

## Questions and Answers

### RFP: Upstate Quality Improvement and Caseload Reduction

October 4, 2013

- (1) **Question:** The RFP for this grant states that no county may submit more than one proposal. May a county submit a single proposal that includes different components, each of which proposes enhancement of representation/service by a different existing provider, so long as those providers are approved offices as set forth in the project description?

**Answer:** Yes, a county may submit a proposal that proposes enhancement of representation/service of one or more providers within the county. Furthermore, the RFP provides that “counties need not propose solutions that cover a provider’s entire program of providing mandated representation” (see page 5 of the RFP). However, as noted on page 4 of the RFP, counties may not submit more than one proposal.

*For example: Submitting a proposal that requests \$40,000 to enhance services provided by an Assigned Counsel Program AND \$60,000 to enhance services provided by a Public Defender Office constitutes one proposal because it is presented as a single solution, but submitting a proposal that requests \$60,000 for an Assigned Counsel Program OR \$60,000 for a Public Defender Office constitutes more than one proposal because it presents solutions in the alternative.*

- (2) **Question:** Will the use of grant funds to provide expert services (e.g., mental health, social worker), when the expert services may be provided by governmental agencies or organizations, be permitted?

**Answer:** Eligible counties seeking to improve the quality of representation of upstate indigent legal services provider programs by enhancing expert services such as mental health or social worker services that are provided by a governmental organization may receive funding under this grant. Indeed, the RFP states on page 5 that “[p]roposals that involve recruitment of . . . investigative or social worker resources are encouraged.” Enhancing such services may also bring an indigent legal services provider in greater compliance with ILS standards. (see page 5 of the RFP). Such services may be provided by a governmental agency or other such organization, private entity or non-for-profit.

- (3) **Question:** What do you consider an acceptable percentage to allot for fringe benefits if part of the proposal is to hire new staff?

**Answer:** Fringe benefits are a form of pay for the performance of services usually expressed as a rate or percentage of an employee’s salary. These rates or percentages vary from county to county and by personnel classification, so a single fringe benefit percentage or rate that applies to all counties and employees cannot be determined. In reviewing proposals that include the hiring of new staff, salaries and fringe benefits will be evaluated on whether such costs are “reasonable and necessary.” (see page 9 of the RFP).

**(4) Question:** What data tracking software systems are other counties using?

**Answer:** The goal of the data collection requirement is to collect the required pre-and post-project data as accurately and completely as possible. Any system used for gathering data that accomplishes this goal is acceptable (see pages 8-9 of the RFP).

**(5) Question:** Should counties only submit proposals which include an institutional provider component AND an assigned counsel plan component?

**Answer:** Counties are not limited to submitting proposals that include both an institutional provider and assigned counsel plan component. Rather, counties seeking funding may submit proposals that include one or more providers within the county. (see Question #1 above for additional detail).

**(6) Question:** Will proposals that only request funding for administrative/supervisory staff be favorably received?

**Answer:** Eligible counties seeking to improve the quality of representation of upstate indigent legal services provider programs by enhancing supervision or increasing administrative resources may receive funding under this grant. Indeed, page 5 of the RFP specifically provides that “[p]roposals that promote increased oversight or supervision of attorneys and staff by supervisors or administrators who are thereby better able to promote and assess quality representation” are encouraged. In addition, page 5 of the RFP provides that “[p]roposals that involve recruitment of administrative . . . resources are encouraged,” where “[r]ecruitment of such staff may free up attorney’s time for their core duty of providing representation ...” (see page 5 of the RFP). Counties need not propose solutions in their proposal that cover a provider’s entire program of providing mandated representation. (see page 5 of the RFP).

**(7) Question:** Will proposals that only request funding for back office/support staff be favorably received?

**Answer:** Eligible counties seeking to improve the quality of representation of upstate indigent legal services provider programs by enhancing administrative resources such as back office/support staff may receive funding under this grant. Page 5 of the RFP specifically provides that “[p]roposals that involve recruitment of administrative . . . resources are encouraged,” where “[r]ecruitment of such staff may free up attorney’s time for their core duty of providing representation ...” Counties need not propose solutions in their proposal that cover a provider’s entire program of providing mandated representation. (see page 5 of the RFP).