#### Request for Proposal: Indigent Defense Article 10 Parent Representation

Pre-Proposal Conference October 4, 2023



#### Agenda

#### Introductions

Program Background

Program Components & Expectations

Submission Instructions & Deadlines

**Q&A** 



## Background



# Program Background: MOCJ Overview

- The Mayor's Office of Criminal Justice (MOCJ) advises the Mayor on all matters relating to the maintenance and improvement of a fair and equitable justice system.
- The Indigent Defense Program at MOCJ contracts with legal service organizations to provide criminal defense services for those persons who cannot afford to pay for their own lawyer.
  - 3 legal areas: Criminal Trials, Criminal Appeals, and Article 10 Parental Representation.
  - Portfolio primarily uses procurement to effectuate policy and provide access to criminal legal counsel (attorneys) for all New Yorkers.



### RFP Purpose and Goals

#### MOCJ is seeking institutional providers with:

- An interdisciplinary practice that will result in a more effective administration of representation of indigent adults in Article 10 cases, as mandated by Family Court Act of the State of New York, Section 262;
- Prior experience with indigent representation of adults in Article 10 cases;
- Willingness and ability to work cooperatively with city agency partners;
- Demonstrated ability to track, document, and report on results;
- A culture of transparency, accountability, flexibility, and trust building;
- Commitment to racial equity; and
- An ability to identify, hire and manage the full complement of staff to meet program deliverables.



#### Eligibility

- Only vendors on the Human Service Pre-Qualified List ("PQL") of vendors can propose to this RFP.
- Vendors must apply to be on the PQL list. However, no vendors can be added to the PQL now that the RFP has been released.
- Vendors can only proposal as primes, no vendor can submit a proposal as a subcontractor.



# Contract Term & Funding

#### Contract Term:

7/1/24 – 6/30/27

Two options to renew

Each renewal term 3 years



FY25 \$76,795,018 FY26 \$78,295,018

FY27 \$79,895,018



### Competition Pools

6 county-wide catchment areas w/one competition pool for each catchment area:

Bronx

Kings (Brooklyn)

Queens

Richmond (Staten Island)

2 catchment areas w/**two** competition pools, within New York County (Manhattan):

"Upper Manhattan" - 10025, 10026, 10027, 10029, 10030, 10031, 10032, 10033, 10034, 10035, 10037, 10039, 10040.

"Lower Manhattan" - all other Manhattan zip codes.



Primary Provider: First provider assigned by court to represent an indigent respondent.

Conflict Provider: Assigned by the court to handle a case where conflict of interest.

MOCJ intends to procure up to thirteen (13) contracts with Article 10 family defense providers.

#### Competition Pools



One primary provider in each of the 6 catchment areas:

Bronx

Kings (Brooklyn)

Queens

Richmond (Staten Island)

New York County Upper

New York County Lower

One conflict provider in each of the 5 catchment areas:

Kings (Brooklyn)

Queens

Richmond (Staten Island)

New York County Upper

New York County Lower

Up to 2 conflict providers in:

Bronx

### Competition Pools



# Program Components & Expectations



### Program Components

#### Approach (25 %)

• Legal Services: Intake and Article 10 Representation

#### Experience (25%)

• Entity and Individual Staff Experience

#### Organizational Capacity (50%)

- Organizational Structure and Staffing (20%)
- Contract Price and Budget Management (10%)
- Fiscal Management (10%)
- Data Reporting (10%)



# Section 1. Approach (25%)

#### **Proposal Instructions:**

☐ Complete "Section a. Legal Services: Intake and Article 10 Representation" in the Questionnaire tab in PASSPort.

- Demonstrate your organization's approach to providing representation, not only in Article 10 cases, but all related proceedings, including but not limited to, TPR, custody, guardianship, paternity, and family offense matters, as well as interlocutory appeals.
- Demonstrate your organization's approach to providing holistic services to indigent families through support staff with the highest professional standards.
- If your organization promotes early representation, demonstrate the
  ways in which your organization provides early representation and any
  associated services prior to first appearance, including whether your
  organization has a social worker or parent advocate available for
  meeting clients prior to their first appearance.
- If your organization offers related A10 appellate representation, please describe your organization's approach in representing clients in their appeal.
- Demonstrate your organization's approach in responding to the unique needs of clients who may be victims of domestic violence, including specialized training for staff, counseling for clients, and providing referrals.



#### Section 2. Experience (25%)

#### **Proposal Instructions:**

- ☐ Complete "Section A. Entity and Individual Staff Experience" in the Questionnaire tab in PASSPort.
- Please upload one typical staff attorney resume, one typical supervisory staff resume, and any relevant executive staff resumes.

- Demonstrate experience providing indigent parent representation with the highest professional standards, including an understanding of Article 10 court processes of the county for which the proposal is being submitted.
- Demonstrate experience centering equity for Black and Brown communities in the proposed catchment area.
- Ensure that at least 50% of the staff attorneys have 2 years or more of family defense experience in New York State.
- Ensure that at least 80% of the supervisory staff have 3 years or more of family defense experience in New York State.
- Demonstrate that staff attorneys are either licensed in the state of New York or actively obtaining a license to practice law in the state of New York.
- Demonstrate that licensed attorneys are in good standing.
- Demonstrate how your organization ensures that staff attorneys are familiar with the relevant court(s) for which the proposal is being submitted.
- Demonstrate that your organization's leadership has the expertise and experience relevant to the services set forth in this RFP.



# Section 3. Organizational Capacity (50%);

A. Organizational Structure and Staffing (20%)

#### **Proposal Instructions:**

- Complete "Section A. Organizational Structure and Staffing" in the Questionnaire tab in PASSPort.
- Please upload an organizational chart, Human Resource employment policies, and staffing plan.

- Demonstrate their ability to assume operations by the contracted start date. If your organization cannot assume operations by the contracted start date, provide a timeline for implementation.
- Ensure that attorney staffing meets the ILS caseload standards. If the proposer is unable to meet ILS caseload standards under their proposal, proposers must include a justification for why they cannot meet the ILS caseload standards.
- Maintain an office and/or satellite facility in the contracted catchment area, and demonstrate that the office is available to clients by public transportation.
- The proposer must acknowledge they are responsible for the supervision and overall management of the program, that staff are supervised in day-to-day activities, that they will have regular staff meetings to review cases, and will solve problems as they arise.
- Ensure the ability to communicate with non-English speaking clients, including written and verbal non-English communications.
- Ensure the ability to serve clients with disabilities.
- Demonstrate how the organization will provide and maintain adequate facilities, including but not limited to office space, equipment, supplies, access to law libraries, and access to the infrastructure necessary to ensure effective representation in online court proceedings.



# Section 3. Organizational Capacity (50%);

B. Contract Price and Budget Management (10%)

#### Proposal Instructions:

- Complete "Section B. Contract Price and Budget Management" in the Questionnaire tab in PASSPort.
- Please upload a budget for FY 2025-2027, as well as a detailed budget narrative that corresponds to each budget for FY 2025-2027.

- Demonstrate the annual costs necessary to provide the proposed services.
- Demonstrate any additional funding sources that your organization will utilize to pay for the services set forth within the RFP.
- Provide a budget for fiscal years 2025, 2026, and 2027.
- Provide a detailed budget narrative that corresponds to each budget.



# Section 3. Organizational Capacity (50%); C. Fiscal Management (10%)

#### Proposal Instructions:

 Complete "Section C. Fiscal Management" in the Questionnaire tab in PASSPort.

- Demonstrate the existence of adequate and appropriate fiscal infrastructure, including administrative support and overall contract and/or grants management.
- Demonstrate the administrative capacity to manage City contracts and prepare budgets and invoice submissions within the City's reimbursement process.
- Demonstrate experience contracting with the City of New York.
- Demonstrate the ability to effectively manage contracts comparable to this funding amount.
- Please provide a summary statement of your organization's current revenue sources, types of service(s) provided, and numbers of clients served overall and by the program on an annual basis.



# Section 3. Organizational Capacity (50%); D. Data Reporting (10%)

#### Proposal Instructions:

 Complete "Section D. Data Reporting" in the Questionnaire tab in PASSPort.

- Be able to describe the metrics that will be used to demonstrate that your plan has been successfully implemented.
- Demonstrate the ability to develop and maintain a digital database and/or system for tracking cases, attorney appearances, and non-legal staff assignments.
- Identify the staff that will be responsible for data management and their experience tracking program data.
- Demonstrate that there are procedures in place to collect data, including but not limited to, the number of assignments taken in and number of assignments relieved. For each assignment, please provide the date of assignment, date appeal is perfected/relieved, date brief filed, number of briefs filed, any other litigation, number of appeals argued, number of pending cases, number of staff attorneys, intake per staff attorney, pending caseload per staff attorney, the number of transferred cases, the category of assignments, and associated costs per category.



## Section 4. Required Documents

#### Proposal Instructions:

- ☐ Complete "Section 4. Required Documents" in the Questionnaire tab in PASSPort.
- Please upload an affirmation as outline above.

An affirmation attesting that your organization received, read, understands, and agrees to comply with the below documents uploaded to PASSPort under the "Documents" tab:
Appendix A 5.08(B) Addendum;
Hire NYC Hiring and Employment Rider and Memo;
Identifying Information Rider;
LL30 and 33 Whistleblower Protection Rider;
Labor Peace Agreement Memo;
Labor Peace Agreement Rider;
Labor Peace Agreement Certification Form;
Labor Peace Agreement Attestation Form;
Paid Sick Leave Law Rider;
Rider to Human Services Contracts - Access to Non-Public Areas;
Executive Order 64 Certification (June 2021); and
Executive Order 64 of 2021 (June 2021).



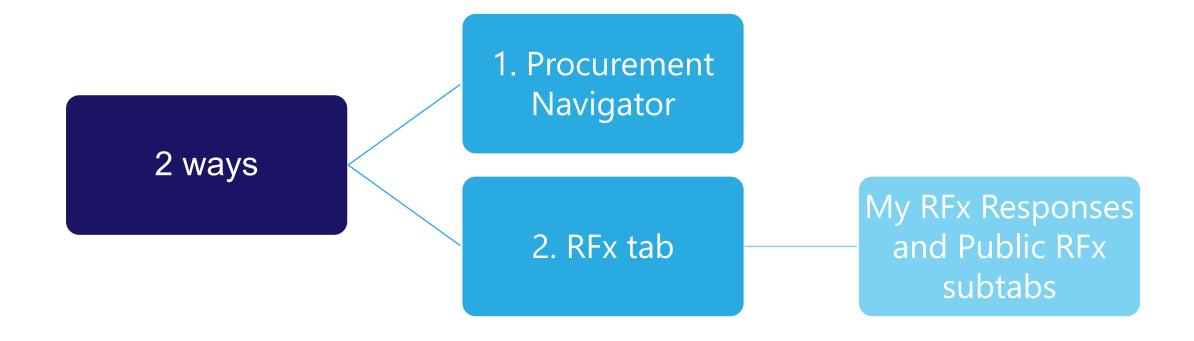
### Request for Proposal Submission Instructions



## PASSPort: Finding and Responding to HHS RFPs

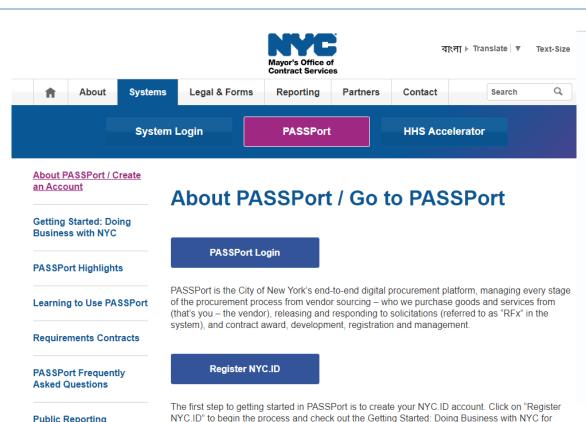


#### **How to Access this RFP?**





#### Search for Funding Opportunities



more detailed instructions on creating your PASSPort account.

**Procurement Navigator** 







PASSPort makes it easier to complete procurement tasks and will improve your experience of competing for contracts. Manage your online profile by keeping information updated and filing critical disclosure forms which are required to do business with the City.

If you need assistance, please visit the MOCS Help page.

Thank you for partnering with us to deliver vital goods and services to New Yorkers.

NYC Mayor's Office of Contract Services

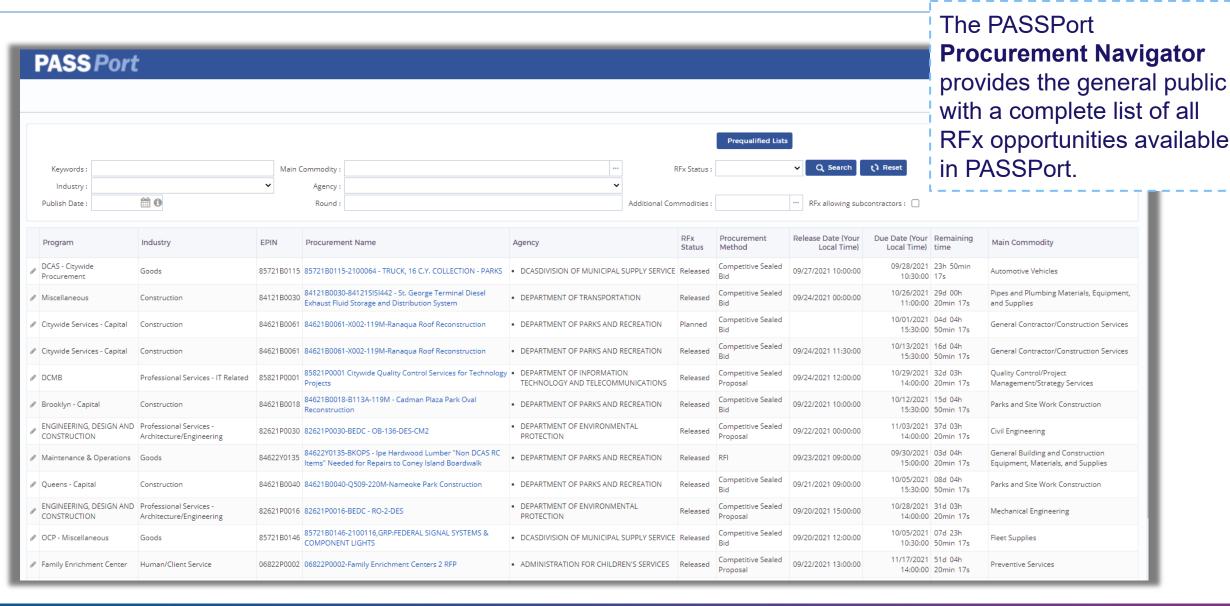




**Public Reporting** 

PASSPort Communications

#### Find the RFP on Procurement Navigator





#### Enter the following E-PIN in Keywords: 00224P0001

#### **PASS** Port



#### Search for this RFP

an Account

**Getting Started: Doing** 

**Business with NYC** 

**PASSPort Highlights** 

Learning to Use PASSPort

**Requirements Contracts** 

PASSPort Frequently Asked Questions

Public Reporting

PASSPort Communications



#### About PASSPort / Go to PASSPort



PASSPort is the City of New York's end-to-end digital procurement platform, managing every stage of the procurement process from vendor sourcing – who we purchase goods and services from (that's you – the vendor), releasing and responding to solicitations (referred to as "RFx" in the system), and contract award, development, registration and management.

#### Register NYC.ID

The first step to getting started in PASSPort is to create your NYC.ID account. Click on "Register NYC.ID" to begin the process and check out the Getting Started: Doing Business with NYC for more detailed instructions on creating your PASSPort account.

**Procurement Navigator** 



Login



PASSPort makes it easier to complete procurement tasks and will improve your experience of competing for contracts. Manage your online profile by keeping information updated and filing critical disclosure forms which are required to do business with the City.

If you need assistance, please visit the MOCS Help page.

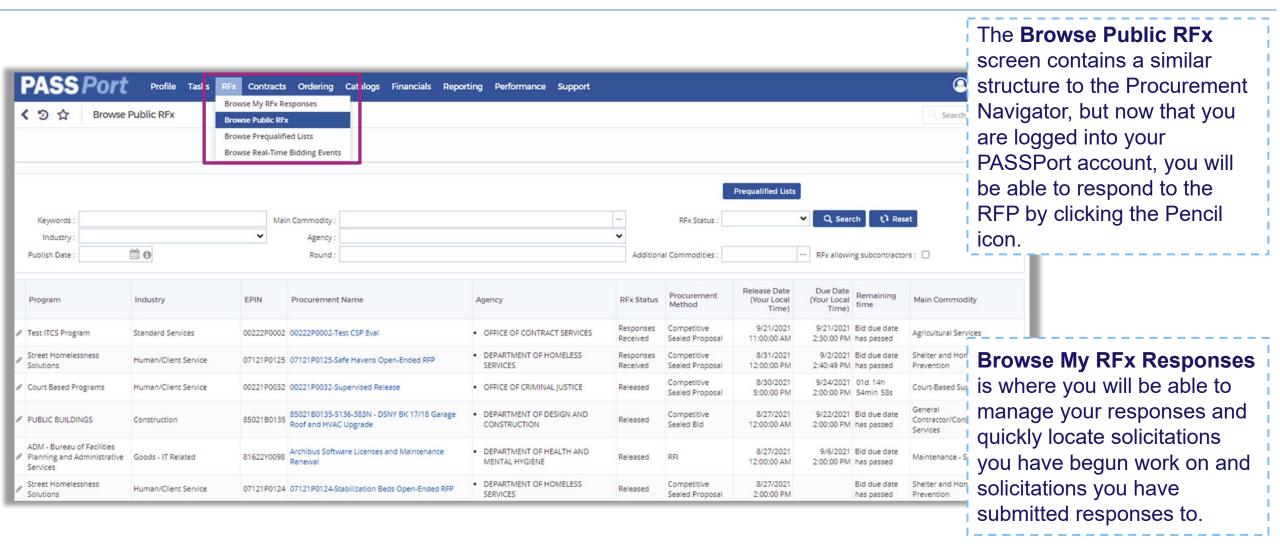
Thank you for partnering with us to deliver vital goods and services to New Yorkers.

NYC Mayor's Office of Contract Services

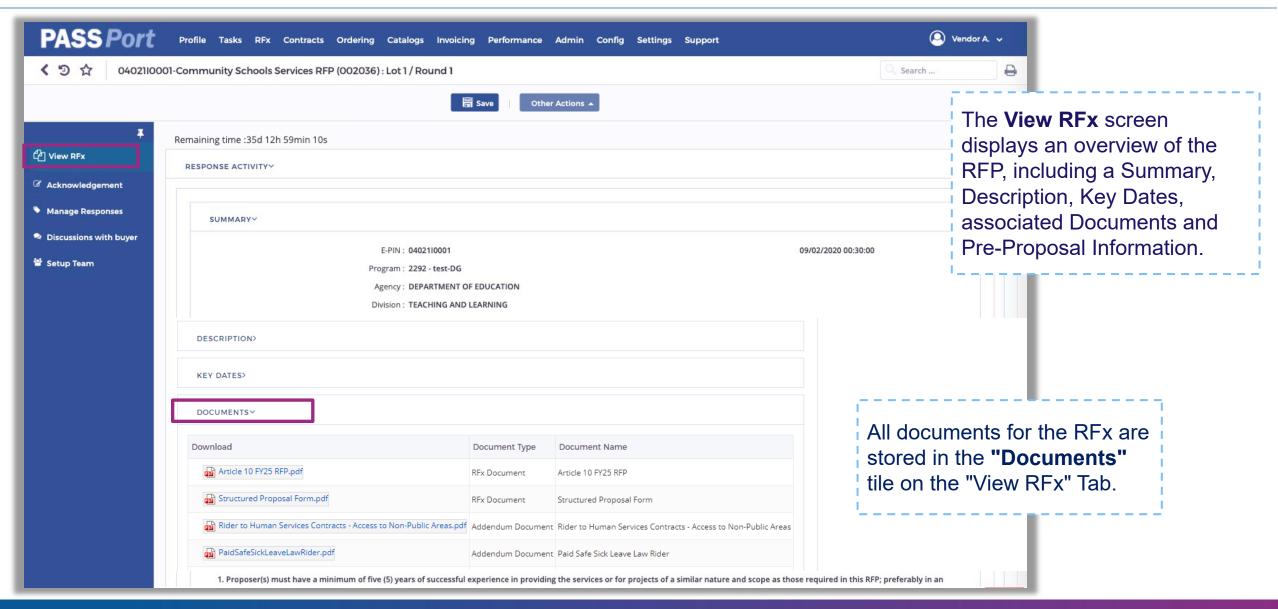




#### Find the RFP through "Browse Public RFx" and "Browse My RFx Responses"

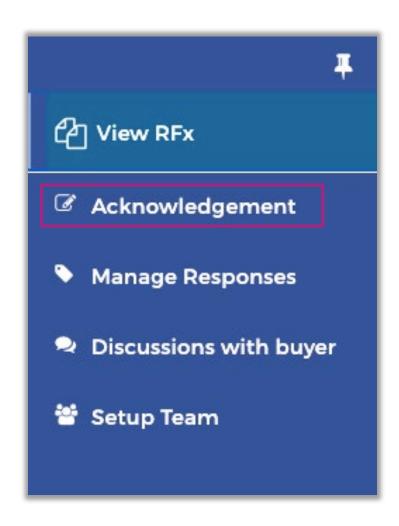


#### Respond in PASSPort





#### **RFx Tabs Overview**



The **Acknowledgement** tab is where providers acknowledge receipt and intent to respond.

 After Acknowledgement, you may begin your proposal via the Manage Responses tab.

The **Manage Responses** tab is where providers complete the RFP questionnaire, item grid, affirmations, LL34 compliance, and upload required documentation.

The **Discussion with buyer** tab is a forum to communicate directly in PASSPort with the contracting agency after you have decided to respond to the RFP.

The **Setup Team** tab provides the ability to add team members to assist in the response process.

#### **User Roles**



**Vendor Admin** 



**Vendor Procurement** 

Level 1, Level 2



Contributor, Vendor Financials Level 1, Level 2



#### **Vendor Admin**

- ✓ Receive direct invite to participate in RFx
- Manage and add contacts in Vendor Profile
- ✓ Create responses
- ✓ Set up team for responses

#### Vendor Procurement Level 1 & Level 2

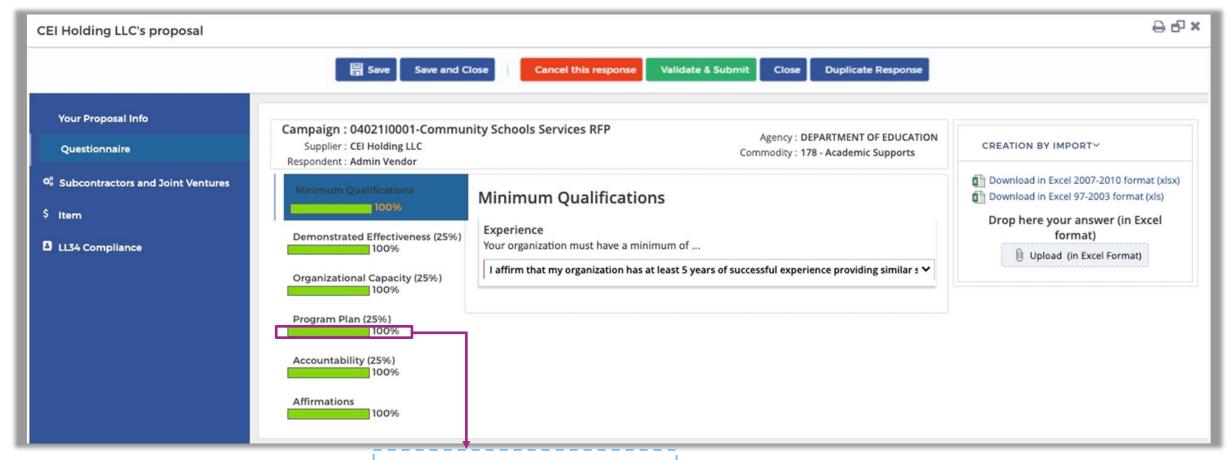
- ✓ Receive direct invite to participate in RFx
- ✓ Manage and add contacts in Vendor Profile
- √ Create responses

#### Contributor, Vendor Financials Level 1 & Level 2

✓ Create/edit responses when added to the RFx team in the Setup Team Tab



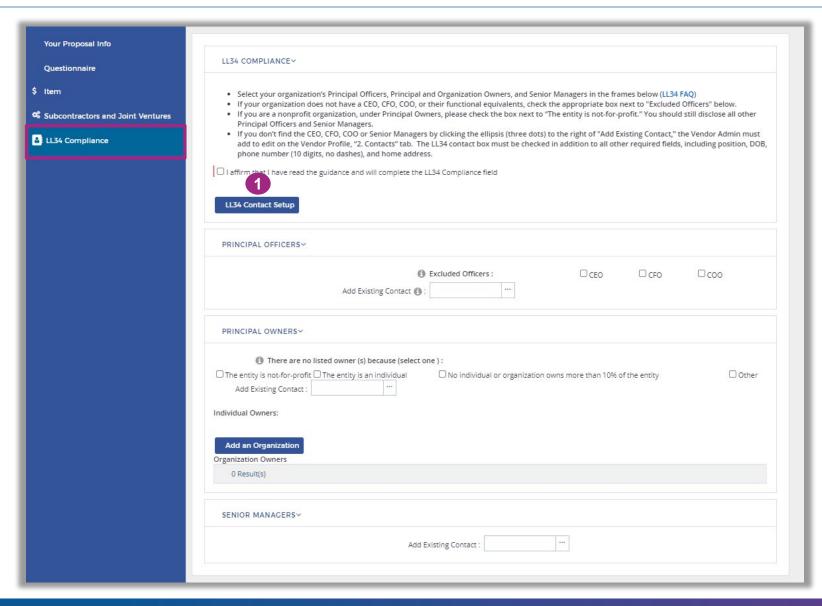
#### Questionnaire



A progress bar will display the percentage of questions completed for your reference.



#### LL34 Compliance



The **LL34 Compliance** tab allows you to complete Doing Business Data information in PASSPort.

To populate information within the **LL34 Compliance** tab of a proposal, you must first make sure your contacts are updated within the Vendor Profile to include the positions of the Principal Owners, Principal Officers, and Senior Managers and indicate that they are LL34 Contacts.

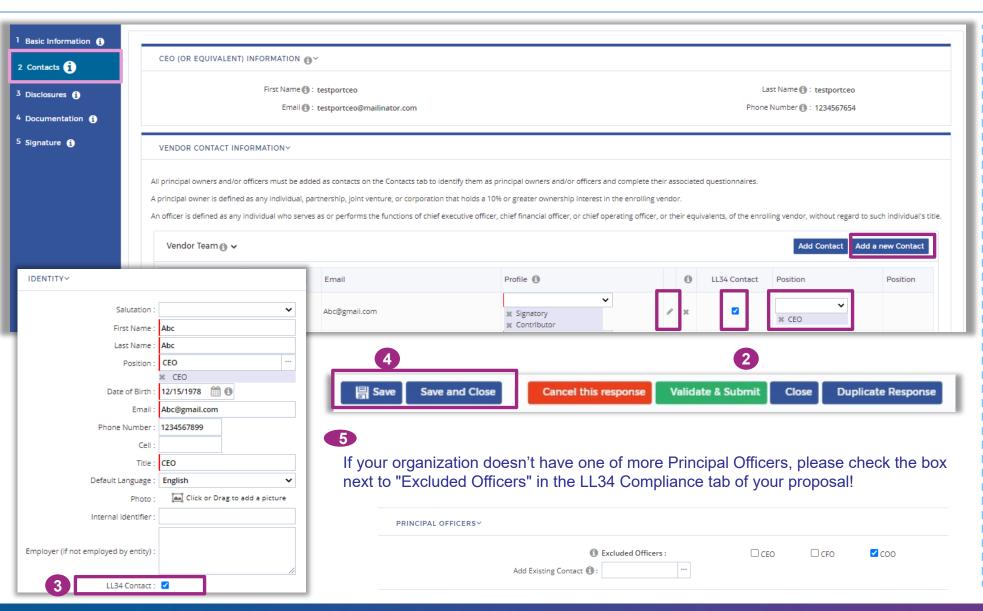
To Complete the LL34
Compliance Tab and Add
Contacts:

Click the "LL34 Contact Setup"

button in the **LL34 Compliance** tab to navigate directly to the Vendor Profile to add contacts for selection.



#### LL34 Compliance



- In the Vendor Profile, click the "2. Contacts" tab.
  Check the "LL34 Contact" checkbox next to the appropriate contact and select their position from the dropdown.
  To add a new Contact, click the "Add a new Contact" button.
  To finish assigning, click the pencil icon.
- A pop-up window will appear.
  Check the "LL34 Contact"
  checkbox and select any
  applicable positions from the
  Position drop-down. Users' dates
  of birth and phone numbers are
  also required (enter the 10-digit
  phone number without dashes).
  Click "Save."

Navigate back to the **LL34 Compliance** tab and fill out the LL34 Contact information.

When done, save your updates, click the "Save" and then the "Save and Close" button.

### Deadlines & Helpful Links

- The deadline to respond is Friday, November 17th, 2023, at 2pm EST via PASSPort.
- The deadline for submitting questions and comments is Tuesday, October 23, 2023, at 5pm EST. All questions and requests for additional information concerning this program must be directed, via email, to mocjprocurements@cityhall.nyc.gov
- Website Link: <a href="https://criminaljustice.cityofnewyork.us/solicitation/article-10-rfp-2023/">https://criminaljustice.cityofnewyork.us/solicitation/article-10-rfp-2023/</a>
- PASSPort Link: nyc.gov/passport

### A&P



Please write your: name, organization, and question in the chat.

