

Questions Received and Answered by the Question Deadline
RFP P&CS #053 Lawyer Assistance Program

1. 501(c)(3) versus 501(c)(6): The RFP asks for a copy of our IRS determination letter, as it did 5 years ago. Because of the required insurances as well as the staffing provided by OCBA, we intend to apply once again as the Bar Association – which, as you know, is a 501(c)(6) organization (professional association).[...]Can we assume that the Bar Association may apply for this continued funding? If so, please know that the Bar Association does pay NYS Sales Tax – we're not tax-exempt. The Bar Foundation, [...our affiliated 501(c)(3)fund-raising organization which has neither its own insurance nor paid staff.], however, is tax-exempt and any out-of-pocket expenses that the Foundation may pick up in support of our LAP over the terms of this contract will seek exemption from sales tax.
- A. *A 501(c)(6) organization may apply if organized as a lawyer assistance program, bar association or bar foundation, with facilities in New York State. If organized as a 501(c)(6), attach a copy of your IRC §501(c)(6) letter.*

Every applicant must submit proof that the applicant is covered by liability insurance as specified in Exhibit 1 and, if applicable, Exhibit 2 to the RFP. The applicant must also provide proof of Workers' Compensation and Disability Benefits insurance coverage or exemption in its name if any paid staff are performing any part of the services that are the subject of the proposal.

2. Budget – it's pretty clear, but just confirming that you're only looking for a 9-month budget from us with this submission. Is it safe to assume that funding beyond March 31st, 2020 will be pro-rated/annualized up to 12 months, contingent of course on availability of continued NYS funding in subsequent years?
The budget period is for 7/1/19-3/31/20 which is 9 months. If my total funding requested for a one year period is \$40,000 - Do I enter Total Funding Requested as \$30,000 (which is 3/4 of the annual)?
- A. *The budget requested is for 9 months. Funding beyond the initial period of 7/1/19-3/31/20 will be contingent upon continued appropriations, but assuming the availability of funding, UCS intends to annualize funding in a subsequent 12 month period of 4/1/20-3/31/21.*
3. Do the Budgeted Expenses need to equal the Total Funding Requested?
- A. *Yes.*
4. What is the definition of Indirect Costs? This budget has changed since the last application we submitted. I want to be sure to put the items in the correct category.
- A. *Indirect costs are defined in the UCS Financial Planning and Control Manual (http://ww2.nycourts.gov/sites/default/files/document/files/2018-05/IX_2000.pdf), Chapter IX, Section 2.050.*
5. We have a licensed Social Worker/Resource Counselor who assists our clients in a variety of ways. Is a Social Worker required to have professional liability insurance?
- A. *If applicant proposes to have the social worker provide substance abuse and/or mental health evaluation and/or treatment services, then professional liability insurance in the amount of \$1,000,000 is required in accordance with Exhibits 1 and 2.*