have to have four copies of whatever or I have to have State
16 Finance Law Section 139J and 139K, that those are mandatory, if that is a question that
17 you are not sure of, even after looking at this, ask it now. You don't want to be in a
18 position where you submit a proposal and we can't look at that, you don't want to be in
19 that position.

20 These stabilization programs are really important to us at parole. If you
21 have done business with the Division of Parole, you know that we have an upward of
22 20,000 people that are on parole on a yearly basis. A significant number of these folks
23 come out and they are undomiciled or for a number of other reasons are in need of a
24 stabilization program. We rely on these programs to assist us in that matter. So, we are
25 looking for really good program providers all over the State, so we want to take a look at

1 your program. Please make sure that your proposal that you submit meets all of these
2 requirements so we can review your proposal, we want to do that.

3 I think that is all I want to say, so we can start from there.

4 MR. NESICH: At this point let's open with questions. Why don't we start
5 here in Albany.

6 Mr. Popitti, do you have any questions?

7 MR. POPITTI: No, I don't. We have looked it over pretty well.

8 MR. NESICH: If you have any questions at any time, let us know, some of
9 our answers might prompt questions.

10 MR. POPITTI: Okay.

11 MR. NESICH: Let's go a little south to Region III and see if we have the
12 first question. Please state your name and program again?

13 MR. RATA: Dominic Rata, Renwick Recovery. I know that we submitted
14 an RFP 2010-04, I think it was kicked out because I forgot to sign something or neglected
15 to sign something, and also I was told in debriefing there was a needle allowance. I
16 reread this, there is no stipulation for needles, just storage, when I read this.

17 MR. NESICH: Let me just state that the debriefing process is separate for
18 the previous RFP, it is separate and apart from this. We cannot discuss it in this forum.
19 If you want clarification on that debriefing, you can request further discussion with our
20 Counsel's office and Melissa Perrotty, who is not here today.

21 However, in answer to your -- or at least to respond to your question. That
22 is the point that Pat and I were talking about here, that if something is missing that is
23 required, such as you give us seven copies, are supposed to give us eight, we have to
24 disqualify it. So it is very important that whatever was missing from your last proposal,
25 that you were advised of that in the debriefing, and that I would argue certainly you don't

1 want to make that same omission again.

2 MR. RATA: That is why I am here now.

3 MR. NESICH: Certainly glad that you are here. That is what we want, all
4 the proposals that we can get, and we want to facilitate that process as best we can.

5 Do you have any other questions? Now let's go out to the snow belt, out to
6 Rochester, do you have any questions?

7 MS. DRAKE: Yes. This is Pat Drake with Volunteers of America. My
8 first question is our CEO is retiring, last day is tomorrow. We have a search going on,
9 but a replacement has not been selected yet. I am wondering, who can sign some of those
10 forms?

11 MS. FITZMAURICE: What did you say your title is, ma'am?

12 MS. DRAKE: I am with Volunteers of America. My question was our
13 CEO is retiring and last day is tomorrow, even though we have a search going on, a
14 replacement has not been selected and probably that person is not going to start before the
15 due date for this, who can sign the forms, chief financial officer?

16 MR. NESICH: It can be your board chair or chief financial officer. What
17 you should do, you have a board of directors, the board should, at least for these purposes
18 here, designate an acting president in the context of someone who can sign so all you
19 need for your board to say is that the chairman of the board, chairperson can sign, or the
20 board to say until a new executive is selected the CFO is going to sign. And I think you
21 can just advise us, you can advise us of that, the signature.

22 What we ask is that the person who signs has to be able to bind the
23 organization to the commitment. We don't necessarily look at the specific exact title, we
24 look at someone being designated to having the ability to commit to the proposal.

25 Chief executive officer is what it says in the proposal. Just have your board

1 identify in their minutes or whatever that for purposes of this proposal so and so is the
2 acting chief executive officer and their signature will be fine.

3 MS. DRAKE: And we would include that statement or something from the
4 board in the proposal to show you that?

5 MR. NESICH: What I would do, you can send a little cover letter, here is
6 the proposal and eight copies as discussed, it is signed by so and so who is in the acting
7 capacity. Just put in a cover letter, one sentence.

8 MS. DRAKE: Very good. Thank you.

9 MR. NESICH: By the way, just in terms of that issue, if someone signed it
10 and signed acting chief executive officer, that would be fine and then you wouldn't have
11 to put it in a cover letter, either acting or actually in the capacity.

12 MS. DRAKE: Very good. Thank you.

13 MR. NESICH: All right. We are going to move back up to Mr. Popitti in
14 the Albany area. You don't have anything?

15 MR. POPITTI: No.

16 MR. NESICH: I will pass, unless you indicate you have a question.

17 MR. POPITTI: Great. Thank you.

18 MR. NESICH: Let's go back out to down south to Ana.

19 MS. ENRIGHT: Any questions? We have no other questions at this time
20 here.

21 MR. NESICH: Let's go back to Region V. Mike?

22 MS. DRAKE: This is Pat again. I am wondering regarding the Vend Rep
23 Form. If we were already up to date online, do we include a printout on that or do we just
24 state that we completed it online?

25 MS. FARLEY: As long as it is mentioned in the proposal that it has been

1 completed online, that is acceptable.

2 MS. DRAKE: Okay.

3 MR. NESICH: Even when you whisper, we hear you. Just saying, you
4 don't want to embarrass anybody.

5 MS. FARLEY: Just to go back to that. We, even on the Attachment D, the
6 checklist we provided under Vendor Responsibility Questionnaire Check 1 of the
7 Following, it actually asks if you filed a questionnaire online, you can actually check that
8 box off.

9 MS. DRAKE: Thank you.

10 MR. NESICH: Yes, we have a question from Mr. Popitti in Albany.

11 MR. POPITTI: Even if you are fairly confident that you completed this
12 online, there is no harm to submit a hard copy as well?

13 MS. FARLEY: Not at all.

14 MS. FITZMAURICE: I would actually do that, just to be sure.

15 MR. POPITTI: Okay.

16 MR. NESICH: It is not a requirement though?

17 MS. FITZMAURICE: It is not a requirement, but be as sure as possible.

18 MR. NESICH: Let's go back to Region V.

19 MS. DRAKE: I just want to confirm that if we were to choose not to serve
20 sex offenders or arsonist would our proposal still be considered?

21 MR. NESICH: Yes. You have to service one or two of the categories.
22 Saying exactly what it says, very clear on Page 1 of the proposal itself. Page 3 of the
23 proposal talks about you must be able to serve any or all of Client Groups A through D
24 and E and F are a bonus, in not a bonus for you but a bonus for us.

25 MS. DRAKE: Thank you.

1 MS. ENRIGHT: Region III has a question.

2 MR. RATA: Most of the clients we would be serving would be substance
3 abusers, now are there also clients that do not suffer from substance abuse issues, is
4 there? Can we put in the proposal if we had separate housing and we would monitor
5 those clients itself and it wouldn't be just substance abuse clients? We provide those
6 services as far as re-entry services, we provide a myriad of services at Renwick, is this
7 specifically for substance abuse clients for the RFP?

8 MS. FARLEY: No, it is not.

9 MS. FITZMAURICE: If you look at it, no, it is not. If you look at the RFP,
10 we have six different client groups. The first four are client groups that we are very
11 interested in you being able to serve, only one of which has a substance abuse needs, but
12 there are three other groups that we need services for which we are looking for you to
13 serve as well. It would behoove you to be able to do that.

14 MR. RATA: Yes. Because we are looking at expanding, but requires
15 relicensing for expansions, it would require another certificate of need where we could
16 possibly provide that housing and not with the restriction of substance abuse is a lot
17 easier, we could do that expansion without submitting again to the local governmental
18 unit.

19 MR. NESICH: Now, it is important to note that these are not -- we are not
20 looking for OASIS to license the treatment program.

21 MR. RATA: I just needed that to be clarified myself because I am not the
22 person, that I usually hand it to someone else and I wanted to make sure that they were
23 aware that that is not the only segment.

24 MR. NESICH: If you submit a proposal you have to service all of one -- or
25 all of Groups A through D, you have a proposal, they are going to submit a proposed deal

1 with D but awaiting assessment, da-da-da, you have to tell us that so we know that that is
2 the only one of the four A, B, C, D groups that you are going to service.

3 Now, there happens to be a lot of crossover in a lot of those groups, but if
4 you have a program that emphasizes on people who have substance abuse issues, even
5 though you are not an OASIS licensed program you want to tell us that so you can be
6 scored accordingly. But that is an acceptable proposal, one of the first A, B, C, D groups,
7 four groups.

8 MR. RATA: I needed to clarify that in my mind when I am doing a budget
9 so I know.

10 MS. FITZMAURICE: But I think also what Jeff said is very accurate, we
11 are not absolutely looking for an OASIS licensed facility nor are we looking, necessarily
12 looking for OASIS treatment inside that facility.

13 MR. NESICH: We cannot afford to pay for it in this context. We look for
14 an established environment for some of the substance abuse facilities, that the person is
15 going for outpatient treatment. We have had programs in the past where OASIS licensed
16 providers have come into the program, we have not paid for it but provided services
17 through Medicaid. But we do not have the funding to purchase OASIS licensed
18 residential programming in this RFP, that is why we make it clear that is not what we are
19 looking for.

20 MS. ENRIGHT: We have another question, should we wait until you go
21 back around?

22 MR. NESICH: Go ahead.

23 MS. WATSON: Attachment B, Scope of Services under Programs. It says
24 that the Contractor shall ensure that, as appropriate, a comprehensive range of
25 rehabilitative services, including but not limited to substance abuse, vocational,

1 educational, legal, mental health, health services and social services, are made available
2 to each resident as necessary, by appropriately credentialed providers. And then: The
3 Contractor can fulfill this responsibility by identification of need and referral to
4 community services approved by DOP. Support services recommended and utilized shall
5 be documented in each resident's case record. And then the next one down says: The
6 Contractor must develop formal linkages with other community providers of services.
7 Formal linkages may take the form of written agreements or other documentation of
8 established relationships.

9 Does that mean that it has to be letter commitment or is it that we explain
10 how the person would be referred and what the intake process is for the other
11 organizations?

12 MS. FITZMAURICE: What we assume is if you have a program with us
13 for a stabilization program and you don't provide a large number of the services that are
14 required within your particular facility but someone else does, we assume you have an
15 agreement with them and, number one, you are going to have case files on our particular
16 parolees that are housed in your facility and within that file is going to be a record of
17 where people are going for their -- for whatever their need is, it could be substance abuse
18 treatment, it could be anger management treatment, it could be education, it could be
19 vocational, it could be all kinds of things that that particular person may need. We
20 require that of you in terms of what is in that person's folder in terms of what is going on
21 with that person.

22 We also assume and we require that you have networking capacity with
23 people in the community so those services can be provided to our population. That can
24 take the form of memorandums of understanding between you and a particular
25 community provider, it can be something less formal between you and community

1 providers. If, in fact, you have an agreement with local county providers of services, if
2 you have an agreement that you used with county mental health for certain services, that
3 is fine. It can be somewhat less formal.

4 It has to be documented in that individual's folder and you have to discuss
5 with that parole officer before you make those referrals. You will see when you go
6 through this that you will have discussions with the parole officer anyway about the kind
7 of services that you are making referrals to.

8 MS. WATSON: Thank you.

9 MR. NESICH: Region V?

10 MS. DRAKE: I am all set, no questions.

11 MR. NESICH: Albany?

12 MR. POPITTI: No.

13 MR. NESICH: We can go back to Region III.

14 MS. ENRIGHT: Nothing at this time.

15 MR. NESICH: So I think everyone is comfortable that they have no more
16 questions? Give you another thirty seconds just in case. Let me talk while you are
17 thinking if you have any other questions.

18 Let me hit on some dates here. The next date coming up that you have to
19 pay attention to is twelve days from today, the 28th is the question and answer deadline.
20 After the 28th we cannot answer any more questions. Up to the 28th you can give us
21 your questions, we'll answer them in writing and they, and the transcript from today, will
22 be on the bidder's conference online. You will have nice reading for the evening, if you
23 are free.

24 And the serious important date is January 7th, 2011, that is when the
25 proposal is due at 12 noon. If need be, drive it up here yourself or something. We cannot

1 take a fax, it has to be a hard copy. Usually it comes in a box or something like that. We
2 have had instances where Fed Ex or UPS promised to get it here and they had a car
3 accident or something and an hour late, we had to reject the proposal. We felt bad doing
4 that, but it is critical.

5 We have a schedule that is very hard to meet, but we are going to work very
6 hard to do that. We are looking to partner up and as soon as the awards are made we
7 have to do site visits, we have to review the contracts. Those contracts are going to have
8 to be reviewed and hopefully signed off on very quickly. We are looking to have this
9 program started March 1st, that is less than two months from the proposal receipt to the
10 doors opening. It is going to be very difficult to do that, but we are going to work hard to
11 meet those dates. Overnight the contracts, have it reviewed after it arrives. We have
12 already been in discussion with the control agency, they know what this RFP looks like.
13 We are going to do everything in our part and certainly you do the same to hit this 3/1
14 start date.

15 Any other questions while I stalled? No? Okay. With that we can
16 conclude the bidder's conference.

17 MS. FITZMAURICE: I just want to reiterate one more thing. If you have
18 more questions, please make sure that you get those questions to administration, the
19 person that they go to is Barbara in contracts, e-mail address is
20 contracts@parole.state.ny.us. That is all through the proposal.

21 MR. NESICH: So again, we really hope that you all will be submitting
22 proposals. We need to partner with programs like yourself around the State. We have
23 individuals without a residence who certainly are going to have a dramatic increase in the
24 possibility of failure and that is to no one's advantage. Please work hard to give us
25 something to review. We would really like to do business with some good programs

1 moving forward.

2 Thank you very much. Thanks to everyone here. Thank you, Transcriber,
3 for being very patient. Thanks to all of you in the program world for your patience while
4 we had to deal with the technology issues.

5 (Whereupon the proceeding concluded.)

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CERTIFICATION

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I, ANN MARIE TESTA, Court Reporter and Notary Public in and for the State of New York, do hereby certify that I attended the foregoing proceedings, took stenographic notes of the same, that the foregoing, consisting of 17 pages, is a true and correct copy of same and whole the thereof.

Dated: December 26, 2010

AnnMarie Testa

AnnMarie Testa