

Empire State Supportive Housing Initiative – 2021 Questions and Answers

1. What are the rules of calculating the rent vs. subsidy. Specifically as it pertains to those ESSHI participants for whom TANF covers the cost of shelter and also provides semi monthly cash assistance. Is the to semi-monthly amount counted as income and used to calculate rent at 30% of income, while the shelter/rent payment is also accepted from DSS?

Organization has never had someone receiving TANF in any of the ESSHI units, but with one property, there are several folks on the program leasing up. Any assistance would be greatly appreciated.

Response—As contemplated, it appears this question is referencing an ESSHI project with a commitment award. The organization should contact the assigned State Contracting Agency for guidance. In general, for tenants receiving TANF to portion of benefits specifically designated to cover housing costs should be used for the tenant’s contribution. The cash allowance should not be factored into the calculation.

2. Agency owns and manages an apartment building for which case management is provided by a second agency. This case management is funded by an ESSHI grant to that agency. Is it possible to apply for an ESSHI grant to provide case management at the building ourselves, and replace the second agency as the case management entity for the building. Does this sound like a possibility? Are you aware of any situations similar to this having taken place previously with ESSHI funding? What might the mechanics of such a situation be?

Response—No. Assuming the project is currently operational, the ESSHI contracted agency could work with the State Contracting Agency to execute a contract assignment assumption.

3. As an organization that hasn't previously applied for/received EESSHI funding, can we apply for it independently? Or is it required that we partner with another social service provider for the application?

Response—Pursuant to this RFP, eligible applicants are NFPs that are properly incorporated or organized under the laws of New York, and Tribal Organizations, with demonstrated experience in one or more of the following areas:

- Housing for homeless families, individuals, and/or young adults;
- Housing for families, individuals, and/or young adults with an unstable housing history;
- Housing for families, individuals, and/or young adults who are at risk of homelessness;
- Housing for families, individuals, and/or young adults that have health, mental health, intellectual or developmental disability, and/or substance use disorders;
- Housing for youth/young adults with significant histories of mental health, foster care or criminal/juvenile justice involvement; and

- Providing services and supports to help families, individuals, and/or youth/young adults that have disabling conditions or life challenges as identified in Section 1.4 that require specialized support services to become and remain stably housed.

Applicants with demonstrated experience serving the target population(s) are not required to partner with another social service provider for the applications. Applicants lacking experiencing serving a target population should partner with another service agency who has such experience.

4. Do clients have to solely come from local Continuum of Care organization or can those individuals who meet the eligibility be assisted?

Response – Acceptable living situations at time of referral include unsheltered homeless; sheltered homeless; prison; institutions (State Psychiatric Center or Developmental Center); hospital or skilled nursing facilities*; medical respite; and OPWDD-eligible individuals who have been determined to meet the level of emergency need through the Certified Residential Opportunities review process.

**Persons referred must have been homeless prior to placement in hospitals or medical respite. Those coming from skilled nursing facilities must be residing in a SNF for at least 90 days and have no dwelling to be discharged to.*

ESSHI applicants should be accepting applications within the framework of the local coordination system for the target population (e.g. SPOA, coordinated entry, etc.)

5. In section 1.1, the rfp states “For projects assigned to OASAS as the SCA and consisting of 31 or more dwelling units, are expected to comply with the above stated Olmstead requirements”. Would this mean that projects for example with 12 units for homeless individuals with SUD and 6 units for homeless individuals with SMI would not need to comply with Olmstead requirements?

Response – The language in the RFP refers to projects 30 units or less consisting **exclusively** of individuals with SUD. Projects not exclusively serving individuals with a SUD are subject to policies and regulations applicable to the population(s) served, including the *Olmstead* ruling.

6. Section 1 - If we submit an application for a 40-unit project and receive a conditional award and we are subsequently able to identify capital funding for two separate smaller projects totaling 40 units, are we able to split the conditional award as long as we maintain the target population and CoC or would we need to use the conditional award only for the larger of the two projects?

Response – Each conditional award needs to be tied to a single project. While a single project can consist of multiple buildings, to considered one project, the separate buildings must share a single capital financing structure.

7. Section 1 (Page 8) describes Predevelopment and Program Development Grant Funding available from OMH. Per that section, "OMH will provide Program Development Grant ("PDG") funds to projects that are proposing to serve individuals with a Serious Mental Illness ("SMI"). PDG provides funding for start-up costs such as furniture, essentials, and staff training. Only ESSHI units specifically designated within an application for individuals with an SMI are eligible to receive PDG funding" How will PDG funding be available for SUD units within a project for which OMH is the SCA and how will that happen?

Response—OMH will consider requests on a case-by-case basis for funding to cover start-up expenses for non-SMI units.

8. Section 1 Page 4) states "Support from the local CoC or local planning entity does not need to be site specific. However, the support letter should indicate the need for and support of a project serving the proposed population within the CoC's jurisdiction". If a CoC covers multiple counties and the support letter states need within the CoC, can the proposed location be changed within the CoC but in a different county?

Response—It is possible for a project to locate to a different county within the same CoC. In such instances, the ESSHI workgroup would consider all aspect of the project, documentation of need, alternative county, and other relevant information. Each request will be considered on a case-by-case analysis. In some instances, the proposed alternative site might not be appropriate as the availability of leveraged services may dramatically change.

9. Section 1 - Will Predevelopment and/or Program Development funding be available for projects for which OASAS is the State Contracting Agency?

Response—OASAS no longer provides predevelopment funds. Start-up funding may be available, but it will be on a case by case basis and dependent on when the contract period begins.

10. Section 1.1 - Please confirm that a 40-unit project with 20 SMI or SUD units and 20 DV units is consistent with Olmstead.

Response—As stated, the project would meet Olmstead compliance.

11. Section 2.6 - (Page 26) states asks if the applicant has additional funds to leverage the state funding. How would we demonstrate this funding? Please provide examples.

Response—Applicants are encouraged to provide a detailed response to Question 5 a. in the budget section. Applicants are asked to describe the extent to which other viable sources of funding are available to provide operating and support services costs. Include any applicable funding such as tenant contributions, foundation funds, other subsidies, etc. Please list these funds separately in the "Other" Column in the budget.

12. Section 2.6 - Would supporting services available in the community to participants count as leveraging? And how would we show that in the budget?

Response— ESSHI applicants that have a Memorandum of Understanding (MOU) for supporting services may consider such services as leveraging. Such services may be described in Question 5 a. of the application and detailed in the other section of the budget.

13. Section 2.6 and Section 6 question 4.c In readiness, the description still refers to 12 months. Is that correct?

Response— Yes, although the resulting conditional awards are valid for 24 months, applicants are encouraged to demonstrate a plan to secure capital financing within a 12-month time frame.

14. Does this particular grant provide funding for new operating/services that can be applied toward rental assistance to clients if we collaborate with more landlords, and increase the number of available apartments to our program?

Response - Funding awarded through this initiative must be linked to a housing development project that will create new housing units through new construction, the adaptive reuse of non-residential space, or the repurposing of vacant residential units. Applications that do not propose to create new housing units are not eligible for funding.

15. Can you clarify what this section means about receiving more points for applications that have greater than 50% of the ESSHI units being dedicated to underserved populations including chronically homeless persons, families, individuals and/or young adults that have mental health and/or substance use disorders, and victims/survivors of domestic violence? It's in section 1 (bottom of page 4 and top of page 5).

“The State has continuously assessed the breakdown of units awarded by region of the state and special needs group they are serving to ensure that awards are being disbursed according to areas and groups with greatest need. Based on this assessment, this RFP emphasizes the development of permanent supportive housing for underserved populations including chronically homeless persons, families, individuals, and/or young adults that have mental health and/or 5 substance use disorders, and victims/survivors of domestic violence.. Applications where greater than 50% of the ESSHI units are dedicated to these populations will be eligible to receive more points than those that do not.”

Response— Applications that have greater than 50% of the ESSHI units being dedicated to underserved populations including chronically homeless persons, families, individuals and/or young adults that have mental health and/or substance use disorders, and victims/survivors of domestic violence will be awarded additional points during the review process.

16. To what extent is the service budget allowed to cover common room furniture used by the entire building (ESSHI tenants and non-ESSHI tenants)?

Response— Furniture including common space for ESSHI residents is an eligible startup cost. However, since they are not ongoing operating costs, applicants are encouraged to explore other potential sources of funding for these items. Applicants that choose to include such expenditures should represent such expenditures in the ESSHI budget.

17. Is there any additional guidance on security? Including maximum allowed in service budget?

Response— The ESSHI RFP does not establish a maximum allowed amount for security. Applications will be evaluated on the comprehensive nature of the support services plans. Proposals will be scored as to the extent the proposal will have a meaningful impact on addressing the identified needs of the eligible target population(s), including by demonstrating the appropriateness of the program’s approach to meet the needs of the target population, providing language accessible, culturally sensitive and trauma informed services. As ESSHI is intended to fund integrated supportive housing projects, security costs should minimally be prorated across the entire project, allowing for a cost-sharing contribution from the non-supportive units.

18. What is the required or recommended contingency funds per household? Does it differ by contracting agency i.e. OMH, OASAS, OTDA?

Response— ESSHI does not establish a required contingency funds per household.

19. Are there any instances where an underwritten rent higher than 60% AMI would be considered? Does the same limit apply for projects seeking capital financing from NYC’s HPD?

Response— The specific requirement to underwrite rents to the 50-60% range of AMIs applies only to projects intending to seek capital financing through HCR. Applicants should otherwise follow guidance and parameters from the capital sources applicable to the project. As indicated in the RFP, the tenant share of the rent must be affordable to the tenants (limited to 30% of income). The portion of the ESSHI subsidy attributable to rent should be limited to what is necessary to meet operational costs of the project, while ensuring that an adequate amount remains to fund appropriate services program and staffing costs

20. Can an ESSHI award be transferred from one site to another?

Response— It is possible for a project to locate to a different site and/or site in a different county within the same CoC. In such instances, the ESSHI workgroup would consider all aspect of the project, documentation of need, alternative county, and other relevant information. Each request will be considered on a case-by-case analysis. In some instances, the proposed alternative site might not be appropriate as the availability of leveraged services may dramatically change.

21. As stated in the RFP, there are three pre-established Objective-Tasks in the application portal. An example of what is currently there is as follows:

- **Objective 1:** Target Population
 - **Task 1:** Enter target population for ESSHI project
 - **Performance Measure 1:** [blank/undefined]

My question: Is the language written next to the “task” section (e.g., “enter target population for ESSHI project”) supposed to stay there as-is, or are we supposed to edit and replace that language with an answer (i.e., entering our target population)? If that language is supposed to remain as-is, then do we respond by entering the target population under the “Performance Measure” section instead?

More guidance on how to accurately complete the entire objective and task section would be very much appreciated.

Response – Grantee updates are allowed so applicants can modify as appropriate to align with the application and expected outcomes. For instructions on how to complete this section of the RFP, please refer to page 60 of the vendor manual found here: [vendor-user-manual-3.2-5.7.20.pdf \(ny.gov\)](#)

22. In Section 1: Introduction, pages 4-5, the RFP notes that applicants with projects in which greater than 50% of the ESSHI units are dedicated to underserved populations, including chronically homeless persons, families, individuals, and/or young adults that have mental health and/or substance use disorders, and victims/survivors of domestic violence, will be eligible to receive more points than those that do not. Could you please quantify how many points an applicant could potentially gain by including one of these priority populations in greater than half the ESSHI units or an applicant could potentially lose by not doing so?

Response – Applications proposing to dedicate 50% of the ESSHI units to underserved populations, including chronically homeless persons, families, individuals, and/or young adults that have mental health and/or substance use disorders, and victims/survivors of domestic violence, will be more favorably reviewed.

23. Can you define “medical respite” for frail elderly/senior referrals?

Response – Medical respite programs are facilities that provide care to homeless individuals who are too sick to be on the streets or in a traditional shelter, but not sick enough to warrant inpatient hospitalization. They provide short-term residential care that allows homeless individuals the opportunity to rest in a safe environment while accessing on-site medical care and other supportive services.

24. Section 1.4 of the RFP states that eligible frail elderly/seniors “are referred from a Skilled Nursing Facility (SNF), or street or shelter homelessness.” The glossary definition of frail elderly/senior on page 31 adds “medical respite, hospital” to the list of acceptable referral sources. Can you clarify whether or not medical respite and hospitals are acceptable sources of referral for a frail elderly/senior individual under this RFP?

Response—Yes, medical respites and hospitals are accepted referral sources for the frail elderly/ senior population as long as they meet the ESSHI definition of homeless.

25. In order to qualify as frail elderly/senior, does the individual have to meet all four of these criteria? (The highlighted “or” is confusing in the above description in the RFP as is the lack of “and/or” after the word “Medicaid.”); If they don’t have to meet all four can you clarify what they do need to meet?

- be 55 or older;
- enrolled in Medicaid;
- have a documented chronic condition;
- require assistance with one or more activities of daily living or instrumental activities of daily living

Response—Individuals must be 55 or older and enrolled in Medicaid. Individuals must also either have a documented chronic condition or require assistance with one more activities of daily living or instrumental activities of daily living.

26. Does a tenant housed under this definition have to be homeless before they were admitted to a skilled nursing facility?

Response—No, however, they must have been in a SNF for at least 90 days and not have a home to be discharged to.

27. Is a person living in a skilled nursing facility for at least 90 days and does not have a dwelling to return to upon discharge considered “homeless” for the purposes of this RFP? Who determines that?

Response—Yes, under the frail/elderly definition. It would be determined by the SNF discharge planner, provider and the circumstances of the individual.

28. What is the definition of chronic condition? Does it only encompass the list that is linked in the RFP? Who can document the condition?

Response—Please see the link in the RFP. A chronic condition is documented by a medical professional.

29. Is “medical respite” or “hospital” considered an institution for purposes of this RFP?

Response – For the purposes of this RFP, “institution” refers to State Psychiatric Centers and Developmental Centers. Please see Q23 and Q30 for the definitions of “medical respite” and “hospital” related to the frail elderly population.

30. What is the definition of definition of “hospital?” Does it include a psychiatric hospital or just a medical hospital?

Response – The frail elderly/ senior definition is referring to a medical hospital. Psychiatric hospitals are acceptable living situations for other populations under this RFP.

31. If an individual being considered for a frail elderly unit is in a Skilled Nursing Facility for at least 90 days and cannot return home after discharge because of changes to their medical condition (i.e. can’t ambulate stairs), does that person meet the definition of “not having a dwelling to return to?”

Response – No, individuals coming from a Skilled Nursing Facility must meet the ESSHI definition of homeless and not have a residence to be discharged to (i.e. house or apartment in their name).

32. Eligibility for ESSHI can be met for “young adults, survivors of domestic violence, and individuals with I/DD who are at risk of homelessness.” Does the state have a definition of “at risk of homelessness?”

Response – While the ESSHI RFP does not establish an exhaustive definition of at-risk of homelessness for these populations, such individuals must face the imminent threat of homelessness to be considered eligible. Once an applicant has a conditional award they should contact the appropriate state contracting agency for a more detailed definition of “at-risk of homelessness.”

33. In SECTION 5: Glossary, it references:

Project-Based Rental Assistance: Refers to rental assistance that is tied to a residential property with a specific location and remains with that particular location throughout the term of the assistance.

Could you describe the leasing structure?

Response – Per HUD’s definitions [Renewal of Section 8 Project-Based Rental Assistance | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](https://www.hud.gov/section8) – “The project-based rental assistance makes up the difference between what an extremely low-, low-, or very low-income household can afford and the approved rent for an adequate housing unit in a

multifamily project. Eligible tenants must pay the highest of 30 percent of adjusted income, 10 percent of gross income, or the portion of welfare assistance designated for housing or the minimum rent established by HUD.”

34. For those with DD/ID being considered for an affordable housing opportunity it is understood that agencies would work with OPWDD on eligibility as part of the Certified Residential Opportunity (CRO) emergent list.

Are agencies able to place people from the CRO list into backfill residential opportunities by moving people from 24 hour supervised settings to affordable apartment settings dependent upon level of support need for the person’s pending homelessness?

Response—Individuals living in certified settings funded through the HCBS Waiver (e.g., Supervised or Supportive Individualized Residential Alternatives) do not qualify as homeless under the ESSHI RFP. Individuals supported by OPWDD would need to meet the Emergency Level of Need under the Certified Residential Opportunities (CRO) referral process and still be living in a non-certified setting to qualify for referral under the ESSHI program.

35. Q1a. What narrative information is being requested here? There is a text box in the online app but no instructions in the RFP or online.

Response--Refer to the Header Question #1 for all questions within this section. It states the following:

Provide the following basic information regarding the proposed project. No points are assigned to this Section.

36. Q2j. There is an upload option for this question in the online app but no instructions as to what should be uploaded either on the app or in the RFP.

Response--The upload option is just that – an option. You can respond to the question within the box provided or provide an upload (e.g. Word document). There is no upload required or expected. There are instructions provided specific to this in the Instructions/Introductory Text Box.

37. Q3k. What should be uploaded here? We do not see instructions either online or in the RFP.

Response--see response to Question 36

38. If a proposal includes scatter site housing, do we need to submit more than one application?

Response—ESSHI may not be used for a portion of an existing project or scattered site rentals. Repurposing of vacant units refers generally to the conversion of an entire unregulated building or buildings from private market rate housing to newly created supportive housing.

39. In Section 1.1, the RFP states that “A development project is permitted to occur on multiple properties.” As an example, it lists construction on multiple sites in the same neighborhood. Is there an established definition for “neighborhood”?

Response—for ESSHI neighborhood is defined to be a community formed within a town or city. A project consisting of multiple sites would also need to comply with the eligibility guidelines of the intended capital funding source(s).

40. In Section 1.1, the RFP states projects must comply with the *Olmstead* decision. Would the following scenario comply with *Olmstead*? A four-unit apartment building (each unit occupied by a person with a disability) built into an existing neighborhood of private homeowners and/or renters. Each apartment would be private (no shared spaces), and tenants would have the same living arrangements as any other renter (fully compliant with the Integrated Setting definition).

Response—It all depends on the target population. Please refer to section 1.1 Services and Operation Funding Parameters for specific percentages that are permitted.

41. Regarding RFP Section 1.4.2: the section states that projects of 15 or more ESSHI qualifying individuals, with 30 or more dwelling units in total, will be required to set aside 25 percent of ESSHI units for high utilizer Medicaid members. Does this set aside apply to projects with 15 or more ESSHI qualifying individuals AND with 30 or more dwelling units in total, or does it apply to projects where EITHER of those statements are true, e.g., projects of 15 or more ESSHI qualifying individuals OR projects with 30 or more units in total?

Response—Section 1.4.2 Medicaid Redesign Team (MRT) High-utilizers of Medicaid requirements apply to projects of 15 or more ESSHI qualifying individuals **and** 30 or more units.

42. Regarding Section I: Introduction, the RFP states that applications will receive more points where 50% of the ESSHI units are dedicated to the chronically homeless persons, families and individuals; young adults with mental health and/or SUD; and victims/survivors of domestic violence. Older adults, and particularly frail/elderly seniors, are often victims of elder abuse, including physical or emotional harm at the hands of a trusted individual or caregiver. Would these instances of elder abuse be considered domestic violence under the RFP?

Response—Pursuant to ESSHI’s glossary, Victim or survivor of domestic violence refers to any person over the age of sixteen or any parent accompanied by his or her minor child or children in situations in which the person or their child is a victim of an act which would constitute a violation of the penal law and has resulted in physical or emotional injury, or has created a substantial risk of physical or emotional harm, where the act was committed by a family or household member, which includes individuals related by consanguinity or affinity, married or formerly married, having a child in common or are currently, or have been, in an intimate relationship.

43. Section 3: Impact, Question (g) within in the Grants Gateway Application asks for a description of rent collection procedures. Is there an expectation that rent would be collected for ESSHI qualifying individuals?

Response— In calculating rental subsidies, it is expected that 30% of a tenant household’s adjusted income (exclusive of rental subsidy payment) will be contributed toward the unit’s rent. When a tenant has no reportable income, the tenant should apply for all available third-party entitlements that they may be eligible to receive.

44. Section 4: : Readiness, Question (c) within the Grants Gateway Application asks for a description on how the agency applicant plans to secure capital funds within a 12-month time frame. Elsewhere in the RFP, on page 6 under Time Frame, the RFP indicates that there is an expectation to secure capital funds within a 24-month time frame. Can you clarify whether in the Grants Gateway application there is an expectation that Applicants should be responding on plans to secure capital financing based on a 12-month or 24-month time frame?

Response— Although the resulting conditional awards are valid for 24 months, applicants are encouraged to demonstrate a capital campaign within a 12-month time frame.

45. Program Specific Question 3c reads: Describe what supportive services will be provided to the targeted population(s) through this funding. Provide evidence of any relationships/ linkages with other community service providers (letters of support, etc.) Clearly distinguish ESSHI-funded services to be provided directly by the applicant agency and those to be provided through ESSHI-funded agreements/partnerships with other community service providers.

- Does “Letters of support, etc.” indicate that relationships/linkages with other community service providers should be memorialized within a letter of support and attached to this application? Or should relationships/linkages with other community service providers be described in narrative form as a response to question 3c without an attached letter of support from the community service provider?
- If Letters of Support from community service providers are required, to whom should letters be addressed to?
- Are Letters of Support required for community service providers who will be subrecipients?

Response— Letters of Support that identify the specific services to be made available to the project’s tenants should be included and may be addressed to the applicant. Some form of agreement between the applicant and any subrecipient(s) should be included, outlining the specific role and services to be provided by the subrecipient.

46. Section 2.6 of the RFP reads: “For counties covered by a CoC, a letter of support...must be provided regardless of the population.”

- To whom should letters from the CoC be addressed to?

Response— There is not preference to whom the letters from the CoC be addressed. However, if your CoC is requiring a contact letters may be addressed to

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47. Are in-fill, scattered-site projects, which by their nature are often considered integrated (that is, neighbors are often community members; units are often within a smaller building such as a townhouse within a larger community; the housing affords significant opportunity for individuals with disabilities to interact with non-disabled persons, etc.) exempt from the *Olmstead* requirement?

Response—See Question 51

48. May in-fill, scattered site projects house up to 100% of a disabled population so long as the nature of the project is “integrated?”

Response—See Question 51

49. Does *Olmstead* apply to a 2-unit building which is apart of a larger housing development? That is, can both units house a disabled population or must one unit not house a disabled population in order to be compliant with *Olmstead*?

Response—See Question 51

50. Does *Olmstead* apply to a 3-unit building which is apart of a larger housing development? That is, could all three units house a disabled population or must two units not house a disabled population in order to be complaint with the 50% requirement associated with *Olmstead*?

Response—See Question 51

51. Can the distribution of units housing a disabled population exceed 50% within a building so long as the overall distribution of disability units across a development does not exceed 50%? If yes, are there any limitations?

Response—A multi-site project where a disabled population within a single building would be greater than 50% could potentially be considered segregating and isolative to the disabled individuals dependent upon the size of the building. Buildings consisting of the very small number of units in the previous question are likely to be considered compliant with *Olmstead* if they are integrated in the community. However, multi-site projects should not be designed to concentrate disabled individuals into a single building, buildings, wing, floor, etc. Ideally, units serving disabled individuals should be distributed throughout any project, be it single or multi-site.

52. Would a 30-unit project with 16 SUD units and 14 SMI units, with OASAS assigned as the SCA, be compliant under *Olmstead*?

Response—No, see Question 5

53. Is furniture an eligible expense?

Response—Yes, see response to question 16.

54. Can an eligible applicant submit more than one ESSHI application? (This would be for 2 separate and distinct projects.)

Response—Yes.

55. The proposed project is a medical model with 100 beds and proposes to serve 50% of its total beds for homeless persons living with SMI, SUD and HIV. The other 50% of the beds will be transitional beds for persons convalescing. Is this an eligible proposal given the RFP *Olmstead* Act requirement?

Response—No. This would not be considered integrated supportive housing. In the example, 100% of the ESSHI beds and 100% of the project is serving disabled individuals.

56. Given the project must comply with the *Olmstead* Act, for a small project of 30 beds in upstate New York, may 100% of the beds be for homeless persons living with SMI, SUD and/or HIV? Having all persons located at one site is most cost effective.

Response—Regardless of cost-effectiveness, the project concept is not integrated supportive housing, inherently segregates individuals with disabilities, would not be compliant with the *Olmstead* ruling or eligible for ESSHI funding.

57. Keeping in mind the RFP mention of the *Olmstead* Act, if a person has two ESSHI qualifying conditions of Frail Elderly AND SMI, may this client with both qualifying conditions be counted under the frail elderly category in order to comply with the *Olmstead* Act outlined in the RFP? For example, a 30 bed location has 50% SMI and the other 50% Frail Elderly with SMI (2 qualifying conditions).

Response—If having a SMI is part of the eligibility criteria for the Frail Elderly units, this project would not comply with *Olmstead*. If SMI was not part of the eligibility criteria, the project would be compliant.

58. For ESSHI qualifying individuals with multiple qualifying conditions, how is it determined what “bucket” they fit into?

Response—Applicants are required to designate the number of units serving each ESSHI population. Individuals may occupy any of the units for which they meet eligibility criteria.

59. May ESSHI eligible program referrals come directly from a community health care partner, such as a Managed Care Organization, instead of from the CoC coordinated entry program?

Response—Without knowing the proposed population, this question cannot be fully answered. To the extent possible, attempts should be made for referrals to be coordinated through the designated CoC (or SPOA for SMI population). However, other sources of referrals are acceptable as long as the client meets the definition of homeless/at risk of homeless upon referral. Applicants are to specify referral sources and referral process in their application.

60. Does the ESSHI RFP prioritize projects where not-for-profit providers have ownership control?

Response—Eligible applicants for ESSHI are not-for-profits that are properly incorporated or organized under the laws of New York, and Tribal Organizations, with demonstrated experience in one or more of the following areas:

- Housing for homeless families, individuals, and/or young adults;
- Housing for families, individuals, and/or young adults with an unstable housing history;
- Housing for families, individuals, and/or young adults who are at risk of homelessness;
- Housing for families, individuals, and/or young adults that have health, mental health, intellectual or developmental disability, and/or substance use disorders;
- Housing for youth/young adults with significant histories of mental health, foster care or criminal/juvenile justice involvement; and
- Providing services and supports to help families, individuals, and/or youth/young adults that have disabling conditions or life challenges as identified in Section 1.4 that require specialized support services to become and remain stably housed.

While the ESSHI RFP does not prioritize projects that have ownership control, the workgroup expects ESSHI grantees to be actively involved in the development of the supportive housing project. The experience with the proposed target population(s) will greatly assist in design considerations as a means to meeting the needs of residents. The following arrangements may assist with ensuring ESSHI grantees are effective partners:

- 100% Not-for-profit Development: Projects where the sponsor(s)/developer(s) are not-for-profits. The project will be developed and owned by a not-for-profit or a partnership of not-for-profits during construction and after conversion to permanent financing.
- Turnkey Development: Projects where a not-for-profit partner is in a fee development structure with a for-profit partner where the ownership of the project is turned over to the not-for-profit provider after construction completion.
- Joint Ventures with Majority Not-for-profit Control: Partnerships between not-for-profit and for-profit entities where the majority ownership is by the not-for-profit (at least 51% ownership by the not-for-profit of the controlling entity of the property owner). Such partnerships ensure that not-for-profit has day-to-day and long-term management control over the properties.

61. In the guidance for the application's Budget Section, it notes that applicants should itemize Administrative expenses in the Other section. Our agency uses an established Administrative & Overhead Rate (A & OH) to cover administrative expenses across all of our program. Would it be allowable to use this established A & OH Rate? Or do we need to itemize all potential administrative costs for the program?

Response—Administrative costs should be itemized.

62. 1.13.2 Equal Employment Opportunity Requirements, it states that

- a. "The Bidder will be required to submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, Form # 4, to the SCA with their bid or proposal" and
- b. "To ensure compliance with this Section, the Bidder will be required to submit with the bid or proposal an Equal Employment Opportunity Staffing Plan (Form # to be supplied during contracting process) identifying the anticipated work force to be utilized on the Contract."

We just wanted to confirm that applicants should not submit these forms with their ESSHI proposal in GrantsGateway. Is that correct?

If not, where would we find copies of these forms and attendant guidance documents?

Relatedly, we wanted to confirm that MWBE/SDVOB Utilization Plans are not required at the time of proposal submission

Response—Applicants do not need to submit these forms/plan in the Grants Gateway. State Contracting Agencies will request these documents after permanent ESSHI award is issued.

63. In Section 1.6, on rental subsidies under Eligible Costs, the RFP states "Please note, applicants planning to seek capital funding from HCR should request rental subsidies under this RFP in an amount necessary to support underwritten rents of at a minimum of 50% AMI and a maximum of 60% AMI (noting that tenants will have significantly lower incomes). Applicants are required to identify the amount of the proposed rent subsidies in terms of the percentage of AMI. Applicants requesting rent subsidies above 50% of AMI should include a justification. Housing developers with a commitment of an ESSHI services and operating award cannot access Project-Based Section 8 except in New York City where capital funding is provided by HCR."

Is this specific minimum/maximum % of AMI requirement only for applicants planning to seek capital funding from HCR? If so, is there any required or preferred minimum or maximum % of AMI for any applicant not seeking capital funds from HCR?

Response—See Question 19