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### **Re-Opening of Kids Capital RFP Q&A's**

1. Has this RFP been reopened to new applicants? An agency did not previously apply because they thought it was exclusively for Vital Access Provider (VAP) awardees, which they are not.

**A: Yes, the RFP is open to eligible applicants, including new applicants as long as they meet the following eligibility requirements:**

***Eligible Applicants must operate OMH Article 31 Residential Treatment Facilities (RTFs) or freestanding clinic treatment programs with an OMH Operating Certificate, at the time of submission of the RFP application, that states "children" and/or "adolescents" next to "Population Served." Hospitals licensed pursuant to Article 28 of Public Health Law and Federally Qualified Health Centers are not eligible to apply. This grant is specifically targeted to Article 31:***

- A) Free-standing Clinics licensed to serve children***
- B) Residential Treatment Facilities (RTFs)***

***Programs with operating profits in excess of ten percent for each of the three most recent fiscal years (Downstate: 2014-2015, 2015-2016 and 2016-2017; Upstate: 2014, 2015, 2016), as reported in the Consolidated Fiscal Reports (CFR), are not eligible to apply. For clarification purposes, 'Programs' is defined as Article 31 free-standing clinic and RTF programs.***

2. Is priority given to VAP awardees?

**A: Yes, up to \$4 million of the \$20 million is earmarked for VAP-designated providers that are currently licensed to serve children and/or adolescents. The funds will be awarded to VAP applicants in rank score order from all passing scores (65 or higher). The same process will be used to award up to \$4 million earmarked for RTF applicants. The balance of the remaining \$20 million will be awarded to all eligible applicants with passing scores (65 or higher), in rank score order.**

3. Our existing proposal to this RFP is to expand capacity for children's services converting space to a larger clinic serving children. Subsequently, we learned another children's clinic may be closing its doors but is not in the community we proposed our expansion for. Should we amend our existing response or submit a new application?

The applicant should determine whether changes warrant a new application or can be done through edits to the original submission.

To re-open an application, a request must be made in writing to the Issuing Officer at [carol.swiderski@omh.ny.gov](mailto:carol.swiderski@omh.ny.gov). This request must include your agency name, the Gateway Application Number and a statement acknowledging responsibility that the application must be resubmitted back by the due date and time.

Please note that should the decision to be made to re-open the application, it is the responsibility of the applicant agency to ensure that it be submitted by the due date and time of February 8, 2019 at 4:00 PM. No consideration will be given to an applicant that misses this deadline.

Please note that if an agency submits a single proposal for multiple RTF or clinic sites, the proposal will be disqualified. Each application must identify a single, distinct project proposal per project site. An agency may not submit more than two applications in total in response to this RFP.

4. My organization operates a stand-alone Article 31 facility that is licensed to serve children (our OMH Operating Certificate states that this facility serves “children and adolescents.”)

My organization, which holds the license, is an Article 28. Given that we have been instructed to disregard the Q&A responses posted earlier this year, can I respond to this RFA for my Article 31 licensed facility?

**A: OMH realizes that previously posted responses to the questions posed during the Question and Answer (Q&A) periods inadvertently excluded nonhospital-based freestanding providers that also had a separate Article 28 license for their diagnostic and treatment centers. Accordingly, to ensure all potential applicants had a thorough understanding of the eligibility requirements, OMH provided further clarification on December 14, 2018 and re-opened the RFP on December 18, 2018. The RFP is open to eligible applicants, including new applicants as long as they meet the eligibility requirements below:**

***Eligible Applicants must operate OMH Article 31 Residential Treatment Facilities (RTF)s or freestanding clinic treatment programs with an OMH Operating Certificate, at the time of submission of the RFP application, that states “children” and/or “adolescents” next to “Population Served.” Hospitals licensed pursuant to Article 28 of Public Health Law and Federally Qualified Health Centers are not eligible to apply. This grant is specifically targeted to Article 31:***

- A) Free-standing Clinics licensed to serve children***
- B) Residential Treatment Facilities (RTFs)***

***Programs with operating profits in excess of ten percent for each of the three most recent fiscal years (Downstate: 2014-2015, 2015-2016 and 2016-2017; Upstate: 2014, 2015, 2016), as reported in the Consolidated Fiscal Reports (CFR), are not eligible to apply. For clarification purposes, ‘Programs’ is defined as Article 31 free-standing clinic and RTF programs.***

5. Our question relates to ineligibility of programs with operating expenses in excess of ten percent for each of the three most recent fiscal years:

If the agency operates both an RTF and an Article 31 clinic, but the funding request will be *only for the RTF*, are profits for only the RTF considered, or, for the RTF and the clinic combined?

**A: Fiscal eligibility is determined for the program type identified in the Capital Project proposal. For example, if an Agency's Clinics had "operating profits in excess of ten percent for each of the three most recent fiscal years (Downstate: 2014-2015, 2015-2016 and 2016-2017; Upstate: 2014, 2015, 2016), as reported in the Consolidated Fiscal Reports (CFR)," but the proposal was for an RTF, eligibility would be based upon the operating profits for the RTF (and vice-versa).**

6. The agency does business as two separate entities and as such has two separate Grants Gateway accounts. The agency applied for the OMH Capital Grant, however, mistakenly applied under the entity which does not possess an OMH Operating Certificate for a licensed clinic. As a result, the agency was deemed ineligible to continue with its application. Given the re-opening of the RFP, would the agency be eligible to re-apply under its more fitting entity which does possess an OMH Operating Certificate? Would the agency have the opportunity to re-open the application submitted under one entity and resubmit under another Grants Gateway account?

**A: The eligible entity will need to initiate a new application and submit through its Grants Gateway account. The entity can certainly copy the answers, budget etc. from the first application submitted, but would need to enter all the required information into the new application and submit the application from the eligible entity.**

7. We are contacting you regarding the look back period related to Agency finances and eligibility to apply for this RFP. May we please ask that the look back period be confined to one year, 2017-2018? It so happens, that through an unfortunate or fortunate coincidence, our Agency finances were unusually strong during the previous two years. That situation has changed. Our financial standing has diminished and is likely to continue to do so under value based payments.

**A: No, as stated in the eligibility criteria, "Programs with operating profits in excess of ten percent for each of the three most recent fiscal years (Downstate: 2014-2015, 2015-2016 and 2016-2017; Upstate: 2014, 2015, 2016), as reported in the Consolidated Fiscal Reports (CFR), are not eligible to apply. For clarification purposes, 'Programs' is defined as Article 31 free-standing clinic and RTF programs."**

8. I am unsure of our eligibility due to the fact that we are not an outpatient mental health clinic or an RTF, but rather will be providing behavioral health and medical services under the SPA/29j amendments beginning January 1st, 2019. Please let me know if this grant program is something that we are able to apply for and I will proceed accordingly.

**A: Eligible applicants must operate an OMH Article 31 Residential Treatment Facilities (RTF)s or freestanding clinic treatment programs with an OMH Operating Certificate, at the time of**

**submission of the RFP application, that states “children” and/or “adolescents” next to “Population Served.” If you do not operate either of those programs, you would not be eligible to apply.**

9. Our agency operates an Article 31 clinic treatment program and the certificate states “adolescents” as the population served. Separately we also operate seven programs for adults which are dually licensed as OASAS Article 32 and DOH Article 28 clinics. We are neither a hospital nor a FQHC. Our Article 28 licenses are for Diagnostic and Treatment Facilities, providing primary care services to patients in the Article 32 programs. Please clarify if we are eligible to apply.

**A: OMH realizes that previously posted responses to the questions posed during the Question and Answer (Q&A) periods of the RFP inadvertently excluded nonhospital-based freestanding providers that also had a separate Article 28 license for their diagnostic and treatment centers. Accordingly, to ensure all potential applicants had a thorough understanding of the eligibility requirements, OMH provided further clarification on December 14, 2018 and re-opened the RFP on December 18, 2018. The RFP is open to eligible applicants, including new applicants as long as they meet the following eligibility requirements:**

***Eligible Applicants must operate OMH Article 31 Residential Treatment Facilities (RTFs) or freestanding clinic treatment programs with an OMH Operating Certificate, at the time of submission of the RFP application, that states “children” and/or “adolescents” next to “Population Served.” Hospitals licensed pursuant to Article 28 of Public Health Law and Federally Qualified Health Centers are not eligible to apply. This grant is specifically targeted to Article 31:***

- A) Free-standing Clinics licensed to serve children***
- B) Residential Treatment Facilities (RTFs)***

***Programs with operating profits in excess of ten percent for each of the three most recent fiscal years (Downstate: 2014-2015, 2015-2016 and 2016-2017; Upstate: 2014, 2015, 2016), as reported in the Consolidated Fiscal Reports (CFR), are not eligible to apply. For clarification purposes, ‘Programs’ is defined as Article 31 free-standing clinic and RTF programs.***

**Note: Capital funds awarded through this RFP are to be used for the preservation, restructuring, and/or expansion of OMH Article 31 Licensed Residential Treatment Facilities (RTFs) and Mental Health Clinics licensed to serve children.**

10. Should eligibility be documented as evidenced by “OMH Article 31 Residential Treatment Facilities (RTFs) or free- standing clinic treatment programs with an OMH Operating Certificate, at the time of submission of the RFP application, that states “children” and/or “adolescents” next to “Population Served” in response to a particular question in the RFP? Or will that information be available at OMH’s end?

**A: When completing the application, the applicant must indicate the program type in the Grants Gateway. As part of the eligibility review, OMH will verify licensure.**

11. Should the eligibility as evidenced by not having operating profits in excess of ten percent for each of the three most recent fiscal years (Downstate: 2014-2015, 2015-2016 and 2016-2017; Upstate 2014, 2015, 2016), as reported in the Consolidated Fiscal Reports (CFR) in response to a particular question in the RFP be documented? Or will that information be determined by OMH?

**A: As part of the eligibility review, OMH will verify this information using the noted CFRs.**

12. Per the 12/18 notification that this RFP will be reopened, “please note that any responses regarding eligibility in previously posted Questions and Answers should be disregarded”. According to an earlier question, “if a satellite program is operated by an eligible Applicant and the eligible Applicant either owns, leases or otherwise has control over the satellite where the capital improvement(s) will be located then the satellite program is an eligible project” – is this still true?

**A: Yes, provided an applicant meets all other outlined eligibility criteria. Upon award, they would still need to provide proof that they have sufficient authorization and control to undertake the capital project at the project site. This would require a deed or lease for the site which is minimally commensurate with the length of the bond amortization A renewable lease for a lesser term than the bond amortization, typically 25 years, would not be acceptable and would be cause for an award to be rescinded.**

13. A group of pediatricians, interested in expanding our children’s services have offered to donate their former facility (they have just moved to a larger facility) if it is used to improve our expand our children’s clinic. While the location of the new space is good, it is not quite large enough for the clinic and lacks adequate parking.

The doctors would be supportive of moving the administration (accounting, billing, IT, HR) out of our main facility into the donated space. This would leave only the childrens’ and family clinic in the main building and would expand the children’s clinic into the vacated administrative space.

Both facilities would be owned by our agency. Both are modern, prominent facilities on main roads less than 2 miles apart.

The current administrative space would need to be repurposed with a physical layout to accommodate the expanded Children’s clinic and these costs appear eligible.

In response to a previous question (#47), it was stated that expenses to relocate other programs could be covered under this grant. Would this also be the case if the relocated administrative services go to another location, as it will need new phones, IT, and security system at new location?

**A. Proposals will be reviewed against the criteria as presented in the RFP.**