

## NOT-FOR-PROFIT CONTRACTING ADVISORY COMMITTEE

June 25, 2024

1-2:30pm

Via Zoom Webinar, and In-Person (NYC, Albany)

### Meeting Minutes

The Not-for-Profit Contracting Advisory Committee met In-Person *and* via Zoom (AKA “Hybrid”).

Meeting commenced at 1:05pm.

#### NFPCAC Board Members in Attendance –

- Wayne Ho, Chinese-American Planning Council, Chair
- Hanna Rubin, AG’s Office
- Stephen Papas, United Way of Rockland County
- Michelle Heaslip, DOB
- Sue Mantica, DOH
- Melody Goetz, State Comptroller’s Office
- Deborah Mellow, OMH
- Edward Lenart, NYSED
- Jan Fisher, Nonprofit Westchester
- Juanita Brooks (remote)\*
- Shannon Plasencia (remote)\*

\*A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Not-for-Profit Contracting Advisory Committee meeting but may participate and vote if there is a quorum of members at a physical location(s) open to the public.

#### Nonprofit Unit Staff in Attendance –

- Fran Barrett
- Lillian Padilla
- Simon Ehlinger (AmeriCorps VISTA)

Introductory remarks were made by Fran Barrett, Interagency Coordinator for Nonprofit Organizations, Executive Chamber, Office of Governor Kathy Hochul.

Further comments were made by Wayne Ho, President/CEO, Chinese-American Planning Council and Committee Chair.

Board attendance was sufficient to constitute a quorum, so business was conducted (November 2023 Meeting Minutes were voted on and adopted) by Wayne Ho.

Wayne Ho introduced Grace Bonilla of the United Way of NYC, as newest board member (not in attendance or present? Check the chat box messages).

### **Prequalification in SFS and Staying Prequalified**

Fran Barrett spoke about -

- Prequalification should not be something you do as part of a grant process (although that happens now).
  - Do it ahead of time (stay prequalified)
  - Recommended member organizations to keep track of membership prequalification.
  - Grants management team available to offer assistance with prequalification.
  
- Question raised about prequalification trainings made available to nonprofits –
  - Ian Carlson, Director of NYS Grants Management, mentioned that the next prequalification training would be July 3, 2024, but that they happen regularly.
  - Recordings and other prequalification information are available online.
  - SFS has live webinars every week online covering a wide variety of topics.
    - In-chat comment expressed that the trainings are helpful and posted trainings are available.
  - Recommended outreach about webinar time and access info can be shared in an email blast to statewide nonprofits.
  
- Question raised whether nonprofits must go through the entire prequalification process again in SFS or can they just update expiring documents –
  - Ian Carlson explained that if existing prequalification information has expired, a nonprofit must submit some forms again as they are not one-on-one the same as Grants Gateway.

### **Not-for-Profit Short-Term Revolving Loan Fund**

Fran Barrett read aloud language of the Loan Fund and said we would send information about it out to the nonprofits.

- Questions and comments regarding the Loan Fund –
  - How do we define “unavoidable delays”?
  - What things are we doing to promote timely payment?
  - More information on interest (who is eligible, how does it work?)
  - Time taken to get loan would be better spent getting the original contract paid on time.

## **Contracts for Grants Discussion (dba Master Contract)**

Fran Barrett opened the floor for discussion on the master contract (concerns, recommendations, guidance, etc.)

- CLIENT DATA:

- Nonprofit Comments:

- There are concerns about how the contract bars the contractor from using data other than in connection with services.
    - Client data collected is property of the State; issue problematic for social workers, attorneys, etc.
    - Master Contract already in force. Contracts are being signed already without negotiating this away. Poses issues later on if these are determined to be unethical. Puts smaller nonprofits in a vulnerable position as well.
    - Amend the Master Contract to rework some of the provisions to make them less onerous or risky to nonprofits that need state funding to operate.
    - Rework the template, if possible. If not, it would be helpful for the creators of this document to explain why these provisions exist to the Not-for-Profit Contracting Advisory Committee, on record.
    - GRC has recommendations on how to fix this and are happy to provide these recommendations and other concerns.

- Nonprofit concerns:

- David Condliffe - on a Commission that will be publishing a report on the impact of client information.
    - Laura Abel – Client information/data being state property is new and concerning.
    - Wayne Ho – questions about asylum seekers or migrants turns people away from receiving necessary services, regardless of the citizenship status.

- Parallel tracks: State focus on the policy side, GRC focuses on recommendations and concerns.

- Fran Barrett asked where does the authority exist for revisiting this?

- Give the Nonprofit Unit some space to determine who we can work on this with to be most productive before moving forward. Perhaps return to this in the next meeting.

- PUBLICITY:

- Nonprofit concern:

- Contracts need State to approve publicity activities, causes roadblocks for promoting services.

- Writing it into contracts what publicity you plan to do in order to skirt more involvement from State. Pre-approved publicity in the contract.
  - Difficult due to publicity ideas changing across contract time.
  - Recommendation of a template to speed up process, and/or to use a disclosure statement for specific publicity actions.
- 3-DAY RISK DEADLINE:
  - Nonprofit concern is that the language is poorly defined.

**Next Steps:**

- Nonprofit leadership to meet with Nonprofit Unit leadership to discuss recommendations from today and information from GRC.
- Define possible actors to collaborate with.

**Action Items:**

- GRC will send recommendations.

Meeting adjourned at 1:47pm.