

**Announcement of Funding Opportunity
2018 – 2019**

Title II, Part B Mathematics and Science Partnerships Program

Legislative Authority	ESEA Title II, Part B Mathematics and Science Partnerships
Purpose of Grant	<p>Title II, Part B of the Elementary, and secondary Education Act (ESEA) legislation authorizes The Mathematics and Science Partnerships (MSP) competitive grant program. The overarching purpose of this grant is to increase the academic achievement of students in mathematics and science through partnerships that enhance teaching of elementary and secondary teachers (PK-12). Through partnerships between local school districts and Institutions of Higher Education, teachers participate in professional learning opportunities that strengthen content-pedagogical knowledge and instructional practices in mathematics and science. Partnerships between high-need school districts and the science, technology, engineering and mathematics departments in Institutions of Higher Education are at the core of an innovative comprehensive systems approach to enhance teaching and learning.</p>
Project Period	September 1, 2018-September 30, 2019
Eligible Applicants	<p>Eligible Applicant:</p> <ul style="list-style-type: none"> • A high-need Local Education Agency: the high-need Local Education Agency (LEA) must be the applicant and fiscal agent of the partnership. The LEA must partner with an engineering, mathematics or science department of an Institution of Higher Education that has a registered curriculum in engineering, science or mathematics (section 101(a)) of the Higher Education Act of 1965). <p>For purposes of this grant, a high-need LEA is defined as a public school district (“Eligible District”) or public charter school (“Eligible Charter School”) that has at least 50% of students from low-income families as determined using the criteria specified in code 0198 (Poverty-from low-income family) in New York State Student Information Repository System (SIRS), also known as the level 2 Statewide data warehouse, 2016-2017 school year. A list of eligible applicants that meet this criterion is posted separately with this RFP on P-12 Funding Opportunities.</p> <p>For the purpose of this application, NYCDOE will be the lead LEA applicant to serve schools in the NYC Community School Districts that are included on the eligibility list. Only one application from NYCDOE can be submitted.</p>
Amount of Funding	<p>Funding Projection for project period: September 1, 2018 - September 30, 2019 is \$7,500,000</p>

Application Due Date and Mailing Address	<p>Applications must be postmarked by: April 6, 2018 Submit 1 original and 3 copies to:</p> <p>New York State Education Department Office of Curriculum and Instruction Mathematics and Science Partnerships Program EBA 860 89 Washington Avenue Albany, NY 12234</p>
Questions and Answers	<p>All questions must be submitted via E-Mail to EMSCMSP@nysed.gov by March 5, 2018. A complete list of all Questions and Answers will be posted to P-12 Funding Opportunities no later than March 23, 2018.</p>
Non-Mandatory Notice of Intent	<p>The Notice of Intent (NOI) is not a requirement for submitting a complete application by the application date; however, NYSED strongly encourages all prospective applicants to submit an NOI to ensure a timely and thorough review and rating process. A non-profit applicant's NOI will also help to facilitate timely review of their prequalification materials. The notice of intent is a simple email notice stating your organization's (use the legal name) intent to submit an application for this grant. Please also include your organization's NYS Vendor ID. The due date is March 26, 2018. Please send the NOI to EMSCMSP@nysed.gov.</p>

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2018-2019 Title II, Part B - Mathematics and Science Partnership Program

Application Guidance

Purpose

Title II, Part B of the elementary and secondary Education Act (ESEA) legislation authorizes a Mathematics and Science Partnerships (MSP) competitive grant program. The overarching purpose of this grant is to increase the academic achievement of students in mathematics and science through partnerships that enhance teaching of elementary and secondary teachers (PK-12). Through partnerships between local school districts and Institutions of Higher Education, teachers participate in professional learning opportunities that strengthen content-pedagogical knowledge and instructional practices in mathematics and science. Partnerships between high-need school districts and the science, technology, engineering and mathematics departments in Institutions of Higher Education are at the core of an innovative comprehensive systems approach to enhance teaching and learning.

[The text of ESEA, Title II, Part B can be found here.](#)

The emphasis of ESEA, Title II, Part B - Mathematics and Science Partnerships is to encourage partnerships between high-need school districts and the science, technology, engineering, and/or mathematics (STEM) departments in Institutions of Higher Education to provide focused professional development opportunities that engage teachers through innovative teaching and learning models and methods in mathematics and science from reliable, or evidence-based research as a means of improving student academic performance and achievement on local, state, national, and international assessments in these content areas.

The definition of professional development under the No Child Left Behind Act (NCLB) can be found in Title IX, Part A, Section 9101(34), and research can be found in Title IX, Part A, Section 9101(37). [These sections of the NCLB can be found here.](#)

For purposes of this RFP, professional development pertains to the teaching and learning experiences and activities that support the educator in furthering content knowledge and pedagogical instructional practices in mathematics and science that may also integrate technology and/or engineering education. Professional development must include a series of related, coherent, sustained, and focused activities, workshops, courses, and/or institutes that are well coordinated and culminate in completion of at least 45 hours of professional development per teacher participant over a designated period or the duration of the grant. Building leaders are also expected to participate in at least 30 hours of professional development per participant.

The professional development plan must be challenging and coherent, align to the expectations of the State standards in mathematics and science, and directly relate to the specific needs of the cohort(s) of teachers and building leaders targeted.

Project Funding

Funding Projection is estimated at \$7,500,000 and contingent upon the availability of allocations from the United States Education Department. Awards will be made to the high-need eligible local education agency (LEA) to conduct a local MSP project.

Total Allocation of Funds (September 1, 2018 - September 30, 2019) by Region

District Category	Total
Big 5 (NYCDOE, Buffalo CSD, Rochester CSD, Syracuse CSD, Yonkers CSD)	\$5,500,000
Rest of State (ROS)	\$2,000,000

Note: Charter School applications will be included in the district category of their school location.

An eligible applicant cannot request a funding level that exceeds the funding period maximums outlined below:

District Student Enrollment*	Funding Period September 1, 2018 - September 30, 2019
50,000 and above	\$2,000,000
20,000-49,999	\$500,000
19,999 and below	\$250,000

*District student enrollment figures can be found on the Department's website at [School District Student Enrollment – All Students 2016-17](#)

Project Period

September 1, 2018 - September 30, 2019

Eligible Applicant:

- A high-need Local Education Agency: the high-need Local Education Agency (LEA) must be the applicant and fiscal agent of the partnership. The LEA must partner with an engineering, mathematics or science department of an Institution of Higher Education that has a registered curriculum in engineering, science or mathematics (section 101(a) of the Higher Education Act of 1965).

For purposes of this grant, a high-need LEA is defined as a public school district (“Eligible District”) or public charter school (“Eligible Charter School”) that has at least 50% of students from low-income families as determined using the criteria specified in code 0198 (Poverty-from low-income family) in New York State Student Information Repository System (SIRS), also known as the level 2 Statewide data warehouse, 2016-2017 school year.

A list of eligible applicants that meet this criterion is posted separately with this RFP on [P-12 Funding Opportunities](#).

For the purpose of this application, NYCDOE will be the lead LEA applicant to serve schools in the NYC Community School Districts that are included on the eligibility list. Only one application from NYCDOE can be submitted.

Mandatory Requirements

Applicants must submit with their application:

- Signed Application Cover Page
- Attachment 2 - The Local Educational Agency (LEA) applicant must sign and submit a Memorandum of Understanding (MOU) that is also signed by the required Institute of Higher Education (IHE) partner. **If an agreement is not submitted, the application will be disqualified. If a MOU is not signed by both parties to the agreement, it will not be evaluated for scoring purposes and the application will be disqualified.**

A MOU for any other partner should also be included and submitted with the proposal.

Additional Application Requirements:

- Identifying participating schools: The high-need LEA applicant should submit the Participating Schools Identification Form (Attachment 3) and identify teachers

from Priority Schools and Focus Schools to participate in the professional development grant activities in the following order:

1. Priority School List, 2. Focus School List. Lists can be found in

ATTACHMENT 3

- The high-need LEA must be the applicant and fiscal agent of the partnership. The grant is awarded to the fiscal agent who must receive and administer the grant funds and submit the required annual reports. The fiscal agent is prohibited to subgranting funds to other partners, but may contract for services with other partners or consultants to provide services that the fiscal agent cannot provide. However, the fiscal agent is responsible for the performance of any services provided by other partners or consultants.
- An eligible applicant may only apply for one Mathematics, or Science, or Mathematics & Science partnership grant.

Other members of the Partnership may include:

- Another science, technology, engineering, mathematics, or teacher education department of an Institution of Higher Education;
- A business/industry; or
- A nonprofit or for-profit organization of demonstrated effectiveness in improving the quality of instruction of mathematics and science teachers.

Using Attachment 1- Partnership Identification Form, identify every partner in the project.

Benefits and Services to Non-Public School Teachers

The Mathematics and Science Partnerships program is governed by the Title IX equitable services requirements (NCLB Title IX, Part E, Section 9501(a)) and requires services under this program be made available for all school teachers who teach in non-public schools located in the eligible school districts where the grants are awarded.

To provide opportunities for equitable participation of non-public teachers, the lead applicant (LEA) must make meaningful and timely consultation with nonpublic schools about services under this program, and the needs of teachers shall be equitably identified and addressed. Complete and submit the Nonpublic Schools Consultation Form (Attachment 4) as evidence of meaningful and timely consultation.

New Prequalification Requirement

The State of New York has implemented a new statewide prequalification process (described on the [Grants Reform website](#)) designed to facilitate prompt contracting for not-for-profit vendors. All not-for-profit vendors are required to pre-qualify prior to grant application. This includes all currently funded not-for-profit institutions that have already

received an award and are in the middle of the program cycle. The pre-qualification must be completed by all not-for-profit institutions prior to application in order to receive an award under this RFP. Please review the additional information regarding this requirement in the Prequalification for Individual Applications section below.

Description of Program

The New York State Education Department has determined that each LEA applicant of the Mathematics and Science Partnerships program can only apply once. The application can focus solely on Mathematics, or solely on Science, or focus on both Mathematics **and** Science. Professional learning opportunities for elementary, or secondary, or both elementary and secondary teachers from participating schools, as well as a targeted cohort of school leaders from participating schools are permitted to participate.

Proposals must be guided by:

- [New York State Next Generation Mathematics Learning Standards](#)
- and/or;
- [New York State P-12 Science Learning Standards](#)

The goal of this program is to develop and implement professional development opportunities for teachers and school leaders at the local level grounded by promising research and high-quality evidence-based interventions pertaining to improving curriculum, enhancing instruction and/or assessment practices in mathematics and/or science education implemented at a specific grade-level(s) or specific grade-level band(s).

For purposes of this RFP, professional development interventions that address identified needs gaps based on local capacity to select and provide relevant evidence-based and high-quality teaching and learning initiatives, experiences, and activities that support educators in furthering content knowledge and pedagogical instructional practices in mathematics and science that may also integrate technology and/or engineering and experiential learning in STEM education. Professional development must include a series of related-sequential, coherent, sustained, and focused activities, workshops, courses, and/or institutes that are and well-coordinated that culminate in completion of at least 45 hours of professional development per teacher participant over a designated period or the duration of the grant. Building leaders are also expected to participate in at least 30 hours of professional development per participant.

The professional development plan must be challenging and coherent, align to the expectations of the State learning standards in mathematics and science, and directly relate to the specific personalized needs of the cohort(s) of teachers and building leaders targeted.

Allowable Activities/Expenditures

The emphasis and expectation of the professional development program design, implementation, and overall execution of funded projects for teachers and school leaders is on providing a series of sequential, coherent learning experiences that address improving both content and pedagogy of PK-12 teachers of mathematics and science as defined in ESEA, Title II, Part B Sections 2201(b)(2) and 2202(c)(3).

In addition to the professional development opportunities for targeted teachers, applicants are expected to develop professional development activities tailored to support a targeted cohort of school leaders from participating schools.

Individual projects may include one or more of the following activity strands:

- A. Develop and implement, OR adopt and implement, rigorous mathematics or science curricula by supporting and strengthening professional development of teachers in these programs;
- B. Improve subject matter knowledge and strong instructional practices and skills of teachers of mathematics, science, and education that reflects current research. Integrate reliable scientifically-based or evidence-based teaching methods, and infusion of technology and engineering teaching methods into curriculum and instructional practices;
- C. Establish a series of sequential, coherent professional development experiences including activities, courses, workshops, and institutes, as defined in ESEA, Title II, Part B, Sections 2201(b)(2) and 2202(c)(3) that address improving both content and pedagogy of teachers;
- D. Create programs that bring teachers of mathematics and science into contact with working scientists, mathematicians, and engineers through internships and mentor-ships with Institutes of Higher Education and/or business and industry partners;
- E. Design programs to better prepare elementary and secondary teachers to teach mathematics and/or science, and/or prepare master teachers of mathematics and science to provide professional development to other teachers of mathematics or science;
- F. Design programs to identify and develop exemplary, lead, master teachers of mathematics and science in the K-12 classrooms that build-in incentives to support career ladders for K-12 teachers of mathematics and science.

The professional development should target participation of a mass of the elementary teachers from each participating elementary school and/or a mass of secondary teachers in each participating middle school and/or high school;

The professional development should target teachers committed to participate and complete of a minimum of 45 hours of professional development in an activity strand or activity strands. Different cohorts of teachers can be targeted and served during different designated periods over the duration of the grant. However, the number of teachers participating in each cohort should remain consistent.

Building leaders from schools of participating teachers are expected to complete 30 hours of targeted professional development over the duration of the grant that focuses on the same program activities as teachers and/or STEM leadership initiatives supporting this grant.

- **Project Staff**

Qualified expert professional(s) in science, mathematics and/or STEM fields must be designated by the lead Local Education Agency/fiscal agent and are responsible to implement the funded program as required, including all aspects of the professional development plan and evaluation as proposed and delineated in the submitted proposal, and required federal, state, and local annual reports.

Required: Project Director; A project director must be employed by the lead LEA applicant. The project director's salary cannot exceed 10% of the total grant award or \$75,000, whichever amount is less. Each project cannot exceed 1 FTE for the project director position. This position cannot consist of multiple staff members.

Optional: Project Support (Examples: teacher leader; math coach, science coach); Any identified project support must be an employee of the lead LEA applicant, and cannot exceed 5% of the total grant award per year or \$37,500, whichever amount is less. Each project cannot exceed two project support positions.

Required: External Evaluator; Qualified external (third party) expert professional(s) responsible for the local project evaluation, state program monitoring, and federal evaluation components must be designated by the LEA/ fiscal agent. Evaluator cost may not exceed 7% of the total grant funds, or \$70,000, whichever is less.

Budget (FS-10)

Applicants must submit a FS-10 budget with this application, for the 13 month project period of September 1, 2018 - September 30, 2019. The 13 month budget will be reviewed and scored.

The applicant must complete the FS-10 Budget Form. Budgeted costs must be in compliance with applicable State and federal laws and regulations and the Department's Fiscal Guidelines. These guidelines, as well as the FS-10 form, are available online at the [Grants Finance website](#). The FS-10 must bear the original signature of the Chief School/Administrative Officer.

Information about the categories of expenditures and general information on allowable costs, applicable cost principles and administrative regulations are available in the [Fiscal Guidelines for Federal and State Aided Grants](#).

The budget should be reasonable and appropriate to cover program expenses.

For more information, visit the [Grants Finance website](#)

Application Submission Instructions

Submit 1 original and 3 copies of the application postmarked by: **April 6, 2018** to:

New York State Education Department
Office of Curriculum and Instruction
Mathematics and Science Partnerships Program
EBA 860
89 Washington Avenue
Albany, NY 12234

PROPOSAL NARRATIVE (70 PTS)

1) Professional Development Program Overview: (25 PTS)

In the Proposal Narrative: Applicants must provide an overview of a comprehensive professional development plan that includes the following components as part of the program design as addressed in each activity selected specified below:

1a. Engagement of a cohort(s) of teachers, and any targeted building leaders, in a high-need school district(s) in rigorous professional development that supports and improves the implementation of teaching and learning of mathematics and/or science towards increases student achievement in mathematics and/or science at the local, State, and national mathematics or science assessments;

1b. Collaboration among the school district (LEA) and higher education partner(s) and other STEM stakeholders and partners, in delivering and implementing professional development to improve curriculum programming, enhance instructional practices and assessments through multiple modalities that incorporate real-world contexts and support face-to-face, electronic formats, and classroom support;

1c. Identifies and describes a comprehensive professional development plan that illustrates a progression of a series of related, sequential, coherent, sustained, and focused activities, workshops, courses, and/or institutes that address and build upon teachers' content knowledge, conceptual understandings, pedagogy, instructional practices and attitudes for each cohort of teachers targeted and the cohort of building leaders.

1d. Includes the rationale for the series of professional development opportunities for each cohort and addresses how scaffolded learning experiences are interwoven, and demonstrate a progression that enhances the teachers' depth of knowledge and teaching expertise and practices in mathematics or science subject areas with relevant connections to technology and engineering education. These professional development opportunities must align with New York State learning standards in mathematics and/or science and local curricula.

1e. Describes how the comprehensive professional development program for specific cohort(s) of teachers deepens the content knowledge and pedagogy of teachers through professional development opportunities that span over a designated period or the lifetime of the grant and substantiate demonstrable and measurable improvement of teacher content knowledge and student academic achievement in mathematics and science.

2) Specific Professional Development Activities: (20 pts)

The applicant can request one or more funding categories listed below that can focus solely on Mathematics, or solely on Science, or focus on both Mathematics and Science.

For each activity selected, the applicant must describe the specific professional development that will be provided, how the professional development will be implemented, and how such activities address the overall program design for targeted teacher participants and building leaders. If more than one activity is selected, each selected activity will be scored separately and will receive up to 20 points. However, the entire section will not receive more than 20 points. If more than one activity is described, then the total points of all described activities will be divided by the number of activities to total 20 points maximum for this section. **Extra points will not be given beyond the 20 points.**

A. Develop and implement, OR adopt and implement, rigorous mathematics or science curricula by supporting and strengthening professional development of teachers in these programs;

B. Improve subject matter knowledge and strong instructional practices and skills of teachers of mathematics, science, and education that reflects current research. Integrate reliable scientifically-based or evidence-based teaching methods, and infusion of technology and engineering teaching methods into curriculum and instructional practices;

C. Establish a series of sequential, coherent professional development experiences including activities, courses, workshops, and institutes, as defined in ESEA, Title II, Part B, Sections 2201(b)(2) and 2202(c)(3) that address improving both content and pedagogy of teachers;

D. Create programs that bring teachers of mathematics and science into contact with working scientists, mathematicians, and engineers through internships and mentorships with Institutes of Higher Education and/or business and industry partners.

E. Design programs to better prepare elementary and secondary teachers to teach mathematics and/or science, and/or prepare master teachers of mathematics and science to provide professional development to other teachers of mathematics or science;

F. Design programs to identify and develop exemplary, lead, master teachers of mathematics and science in the K-12 classrooms that build-in incentives to support career ladders for K-12 teachers of mathematics and science.

3). Professional Development Plan - Template - A (15 pts)

Professional Development Plan (Template-A) should specifically:

3a. Using Template A – Professional Development Plan, provide a summary of the completed professional development plan for each cohort of teachers and the cohort of building leaders targeted. Align and describe the connection(s) to the Professional Development Activities (A-F) selected above. (A separate template should be submitted for each cohort of teachers or leaders to be served over the grant period. Duplicate as needed)

3b. Target participation of the elementary teachers at the elementary level, and/or secondary teachers at the middle school and/or high school levels based on relevant teaching assignments in elementary schools, middle schools and high schools for mathematics, science, special education, bilingual education or other subject specific certification areas (e.g. targeted teacher cohort(s): elementary teachers-grades 3 and grade 4; Middle School grade 7-8 life and physical science teachers; Algebra I Teachers, or Chemistry Teachers, or Chemistry and Physics teachers...);

3c. Target teachers committed to participation and completion of a minimum of 45 hours of professional development and building leaders committed to participation and completion of 30 hours of professional development, defined in the Professional Development Plan Template for their cohort, as described in the Program Description, Allowable Activities section of this RFP. The lead LEA applicant should also submit the Participating Schools Identification Form (Attachment 3) and identify teachers from Priority Schools List and Focus Schools List to participate in the professional development grant activities.

4) Evaluation Plan (10 pts)

4a. Each proposal must provide an Evaluation Plan Template (See Template B- Evaluation Plan included in this RFP), which will be used to articulate the plan for data collection and required federal, state and local reporting that measures the impact of the professional development program carried out September 1, 2018 - September 30, 2019

4b. Applicants must also provide a descriptive narrative that is aligned to the Evaluation Plan Template that describes how their evaluation plans, including their selected and/or developed measurement instruments, will address the indicators and benchmarks and comprise the three components defined in the Program Description; Accountability, Reporting and Evaluation Requirements section of this RFP, for federal, state, and local evaluation and reporting

5) Budget & Budget Narrative (20 pts)

Applicants must submit:

5a. A detailed FS-10 budget with this application for the 13 month project period of September 1, 2018 - September 30, 2019;

5b. An overall proposed resource and expenditure plan, in the form of a budget narrative, which reflects the total commitment of resources by each of the applicant partners, for the entire grant term. To the greatest extent possible, these proposed plans should reflect full and accurate projected costs for developing and operating the program throughout the 13 month project period of the grant.

Project budgets will be evaluated based on:

5c. The reasonable number of participating teachers and school leaders to be served and the activities proposed in relation to the amount of funds requested. Different cohorts of teachers and school leaders may be served from participating schools.

5d. The quality of the program design and efficient use of funds and other resources, as well as the clear alignment of the budget to application guidelines, program activities and the implementation. Note: the project director's salary cannot exceed 10% of the total grant award per year or \$75,000, whichever amount is less. The salary of any identified project support cannot exceed 5% of the total grant award per year or \$37,500, whichever amount is less. And the cost of the evaluator may not exceed 7% of the total grant award per year or \$70,000 maximum per year, whichever is less.

5e. The extent to which the expenditures and activities are supplemental to and do not supplant or duplicate services currently provided.

Unallowable or inappropriate expenditure(s) will be eliminated and reflected in the score of the budget. For additional information regarding your budget submission, please refer to the [Fiscal Guidelines for Federal and State Aided Grants](#).

Method of Award

Each eligible proposal will be reviewed by at least two reviewers. Each reviewer will score the proposal according to the indicated point criteria in the Proposal Narrative and the Budget using the Proposal Evaluation Rubric. If individual scores are more than 15 points apart, another reviewer will score the application. The two scores closest in numeric value will be averaged to calculate the final average score of the application. If the third reviewer's score is equal to the average of the two original scores, the third reviewer's score will become the final score.

Budgets will be adjusted to eliminate any unallowable or inappropriate expenditure.

Each proposal will be reviewed and scored according to the District Category (Big 5 or Rest of State) it serves. Proposals will be ranked in order of final average score from highest to lowest in each District Category. Proposals that receive a final average score of 70 or more will be considered for funding. Awards will be made to the **highest ranking proposals in each District Category** until there are insufficient funds to award

the next ranked applicant in full. If there are insufficient funds to award the next-ranked applicant in full, the next-ranked applicant will be offered the opportunity to run a smaller program. If any funds remain in either district category, the funds will be awarded to the partnership with the next highest ranking partially or unfunded application in the other category.

In the event of tie scores, proposals with the highest score on Section 2 of the Proposal Narrative will be ranked higher.

Entities' Responsibility

Projects must operate under the jurisdiction of the local board of education, or other appropriate governing body, and are subject to at least the same degree of accountability as all other expenditures of the local agency. The local board of education, or other appropriate governing body, is responsible for the proper disbursement of, and accounting for project funds. Written agency policy concerning wages, mileage and travel allowances, overtime compensation, or fringe benefits, as well as State rules pertaining to competitive bidding, safety regulations and inventory control must be followed. Supporting or source documents are required for all grant related transactions entered into the local agency's recordkeeping systems. Source documents that authorize the disbursement of grant funds consist of purchase orders, contracts, time and effort records, delivery receipts, vendor invoices, travel documentation and payment documents.

Supporting documentation for grants and grant contracts must be kept for at least six years after the last payment was made unless otherwise specified by program requirements. Additionally, audit or litigation will "freeze the clock" for records retention purposes until the issue is resolved. All records and documentation must be available for inspection by State Education Department officials or its representatives.

For additional information about grants, please refer to the Fiscal Guidelines for Federal and State Aided Grants.

Reporting

Grant recipients are required to complete a final FS10F budget expenditure report, which is due to NYSED's Grants Finance Unit no later than 90 days after the end of the fiscal grant project year. Annual federal reporting, state program monitoring, and local evaluation reports, as described in this section of this RFP must be submitted within 60 days of the end of the project year.

Grant recipients are required to complete and submit an annual performance report directly to the United States Department of Education (USDE), and implement a local program evaluation that collects all the necessary data to meet the federal evaluation and reporting requirements. These annual reports serve as benchmark indicators that measure the goals and objectives targeted and described in the partnership proposal.

The State Education Department will review and approve the annual performance report of each grantee before submitting fully to USDE. The Reporting expectations are outlined in Components 1 and 2 below.

A. Component 1: Federal Evaluation and Reporting

a. Each MSP project is required to collect and report the five Governmental Performance and Results Act (GPRA) indicators developed by the United States Education Department. To help ensure MSP projects meet federal evaluation and reporting requirements, all local evaluations must collect the necessary data to respond accurately to the following GPRA performance measures:

b. GPRA Measure 1: Teacher Knowledge - The percentage of teachers who significantly increase their content knowledge in mathematics and science, as reflected in project-level pre-and post-assessments.

c. GPRA Measure 2: Student Achievement - The percentage of students in classrooms of MSP teachers who score at the basic level or below in State assessments of mathematics or science.

d. GPRA Measure 3: Student Achievement - The percentage of students in classrooms of MSP teachers who score at the proficient level or above in State assessments of mathematics or science.

e. GPRA Measure 4: Evaluation Design - The percentage of MSP projects that report using experimental or quasi-experimental design for their evaluations.

f. GPRA Measure 5: Evaluation Design - The percentage of MSP projects that use experimental or quasi experimental design for their evaluations that are conducted successfully and that yield scientifically valid results.

B. Component 2: Local Evaluation

Applicants must design plans for implementation of a local evaluation plan, including addressing how the local evaluation will collect the 5 GPRA measures listed in - Component 1. Federal Evaluation and Reporting Requirements - that include data to meet required annual federal, state, and local reports, which encompasses the following:

g. Qualitative and quantitative data collection and reporting specific to the individual project. Use experimental designs, quasi-experimental designs, or evidence-based designs with comparison groups when measuring change in student achievement and teacher content pedagogy, when possible. Methods for measuring the quality of professional development activities and changes in teacher content and pedagogy for 100% of teacher participants is required; data instruments (Annual Pre/Post testing of all participating teachers is required to measure teacher content knowledge and pedagogy) including evidence of validity and reliability for all instruments to be used, and analysis must be provided annually.

h. Recipients must submit a separate annual local evaluation report to NYSED, at the completion of the year of funding, to support data collection and analysis during the

project year. The local evaluation report must demonstrate that substantial progress has been made toward meeting project goals; implementation of professional development plan aligned to specific activities and local evaluation efforts. The performance report should provide an overview of what was proposed for the year and what was implemented, including the lessons learned during the process.

i. For additional guidance on developing local evaluations for this program, applicants should review the APR and Evaluation Document resources available on the [USDE MSP program website](#). In addition, applicants can review, and consider including relevant tools or available instruments in their evaluation design. In addition, among other measures, applicants can also consider and/or incorporate components of the [National Survey of Mathematics and Science](#).

Prior agreement on collecting pertinent project evaluation data must be arranged with school district personnel responsible for collecting and analyzing student and teacher data. Applicants are responsible for adhering to internal review board (IRB) processes and protocols in accordance with local school districts' policies as appropriate.

Information related to federal reporting requirements can be found at <http://www.ed-msp.net/>

Accessibility of Web-Based Information and Applications

Any documents, web-based information and applications development, or programming delivered pursuant to the contract or procurement, will comply with New York State Education Department IT Policy NYSED-WEBACC-001, Web Accessibility Policy as such policy may be amended, modified or superseded, which requires that state agency web-based information, including documents, and applications are accessible to persons with disabilities. Documents, web-based information and applications must conform to NYSED-WEBACC-001 as determined by quality assurance testing. Such quality assurance testing will be conducted by NYSED employee or contractor and the results of such testing must be satisfactory to NYSED before web-based information and applications will be considered a qualified deliverable under the contract or procurement.

Requirements for Funding

Registration In Federal System for Award Management (SAM) – In order to be awarded federal funds, an agency must be registered (and then maintain a current registration) in the federal [System for Award Management](#) known as SAM. SAM is a government-wide, web-enabled database that collects, validates, stores and disseminates business information about organizations receiving federal funds. Information on an agency's registration in SAM needs to be provided on the Payee Information Form that must be submitted with the application.

Payee Information Form/NYSED Substitute W-9 – The [Payee Information Form](#) is a packet containing the Payee Information Form itself and an accompanying NYSED Substitute W-9. The NYSED Substitute W-9 may or may not be needed from your agency.

Please follow the specific instructions provided with the form. The Payee Information Form is used to establish the identity of the applicant organization and enables it to receive federal (and/or State) funds through the NYSED.

PREQUALIFICATION FOR INDIVIDUAL APPLICATIONS

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which require not-for-profits to register in the Grants Gateway and complete the Vendor Prequalification process in order for proposals to be evaluated. Information on these initiatives can be found on the [Grants Reform Website](#).

Proposals received from not-for-profit applicants that have not Registered and are not Prequalified in the Grants Gateway by 5:00 PM on the proposal due date of 4/6/18 cannot be evaluated. Such proposals will be disqualified from further consideration

Below is a summary of the steps that must be completed to meet registration and prequalification requirements. The [Vendor Prequalification Manual](#) on the Grants Reform Website details the requirements and an [online tutorial](#) are available to walk users through the process.

Register for the Grants Gateway.

- On the Grants Reform Website, download a copy of the [Registration Form for Administrator](#). A signed, notarized original form must be sent to the Division of Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.
- If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov. If you do not know your Password please click the [Forgot Password](#) link from the main log in page and follow the prompts.

Complete your Prequalification Application.

- Log in to the [Grants Gateway](#). **If this is your first time logging in**, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.
- Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.

- Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.
- Specific questions about the prequalification process should be referred to your agency representative at prequal@nysed.gov or to the Grants Reform Team at grantsreform@budget.ny.gov.

Submit Your Prequalification Application

- After completing your Prequalification Application, click the **Submit Document Vault Link** located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.
- If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.
- Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Vendors are strongly encouraged to begin the process as soon as possible in order to participate in this opportunity.

Debriefing Procedures

All unsuccessful applicants may request a debriefing within fifteen (15) calendar days of receiving notice from NYSED. Bidders may request a debriefing letter on the selection process regarding this RFP by submitting a written request to the Fiscal Contact person at:

NYS Education Department
 Contract Administration Unit
 89 Washington Avenue
 Room 501W EB
 Albany, NY 12234

The Fiscal Contact person will make arrangements with program staff to provide a written summary of the proposal's strengths and weaknesses, as well as recommendations for improvement. Within ten (10) business days, the program staff will issue a written debriefing letter to the bidder.

Contract Award Protest Procedures

Applicants who receive a notice of non-award or disqualification may protest the NYSED award decision subject to the following:

1. The protest must be in writing and must contain specific factual and/or legal allegations setting forth the basis on which the protesting party challenges the contract award by NYSED.

2. The protest must be filed within ten (10) business days of receipt of a debriefing or disqualification letter. The protest letter must be filed with:

NYS Education Department
Contract Administration Unit
Attn: Adam Kutryb
89 Washington Avenue
Room 501W EB
Albany, NY 12234

3. The NYSED Contract Administration Unit (CAU) will convene a review team that will include at least one staff member from each of NYSED's Office of Counsel, CAU, and the Program Office. The review team will review and consider the merits of the protest and will decide whether the protest is approved or denied. Counsel's Office will provide the bidder with written notification of the review team's decision within seven (7) business days of the receipt of the protest. The original protest and decision will be filed with OSC when the contract procurement record is submitted for approval and CAU will advise OSC that a protest was filed.

4. The NYSED Contract Administration Unit (CAU) may summarily deny a protest that fails to contain specific factual or legal allegations, or where the protest only raises issues of law that have already been decided by the courts.

Minority and Women-Owned Business Enterprise (M/WBE) Participation Goals Pursuant to Article 15-A of the New York State Executive Law

The following M/WBE requirements apply when an applicant submits an application for grant funding that exceeds \$25,000 for the full grant period.

All forms referenced here can be found in the M/WBE Documents section at the end of this RFP.

All applicants are required to comply with NYSED's Minority and Women-Owned Business Enterprises (M/WBE) policy. Compliance can be achieved by one of the three methods described below. Full participation by meeting or exceeding the M/WBE participation goal for this grant is the preferred method.

M/WBE participation includes services, materials, or supplies purchased from minority and women-owned firms certified with the NYS Division of Minority and Women Business Development. Not-for-profit agencies are not eligible for this certification. For

additional information and a listing of currently certified M/WBEs, see the [NYS MWBE Directory](#).

The M/WBE participation goal for this grant is 30% of each applicant's total discretionary non-personal service budget each year of the grant. Discretionary non-personal service budget is defined as total annual budget, excluding the sum of funds budgeted for:

1. direct personal services (i.e., professional and support staff salaries) and fringe benefits; and
2. rent, lease, utilities and indirect costs, if these items are allowable expenditures.

The M/WBE Goal Calculation Worksheet is provided for use in calculating the dollar amount of the M/WBE goal for this grant application.

All requested information and documentation should be provided at the time of submission. If this cannot be done, the applicant will have thirty days from the date of notice of award to submit the necessary documents and respond satisfactorily to any follow-up questions from the Department. Failure to do so may result in loss of funding.

METHODS TO COMPLY

An applicant can comply with NYSED's M/WBE policy by one of three methods:

1. Full Participation - This is the preferred method of compliance. Full participation is achieved when an applicant meets or exceeds the participation goals for this grant.

COMPLETE FORMS:

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE 100 Utilization Plan
- M/WBE 102 Notice of Intent to Participate

2. Partial Participation, Partial Request for Waiver - This is acceptable only if good faith efforts to achieve full participation are made and documented, but full participation is not possible.

COMPLETE FORMS:

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE 100 Utilization Plan
- M/WBE 101 Request for Waiver
- M/WBE 102 Notice of Intent to Participate
- M/WBE 105 Contractor's Good Faith Efforts

3. No Participation, Request for Complete Waiver - This is acceptable only if good faith efforts to achieve full or partial participation are made and documented, but do not result in any participation by M/WBE firm(s).

COMPLETE FORMS:

- M/WBE Goal Calculation Worksheet
- M/WBE Cover Letter
- M/WBE 101 Request for Waiver
- M/WBE 105 Contractor's Good Faith Efforts

GOOD FAITH EFFORTS

Applicants must make a good faith effort to solicit NYS certified M/WBE firms as subcontractors and/or suppliers to achieve the goals for this grant. Solicitations may include, but are not limited to: advertisements in minority and women-centered publications; solicitation of vendors found in the [NYS Directory of Certified Minority and Women-Owned Business Enterprises](#); and the solicitation of minority and women-oriented trade and labor organizations.

Good faith efforts include actions such as setting up meetings or announcements to make M/WBEs aware of supplier and subcontracting opportunities, identifying logical areas of the grant project that could be subcontracted to M/WBE firms, and utilizing all current lists of M/WBEs who are available for and may be interested in subcontracting or supplying goods for the project.

Applicants should document their efforts to comply with the stated M/WBE goals and submit this with their applications as evidence. Examples of acceptable documentation can be found in form M/WBE 105, Contractor's Good Faith Efforts. NYSED reserves the right to reject any application for failure to document "good faith efforts."

REQUEST FOR WAIVER

When full participation cannot be achieved, applicants must submit a Request for Waiver (M/WBE 101). Requests for Waivers must be accompanied by documentation explaining the good faith efforts made and reasons they were unsuccessful in obtaining M/WBE participation.

NYSED reserves the right to approve the addition or deletion of subcontractors or suppliers to enable applicants to comply with the M/WBE goals, provided such addition or deletion does not impact the technical proposal and/or increase the total budget.

All payments to Minority and Women-Owned Business Enterprise subcontractor(s) should be reported to the NYSED M/WBE Program Unit using the M/WBE 103 Quarterly M/WBE Compliance Report. This report should be submitted on a quarterly basis and can be requested at MWBEgrants@nysed.gov.

NYSED's M/WBE Coordinator is available to assist applicants in meeting the M/WBE goals. The Coordinator can be reached at MWBEgrants@nysed.gov.

Equal Employment Opportunity Reporting (EEO) Pursuant to Article 15-A of the New York State Executive Law

Applicants must complete and submit form EEO 100: Staffing Plan.

Contract Terms and Conditions

Grant awards to charter schools will require that the awardee enter into a grant contract, the form of which is contained in an attachment to this RFP. In addition to being signed by the awardee and NYSED Counsel, the contract will need to be submitted for review and approval by the NYS Attorney General and the Office of the State Comptroller. All provisions of this RFP are subordinate to the terms and conditions of the grant contract. The contents of this RFP, any subsequent correspondence related to final contract negotiations, and such other stipulations as agreed upon may be made a part of the final contract developed by NYSED.

NYSED's Reservation of Rights

NYSED reserves the right to: (1) reject any or all proposals received in response to the RFP; (2) withdraw the RFP at any time, at the agency's sole discretion; (3) make an award under the RFP in whole or in part; (4) disqualify any bidder whose conduct and/or proposal fails to conform to the requirements of the RFP; (5) seek clarifications of proposals; (6) use proposal information obtained through site visits, management interviews and the state's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the bidder in response to the agency's request for clarifying information in the course of evaluation and/or selection under the RFP; (7) prior to the bid opening, amend the RFP specifications to correct errors or oversights, or to supply additional information, as it becomes available; (8) prior to the bid opening, direct bidders to submit proposal modifications addressing subsequent RFP amendments; (9) change any of the scheduled dates; (10) waive any requirements that are not material; (11) negotiate with the successful bidder within the scope of the RFP in the best interests of the state; (12) conduct contract negotiations with the next responsible bidder, should the agency be unsuccessful in negotiating with the selected bidder; (13) utilize any and all ideas submitted in the proposals received; (14) unless otherwise specified in the solicitation, every offer is firm and not revocable for a period of 90 days from the bid opening; (15) require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an offerer's proposal and/or to determine an offerer's compliance with the requirements of the solicitation; (16) to request best and final offers.

Vendor Responsibility

State law requires that the award of state contracts be made to responsible vendors. Before an award is made to a not-for-profit entity, a for-profit entity, a private college or university or a public entity not exempted by the Office of the State Comptroller, NYSED must make an affirmative responsibility determination. The factors to be considered

include: legal authority to do business in New York State; integrity; capacity- both organizational and financial; and previous performance. Before an award of \$100,000 or greater can be made to a covered entity, the entity will be required to complete and submit a Vendor Responsibility Questionnaire. School districts, Charter Schools, BOCES, public colleges and universities, public libraries, and the Research Foundation for SUNY and CUNY are some of the exempt entities. For a complete list, see [OSC's website](#).

NYSED recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the [VendRep System Instructions](#) or go directly to the [VendRep System online](#).

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at ITServiceDesk@osc.state.ny.us.

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the [VendRep website](#) or may contact NYSED or the Office of the State Comptroller's Help Desk for a copy of the paper form.

Subcontractors:

For vendors using subcontractors, a Vendor Responsibility Questionnaire and a NYSED vendor responsibility review are required for a subcontractor where:

- the subcontractor is known at the time of the contract award;
- the subcontractor is not an entity that is exempt from reporting by OSC; and
- the subcontract will equal or exceed \$100,000 over the life of the contract

Workers' Compensation Coverage and Debarment

New York State Workers' Compensation Law (WCL) has specific coverage requirements for businesses contracting with New York State and additional requirements which provide for the debarment of vendors that violate certain sections of WCL. The WCL requires, and has required since introduction of the law in 1922, the heads of all municipal and State entities to ensure that businesses have appropriate workers' compensation and disability benefits insurance coverage *prior* to issuing any permits or licenses, or *prior* to entering into contracts.

Workers' compensation requirements are covered by WCL Section 57, while disability benefits are covered by WCL Section 220(8). The Workers' Compensation Benefits clause in Appendix A – STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS states that in accordance with Section 142 of the State Finance Law, a contract shall be void and of no force and effect unless the contractor provides and maintains coverage during the life of the contract for the benefit of such employees as are required to be covered by the provisions of the WCL.

Under provisions of the 2007 Workers' Compensation Reform Legislation (WCL Section 141-b), any person, or entity substantially owned by that person: subject to a final assessment of civil fines or penalties, subject to a stop-work order, or convicted of a misdemeanor for violation of Workers' Compensation laws Section 52 or 131, is barred from bidding on, or being awarded, any public work contract or subcontract with the State, any municipal corporation or public body for one year for each violation. The ban is five years for each felony conviction.

PROOF OF COVERAGE REQUIREMENTS

The Workers' Compensation Board has developed several forms to assist State contracting entities in ensuring that businesses have the appropriate workers' compensation and disability insurance coverage as required by Sections 57 and 220(8) of the WCL.

Please note – an ACORD form is not acceptable proof of New York State workers' compensation or disability benefits insurance coverage.

Proof of Workers' Compensation Coverage

To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a State contract submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contracting entity must obtain ONE of the following forms from the contractor and submit to OSC to prove the contractor has appropriate workers' compensation insurance coverage:

- **Form C-105.2** – Certificate of Workers' Compensation Insurance issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund; or
- **Form SI-12**– Certificate of Workers' Compensation Self-Insurance; or **Form GSI-105.2** Certificate of Participation in Workers' Compensation Group Self-Insurance; or
- **CE-200**– Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

Proof of Disability Benefits Coverage

To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a State contract must submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contracting entity must obtain ONE of the following forms from the contractor and submit to OSC to prove the contractor has appropriate disability benefits insurance coverage:

- **Form DB-120.1** - Certificate of Disability Benefits Insurance; or
- **Form DB-155**- Certificate of Disability Benefits Self-Insurance; or

- **CE-200**– Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage.

For additional information regarding workers' compensation and disability benefits requirements, please refer to the [New York State Workers' Compensation Board website](#). Alternatively, questions relating to either workers' compensation or disability benefits coverage should be directed to the NYS Workers' Compensation Board, Bureau of Compliance at (518) 486-6307.

**2018-2019
Title II, Part B Mathematics and Science Partnerships Program
Application Cover Page**

Agency Code

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Name Applicant agency:	Name and Title of Contact Person:
Address:	Telephone:
City: Zip Code:	Fax:
County:	E-Mail:
<p>I hereby certify that I am the applicant's chief school/administrative officer and that the information contained in this application is, to the best of my knowledge, complete and accurate. I further certify, to the best of my knowledge, that any ensuing program and activity will be conducted in accordance with all applicable Federal and State laws and regulations, application guidelines and instructions, Assurances, Certifications, Appendix A, Appendix A-1G and that the requested budget amounts are necessary for the implementation of this project. It is understood by the applicant that this application constitutes an offer and, if accepted by the NYS Education Department or renegotiated to acceptance, will form a binding agreement. It is also understood by the applicant that immediate written notice will be provided to the grant program office if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.</p>	
Original Signature of Chief Administrative Officer (in blue ink)	Typed Name of Chief Administrative Officer:
Date:	

Application Checklist

Listed below are the required documents for a complete application package, in the order that they should be submitted. Use this checklist to ensure that your application submission is complete and in compliance with application instructions.

Required Documents	Checked-Applicant	Checked –SED	
Application Cover Page with Original Signature of Chief Administrative Officer	<input type="checkbox"/>	<input type="checkbox"/>	
Payee Information Form (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	
Application Checklist	<input type="checkbox"/>	<input type="checkbox"/>	
Proposal Narrative	<input type="checkbox"/>	<input type="checkbox"/>	
FS-10 Budget (signature required)	<input type="checkbox"/>	<input type="checkbox"/>	
Budget Narrative	<input type="checkbox"/>	<input type="checkbox"/>	
Attachment 1-Partnership Identification Form	<input type="checkbox"/>	<input type="checkbox"/>	
Attachment 2-Memorandum of Understanding (MOU)	<input type="checkbox"/>	<input type="checkbox"/>	
Attachment 3-Participating Schools Identification Form	<input type="checkbox"/>	<input type="checkbox"/>	
Attachment 4-Non-Public School Consultation Form	<input type="checkbox"/>	<input type="checkbox"/>	
Template A-Professional Development Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Template B-Local Evaluation Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Worker’s Compensation Documentation (encouraged)	<input type="checkbox"/>	<input type="checkbox"/>	
Disability Benefits Documentation (encouraged)	<input type="checkbox"/>	<input type="checkbox"/>	
Is the applicant prequalified, if required? (While no documentation is required with the application, the applicant may be required to prequalify in order to be eligible for this grant opportunity)	<input type="checkbox"/>	<input type="checkbox"/>	
M/WBE Documents Package (original signatures required)			
<input type="checkbox"/> Full Participation <input type="checkbox"/> Request Partial Waiver <input type="checkbox"/> Request Total Waiver			
Forms Required			
Type of Form	Full Participation	Request Partial Waiver	Request Total Waiver
Calculation of M/WBE Goal Amount	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE Cover Letter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
M/WBE 100 Utilization Plan	<input type="checkbox"/>	<input type="checkbox"/>	N/A
M/WBE 102 Notice of Intent to Participate	<input type="checkbox"/>	<input type="checkbox"/>	N/A
M/WBE 105 Contractor’s Good Faith Efforts	N/A	<input type="checkbox"/>	<input type="checkbox"/>

M/WBE 101 Request for Waiver Form and Instructions	N/A	<input type="checkbox"/>	<input type="checkbox"/>
EE0 100 Staffing Plan and Instructions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>SED Comments:</p> <p>Has the applicant complied with the application instructions? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>SED Reviewer: _____ Date: _____</p>			

Page Limits

The Proposal Narrative and Budget Narrative are to be submitted on single-spaced 8.5" x 11" pages with one-inch margins. Charts/tables are not required to adhere to this standard. Use a Times Roman or Arial font in a 12-point size. If the Proposal Narrative and Budget Narratives exceed the page limit, the excess pages will not be read by the reviewers. Do not include any attachments or addenda.

Proposal Narrative-- no more than 15 pages

Budget Narrative-- no more than 3 pages

Proposal Narrative (70 points)

Provide a comprehensive description of the proposed project. Be clear, precise and adhere to the following required format. The narrative will be reviewed in accordance with the following points and according to the Proposal Narrative Rubric.

- 1. Professional Development Program Overview (25 points)**
- 2. Specific Professional Development Program Activities (20 points)**
- 3. Professional Development Plan Template-A (15 points)**
- 4. Program Evaluation Plan and Template- B (10 points)**
- 5. Budget and Budget Narrative (20 points)**

Total points possible = 90 points (Proposal Narrative and Budget and Budget Narrative)

Form FS-10 Budget and Narrative

Using the Form FS-10 Budget Form, provide an itemized budget and brief narrative of how the requested funds will be used for the **thirteen months** of the project period, September 1, 2018 – September 30, 2019.

Budgeted items must be reasonable in cost and necessary for the project in order to receive the maximum points. SED staff will eliminate any unallowable or unreasonable items in the budget. Grantees will not be allowed to substitute new items for those that have been eliminated.

Budgeted costs must be in compliance with applicable State and federal laws and regulations and the Department's Fiscal Guidelines. These guidelines, as well as the FS-10 form, are available online on the [Grants Finance website](#). The FS-10 must bear the original signature of the Chief School/Administrative Officer.

Information about the categories of expenditures and general information on allowable costs, applicable cost principles and administrative regulations are available in the [Fiscal Guidelines for Federal and State Aided Grants](#).

**Attachment 1- Partnership Identification Form
Title II Part B - Mathematics and Science Partnerships Program**

The high-need Local Education Agency (LEA) must be the applicant and fiscal agent of the partnership. The LEA must partner with an engineering, mathematics or science department of an Institution of Higher Education that has a registered curriculum in engineering, science or mathematics (section 101(a)) of the Higher Education Act of 1965).

Use this form to identify below every partner in the project, including the lead LEA, the Higher Education partner, and any other partners.

<u>Name of the lead Local Educational Agency (LEA) Applicant:</u>		
<u>Address</u>		
<u>City</u>	<u>County</u>	<u>Zip code</u>
<u>Contact Person</u>		<u>Telephone</u> ()
<u>Email Address</u>		<u>Fax</u> ()

<u>Name of Institution of Higher Education Partner:</u>		
Department of <input type="checkbox"/> Mathematics <input type="checkbox"/> Science <input type="checkbox"/> Engineering		
<u>Address</u>		
<u>City</u>	<u>County</u>	<u>Zip code</u>
<u>Contact Person</u>		<u>Telephone</u> ()
<u>Email Address</u>		<u>Fax</u> ()

If applicable, Name of Other Partner:		
Other Partners may include:		
Another Department of an Institution of Higher Education:		
<input type="checkbox"/> science <input type="checkbox"/> technology <input type="checkbox"/> engineering <input type="checkbox"/> mathematics <input type="checkbox"/> teacher education		
<input type="checkbox"/> A business/industry		
<input type="checkbox"/> A nonprofit or for-profit organization of demonstrated effectiveness in improving the quality of instruction of mathematics and science teachers		
<u>Address</u>		
<u>City</u>	<u>County</u>	<u>Zip code</u>
<u>Contact Person</u>		<u>Telephone</u> ()
<u>Email Address</u>		<u>Fax</u> ()

Duplicate as Needed

Attachment 2 - Memorandum of Understanding (MOU)

The Local Educational Agency (LEA) applicant must sign and submit a Memorandum of Understanding (MOU) that is also signed by the required Institute of Higher Education (IHE) partner. If an agreement is not submitted, the application will be disqualified. If a MOU is not signed by both parties to the agreement, it will not be evaluated for scoring purposes and the application will be disqualified.

A MOU for any other partner should also be included and submitted with the proposal.

(Insert Local Educational Agency(LEA)NAME) and (Insert Institute of Higher Education Partner NAME)

This cooperative agreement reflects the overall commitment as well as the specific responsibilities and the roles of the (Insert Lead Applicant Name) and (Insert Partner Names).

The overarching purpose of this partnership is to develop and implement professional development opportunities to enhance content and pedagogy of teachers of mathematics and science for (Insert Names of All Districts/Charter Schools in Application). (Insert Lead Applicant Name) will not act solely as a flow-through for grant funds to pass to other recipients and will be responsible for the performance of any services provided by any partners, consultants, or other organizations, and will coordinate participation. This partnership will only benefit the (Insert Lead Applicant Name)'s student and teacher populations. The (Insert Lead Applicant Name) agrees to facilitate communication with and between (Insert All Partners Names) in order to ensure that all partners fully know all aspects/activities that will be conducted through this grant program.

Up front Planning Activities:

SPECIFIC ROLES AND RESPONSIBILITIES

The partnership of the (Insert Lead Applicant Name) and the (Insert Partner Name(s)) entails the following:

**The (Insert Lead Applicant Name)
District/Charter School agrees to:**

List all activities/services/etc. that the Lead Applicant will provide to the partnership.

The (Insert IHE Partner/) agrees to:

List all activities/services/etc. that the Partner will provide to the partnership.

Name of Lead Applicant - School District/Charter School

Signature _____ **Printed Name:** _____

Title: _____

Date _____

Name of Partner/IHE

Signature _____ **Printed Name:** _____

Title: _____

Date _____

THE AGREEMENT FOR YOUR PROGRAM SHOULD REFLECT THE SPECIFICS OF YOUR PROGRAM. ALL ACTIVITIES/SERVICES, ETC. THAT ARE PERTINENT TO YOUR PROJECT SHOULD BE INCLUDED. PLEASE MODIFY AS NEEDED.

Attachment 3- Participating Schools Identification Form

Identifying participating schools: The high-need LEA applicant should select teachers from Priority Schools and Focus Schools to participate in the professional development grant activities in the following order:

1. [Priority School List](#) (22 KB) 
2. [Focus School List](#) (36 KB) 

Name of District/School	Teacher Union Representative acknowledgement	Schools	School Type (Check One)	Number of Teachers to be Served	Number of Students to be Impacted
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
	_____ Print and Sign	Priority, Focus <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	<input type="checkbox"/> Public <input type="checkbox"/> Nonpub <input type="checkbox"/> Charter		
Total					

Attachment 4 - Nonpublic Schools Consultation Form

To provide opportunities for equitable participation of non-public teachers, the lead applicant (LEA) must make meaningful and timely consultation with nonpublic schools about services under this program, and the needs of teachers shall be equitably identified and addressed. Complete and submit this Nonpublic Schools Consultation Form as evidence of meaningful and timely consultation.

1. Are there nonpublic schools located in the district to be served by the proposed program of the partnership? Yes No
2. If **yes**, list all nonpublic schools that were consulted and have an authorized official of each nonpublic school sign the form in the second column to confirm that consultation took place and indicate in the third column the date(s) and type(s) of consultation. Types of consultation include face-to-face meetings, email, fax, telephone calls, letters and videoconferences.
3. Any participating nonpublic schools should be included in the Participating Schools Identification Form.

School Name	Print Name and Title of School Official ----- Signature of School Official	Dates and Type of Consultation and Value of Estimated Costs for Services to be Provided

<p style="text-align: center;">School Name</p>	<p style="text-align: center;">Print Name and Title of School Official ----- Signature of School Official</p>	<p style="text-align: center;">Dates and Type of Consultation and Value of Estimated Costs for Services to be Provided</p>
	<p style="text-align: center;">-----</p>	

Duplicate as needed

Template A - Professional Development Plan

The template for the Professional Development Plan must be completed for each cohort of teachers targeted in the project. It must include the series of activities, workshops, courses, and institutes over the duration of the grant for each teacher cohort targeted.

Cohort of Teachers or Building Leaders Targeted:
of Teachers:
Total # of Professional Development Hours for this Cohort:

Identify Project Title	<p style="text-align: center;">Template A - Professional Development Plan</p> <p>The template for the Professional Development Plan must be completed for each cohort of teachers targeted in the project. It must include the series of activities, workshops, courses, and institutes over the duration of the grant for each teacher cohort targeted.</p> <p>Cohort of Teachers or Building Leaders Targeted: # of Teachers: Total # of Professional Development Hours for this Cohort:</p>				
Summary of the Series of PD	Description:				
Summary of PD Providers	Description:				
Series of Professional Development: Provide a coherent description of the series of activities, workshops, courses, and/or institutes.	2018-2019 Total PD Hours per Year:	Summer PD Offered: Subtotal of PD Hours:	Fall PD Offered: Subtotal of PD Hours:	Winter PD Offered: Subtotal of PD Hours:	Spring PD Offered: Subtotal of PD Hours:
Completion of this matrix should clearly illustrate a progression of activities that address the specific needs of this cohort and builds upon teachers' content knowledge, conceptual understandings, instructional skills, and attitudes over the life span of the grant.	Summary of the Professional Development Focus				
Formative and Summative Assessments to Evaluate Implementation of the Professional Development Program	Description of Formative Assessments: <hr style="border-top: 1px dotted black;"/> Description of Summative Assessments:				

TEMPLATE B – LOCAL EVALUATION PLAN

Project Goal #	<p>At a minimum, evaluations must include assessment of each of the following goals:</p> <ol style="list-style-type: none"> 1) quality and effectiveness of professional development, 2) increase in the content knowledge of teachers, 3) increase in the pedagogical skills, and 4) improved student achievement. 	
MSP Activities and Outputs	MSP project activities	Outputs
	<p>List MSP activities that directly address this project goal. EXAMPLE: 1) Three 45-hour graduate courses in math for middle school teachers 2) A series of four 2-hour workshops in effective teaching strategies for middle school teachers</p>	<p>For each activity, list the outputs that will be documented. EXAMPLE: 1) Number of teachers completing each graduate course, teacher satisfaction with courses 2) Number of teachers completing series, satisfaction and usefulness of series</p>
Indicators	<p>List the information that will be used to “indicate” progress toward this project goal. If there are multiple indicators, please number each one individually. EXAMPLE: 1) Change in pre- and post-test content knowledge scores 2) Number of participating teachers reporting they use effective instructional strategies in math 3) The number of participating math teachers certified in subject 4) The number of participating math teachers highly qualified in subject</p>	
Benchmarks	<p>Expected change or target for each indicator listed above by the end of 2014-15. EXAMPLES: 1) 90% of participating teachers will show a 25% increase in their pre- and post-test content knowledge scores 2018-19: 2) 100% of teachers will report using at least 3 new effective instructional strategies in math 3) 20% of participating teachers certified in math 4) 20% of participating teachers highly qualified in math</p>	
Measurement tools/ Data sources	Measurement tool/Data sources: Identify tool or data source	
	Description	<p>Indicator: Please identify the indicator(s) that this measurement tool or data source will address.</p> <p>Created or established: Please specify whether this tool or data source is pre-existing or whether it was developed specifically for the evaluation of this MSP project.</p> <p>Evidence of validity and reliability: Please indicate whether any evidence supporting this tool or data source is available. If not, please explain how the quality of the instrument was assessed.</p>
	Sample	<p>Target group(s): Please indicate the group or groups for whom the data was/will be collected (e.g., treatment and comparison elementary school teachers).</p> <p>Approximate sample size: Please specify the approximate number by group for whom data was/will be collected (e.g., 10 treatment and 10 control teachers).</p> <p>Sampling procedure: Please explain how the sample was/will be identified (e.g., stratified random sample of teachers—stratified on public/private teacher, school size, number of hours participated).</p>
	Timeline	Please specify when the data for the tool or source will be collected (e.g., Fall 2018, Spring 2019)

**Application Evaluation Rubric
Title II-Part B: Mathematics and Science Partnerships Program**

September 1, 2018 - September 30, 2019

Local Educational Agency (LEA) Applicant:			
Reviewer Initials	Review Completed:	Funding Requested:	Score:

Check all that apply:

<p style="text-align: center;">Funding Categories Requested</p> <p>NOTE: The LEA applicant of the Mathematics and Science Partnerships program can only apply once. The application can focus solely on Mathematics, or solely on Science, or focus on both Mathematics <u>and</u> Science.</p> <p>Individual projects may include one or more of the following activity strands:</p>	Mathematics Only	Science Only	Mathematics AND Science
<p>A. Develop and implement, <u>OR</u> adopt and implement, rigorous mathematics or science curricula by supporting and strengthening professional development of teachers in these programs;</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>B. Improve subject matter knowledge and strong instructional practices and skills of teachers of mathematics, science, and education that reflects current research. Integrate reliable scientifically-based or evidence-based teaching methods, and infusion of technology and engineering teaching methods into curriculum and instructional practices;</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>C. Establish a series of sequential, coherent professional development experiences including activities, courses, workshops, and institutes, as defined in ESEA, Title II, Part B, Sections 2201(b)(2) and 2202(c)(3) that address improving both content <u>and</u> pedagogy of teachers;</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>D. Create programs that bring teachers of mathematics and science into contact with working scientists, mathematicians, and engineers through internships and mentorships with Institutes of Higher Education and/or business and industry partners.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>E. Design programs to better prepare elementary and secondary teachers to teach mathematics and/or science, and/or prepare master teachers of mathematics and science to provide professional development to other teachers of mathematics or science;</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>F. Design programs to identify and develop exemplary, lead, master teachers of mathematics and science in the K-12 classrooms that build-in incentives to support career ladders for K-12 teachers of mathematics and science.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Funding/Technical Priorities

Check all that apply:

Identifying participating schools (see attachment 3): The high-need LEA applicant should select teachers from Priority Schools and Focus Schools to participate in the professional development grant activities in the following order:

1. [Priority School List](#) (22 KB) 
2. [Focus School List](#) (36 KB) 

Priority Schools

Focus Schools

Proposal Narrative

Rating Guidelines:

Very Good: Specific and comprehensive. Complete, detailed, and clearly articulated information as to how the criteria are met. Well-conceived and thoroughly developed ideas.

Good: General but sufficient detail. Adequate information as to how the criteria are met, but some areas are not fully explained and/or questions remain. Some minor inconsistencies and weaknesses.

Fair: Limited information is provided about approach and strategies. Lacks focus and detail.

Poor: Does not meet the criteria, fails to provide information, provides inaccurate information, or provides information that requires substantial clarification as to how the criteria are met.

N/A : Does not address the criteria or simply re-states the criteria.

**Scoring Rubric
2018-2019 Title II Part B MSP Program**

Proposal Narrative	Very Good	Good	Fair	Poor	N/A
<p>1). Professional Development Program Overview: (25 PTS)</p> <p>In the Proposal Narrative: Applicant provided an overview of a comprehensive professional development plan that includes the following components as part of the program design as addressed in each activity selected specified below:</p>					
<p>1a. Engagement of a cohort(s) of teachers, and any targeted building leaders, in a high-need school district(s) in rigorous professional development that supports and improves the implementation of teaching and learning of mathematics and/or science towards increases student achievement in mathematics and/or science at the local, State, and national mathematics or science assessments;</p>	5	3.75	2.5	1.75	0
<p>1b. Collaboration among the school district (LEA) and higher education partner(s) and other STEM stakeholders and partners, in delivering and implementing professional development to improve curriculum programming, enhance instructional practices and assessments through multiple modalities that incorporate real-world contexts and support face-to-face, electronic formats, and classroom support;</p>	5	3.75	2.5	1.75	0
<p>1c. Identifies and describes a comprehensive professional development plan that illustrates a progression of a series of related, sequential, coherent, sustained, and focused activities, workshops, courses, and/or institutes that address and build upon teachers' content knowledge, conceptual understandings, pedagogy, instructional practices and attitudes</p>	5	3.75	2.5	1.75	0

for each cohort of teachers targeted and the cohort of building leaders.					
1d. Includes the rationale for the series of professional development opportunities for each cohort and addresses how scaffolded learning experiences are interwoven, and demonstrate a progression that enhances the teachers' depth of knowledge and teaching expertise and practices in mathematics or science subject areas with relevant connections to technology and engineering education. These professional development opportunities must align with New York State learning standards in mathematics and/or science and local curricula.	5	3.75	2.5	1.75	0
1e. Describes how the comprehensive professional development program for specific cohort(s) of teachers deepens the content knowledge and pedagogy of teachers through professional development opportunities that span over a designated period or the lifetime of the grant <u>and</u> substantiate demonstrable and measurable improvement of teacher content knowledge and student academic achievement in mathematics and science.	5	3.75	2.5	1.75	0
Sub-total	() out of 25 points				

<p>2). Specific Professional Development Activities: (20 PTS)</p> <p>The applicant can request one or more funding categories listed below that can focus solely on Mathematics, or solely on Science, or focus on both Mathematics <u>and</u> Science.</p> <p>If more than one activity is selected, each selected activity will be scored separately and will receive up to 20 points. However, the entire section will not receive more than 20 points. If more than one activity is described, then the total points of all described activities will be divided by the number</p>	Very Good	Good	Fair	Poor	N/A

<p>of activities to total 20 points maximum for this section. Extra points will not be given beyond the 20 points.</p> <p>For each activity selected, the applicant described:</p> <ol style="list-style-type: none"> 1. The specific professional development that will be provided, (10 PTS) 2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS) 					
<p>A. Develop and implement, <u>OR</u> adopt and implement, rigorous mathematics or science curricula by supporting and strengthening professional development of teachers in these programs;</p> <p>The applicant described:</p> <ol style="list-style-type: none"> 1. The specific professional development that will be provided, (10 PTS) 2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS) <p>Score () out of 20</p>	10	7.5	5	2.5	0
<ol style="list-style-type: none"> 1. The specific professional development that will be provided, (10 PTS) 2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS) 	5	3.75	2.5	1.25	0
<ol style="list-style-type: none"> 1. The specific professional development that will be provided, (10 PTS) 2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS) 	5	3.75	2.5	1.25	0
<p>B. Improve subject matter knowledge and strong instructional practices and skills of teachers of mathematics, science, and education that reflects current research. Integrate reliable scientifically-based or evidence-based teaching methods, and infusion of technology and engineering teaching methods into curriculum and instructional practices;</p>	10	7.5	5	2.5	0
<p>The applicant described:</p> <ol style="list-style-type: none"> 1. The specific professional development that will be provided, (10 PTS) 	5	3.75	2.5	1.25	0

<p>2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS)</p> <p>Score () out of 20</p>	5	3.75	2.5	1.25	0
<p>C. Establish a series of sequential, coherent professional development experiences including activities, courses, workshops, and institutes, as defined in ESEA, Title II, Part B, Sections 2201(b)(2) and 2202(c)(3) that address improving both content <u>and</u> pedagogy of teachers;</p> <p>The applicant described:</p> <p>1. The specific professional development that will be provided, (10 PTS) 2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS)</p> <p>Score () out of 20</p>	10	7.5	5	2.5	0
	5	3.75	2.5	1.25	0
	5	3.75	2.5	1.25	0
<p>D. Create programs that bring teachers of mathematics and science into contact with working scientists, mathematicians, and engineers through internships and mentorships with Institutes of Higher Education and/or business and industry partners.</p> <p>The applicant described:</p> <p>1. The specific professional development that will be provided, (10 PTS) 2. How the professional development will be implemented, (5 PTS) 3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS)</p> <p>Score () out of 20</p>	10	7.5	5	2.5	0
	5	3.75	2.5	1.25	0
	5	3.75	2.5	1.25	0

<p>E. Design programs to better prepare elementary and secondary teachers to teach mathematics and/or science, and/or prepare master teachers of mathematics and science to provide professional development to other teachers of mathematics or science;</p> <p>The applicant described:</p> <p>1. The specific professional development that will be provided, (10 PTS)</p> <p>2. How the professional development will be implemented, (5 PTS)</p> <p>3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS)</p> <p>Score () out of 20</p>	10	7.5	5	2.5	0
	5	3.75	2.5	1.25	0
	5	3.75	2.5	1.25	0
<p>F. Design programs to identify and develop exemplary, lead, master teachers of mathematics and science in the K-12 classrooms that build-in incentives to support career ladders for K-12 teachers of mathematics and science.</p> <p>The applicant described:</p> <p>1. The specific professional development that will be provided, (10 PTS)</p> <p>2. How the professional development will be implemented, (5 PTS)</p> <p>3. How such activities address the overall program design for targeted teacher participants and building leaders. (5 PTS)</p> <p>Score () out of 20</p>	10	7.5	5	2.5	0
	5	3.75	2.5	1.25	0
	5	3.75	2.5	1.25	0
<p>Sub-total of all categories completed _____ ÷ (divided by) # of categories applied for _____ = Professional Development Category Score _____</p>	<p>() out of 20 points MAXIMUM</p>				

3). Professional Development Plan - Template A (15pts) Professional Development Plan (Template-A) should specifically:	Very Good	Good	Fair	Poor	N/A
<p>3a. Using Template A – Professional Development Plan, provide a summary of the completed professional development plan for each cohort of teachers and the cohort of building leaders targeted. Align and describe the connection(s) to the Professional Development Activities (A-F) selected above.</p> <p>(A separate template should be submitted for each cohort of teachers or leaders to be served over the grant period. Duplicate as needed)</p>	4	3	2	1	0
<p>3b. Target participation of the elementary teachers at the elementary level, and/or secondary teachers at the middle school and/or high school levels based on relevant teaching assignments in elementary schools, middle schools and high schools for mathematics, science, special education, bilingual education or other subject specific certification areas (e.g. targeted teacher cohort(s): elementary teachers-grades 3 and grade 4; Middle School grade 7-8 life and physical science teachers; Algebra I Teachers, or Chemistry Teachers, or Chemistry and Physics teachers...);</p>	6	4.5	3.0	1.5	0

<p>3c. Target teachers committed to participation and completion of a minimum of 45 hours of professional development and building leaders committed to participation and completion of 30 hours of professional development, defined in the Professional Development Plan Template for their cohort, as described in the Program Description, Allowable Activities section of this RFP. The lead LEA applicant should also submit the Participating Schools Identification Form (Attachment 3) and identify teachers from Priority Schools List and Focus Schools List to participate in the professional development grant activities.</p>	5	3.75	2.5	1.25	0
Sub-total	() out of 15 points				
4) Evaluation Plan Template B (10PTS)					
<p>4a. Each proposal must provide an Evaluation Plan Template (See Template B- Evaluation Plan included in this RFP), which will be used to articulate the plan for data collection and required federal, state and local reporting that measures the impact of the professional development program carried out for the project period of September 1, 2018-September 30, 2019</p>	5	3.75	2.5	1.25	0
<p>4b. Applicants must also provide a descriptive narrative that is aligned to the Evaluation Plan Template that describes how their evaluation plans, including their selected and/or developed measurement instruments, will address the indicators and benchmarks and comprise the three components defined in the Program Description; Accountability, Reporting and Evaluation Requirements section of this RFP, for federal, state, and local evaluation and reporting</p>	5	3.75	2.5	1.25	0
Sub-total	() out of 10 points				

5) Budget & Budget Narrative (20 pts) Unallowable or inappropriate expenditure(s) will be eliminated and reflected in the score of the budget. For additional information regarding your budget submission, please refer to the Fiscal Guidelines for Federal and State Aided Grants . Project budgets will be evaluated based on:	Very Good	Good	Fair	Poor	N/A
Applicants must submit the following: 5a. A detailed FS-10 budget with this application for the thirteen month project period of September 1, 2018 - September 30, 2019;	4	3	2	1	0
5b. An overall proposed resource and expenditure plan, in the form of a budget narrative, which reflects the total commitment of resources by each of the applicant partners, for the entire grant term. To the greatest extent possible, these proposed plans should reflect full and accurate projected costs for developing and operating the program throughout the project period of September 1, 2018 – September 30, 2019.	4	3	2	1	0
5c. The reasonable number of participating teachers and school leaders to be served and the activities proposed in relation to the amount of funds requested. Different cohorts of teachers and school leaders may be served from participating schools.	4	3	2	1	0
5d. The quality of the program design and efficient use of funds and other resources, as well as the clear alignment of the budget to application guidelines, program activities and the implementation. Note: the project director’s salary cannot exceed 10% of the total grant award per year or \$75,000, whichever amount is less. The salary of any identified project support	4	3	2	1	0

cannot exceed 5% of the total grant award per year or \$37,500, whichever amount is less. And the cost of the evaluator may not exceed 7% of the total grant award per year or \$70,000 maximum per year, whichever is less.					
5e. The extent to which the expenditures and activities are supplemental to and do not supplant or duplicate services currently provided.	4	3	2	1	0
Sub-total	() out of 20 points				

Score Summary

- 1. **Professional Development Program Overview** **Score (25)** _____
 - 2. **Specific Professional Development Activities** **Score (20)** _____
 - 3. **Professional Development Plan Template – A** **Score (15)** _____
 - 4. **Program Evaluation Plan Template – B** **Score (10)** _____
 - 5. **Budget and Budget Narrative** **Score (20)** _____
- Total Application Score** **(out of 90)** _____

M/WBE Goal Calculation Worksheet

Project Name: Title II, Part B Mathematics and Science Partnerships Program

Applicant Name: _____

The M/WBE participation goal is 30% of each grantee’s total discretionary non-personal service budget. Discretionary non-personal service budget is defined as the total budget, excluding the sum of funds budgeted for direct personal services (i.e., professional and support staff salaries); fringe benefits; the portion of the budget in purchased services representing stipends, student tuition, and financial assistance; indirect costs; room and board, if these are allowable expenditures.

For the purposes of the grant, the salary and fringe benefit exclusion applies to the expenses of the lead applicant as well as any approved Institution of Higher Education partner (IHE). For example, the salaries and fringe benefits of project staff employed by any approved partner should be excluded from the total budget, along with the lead applicant’s project staff salaries, when calculating the discretionary non-personal service budget. Therefore, **lines 2-4 below will include any project salaries and fringe benefits of the lead applicant AND members of the IHE partnership. (Please note that the indirect costs of partner organizations are not allowable expenses under this grant program.)**

Please complete the following table to determine the dollar amount of the M/WBE goal for this grant application.

	Budget Category	Amount budgeted for items excluded from M/WBE calculation	Totals (2018-19 Project Total)
1.	Total Budget		
2.	Professional Salaries		
3.	Support Staff Salaries		
4.	Fringe Benefits		
5.	Portion of Purchased Services identified as Partnership Salaries and Benefits of Institutions of Higher Education (Codes 40)		
6.	Portion of Purchased Services identified as Stipends or Tuition (Code 40 & 49)		
7.	Indirect Costs (lead applicant only)		
8.	Sum of lines 2, 3, 4, 5 and 6		
9.	Line 1 minus Line 7		
10.	M/WBE goal percentage (30%)		0.30
11.	Line 8 multiplied by Line 9 =M/WBE goal amount		

This form is only for use with the Title II, Part B MSP Program. It may not be used with any other grant program.

M/WBE UTILIZATION PLAN

INSTRUCTIONS: All bidders/applicants submitting responses to this procurement/project must complete this M/WBE Utilization Plan unless requesting a total waiver and submit it as part of their proposal/application. The plan must contain detailed description of the services to be provided by each Minority and/or Women-Owned Business Enterprise (M/WBE) identified by the bidder/applicant.

Bidder/Applicant's Name _____ Telephone/Email: _____/_____

Address _____ Federal ID No.: _____

City, State, Zip _____ RFP No.: _____

Certified M/WBE	Classification (check all applicable)	Description of Work (Subcontracts/Supplies/Services)	Annual Dollar Value of Subcontracts/Supplies/Services
NAME ADDRESS CITY, ST, ZIP PHONE/E-MAIL FEDERAL ID No.	NYS ESD Certified MBE _____ WBE _____		\$ _____
NAME ADDRESS CITY, ST, ZIP PHONE/E-MAIL FEDERAL ID No.	NYS ESD Certified MBE _____ WBE _____		\$ _____

PREPARED BY (Signature) _____ DATE _____

SUBMISSION OF THIS FORM CONSTITUTES THE BIDDER/APPLICANT'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-1, 5 NYCRR PART 143 AND THE ABOVE REFERENCE SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND/OR PROPOSAL/APPLICATION DISQUALIFICATION.

NAME AND TITLE OF PREPARER: _____
(print or type)

TELEPHONE/E-MAIL _____

DATE _____

REVIEWED BY _____	DATE _____
UTILIZATION PLAN APPROVED YES/NO	DATE _____
NOTICE OF DEFICIENCY ISSUED YES/NO	DATE _____
NOTICE OF ACCEPTANCE ISSUED YES/NO	DATE _____

**M/WBE SUBCONTRACTORS AND SUPPLIERS
NOTICE OF INTENT TO PARTICIPATE**

INSTRUCTIONS: Part A of this form must be completed and signed by the Bidder/Applicant unless requesting a total waiver. Parts B & C of this form must be completed by MBE and/or WBE subcontractors/suppliers. The Bidder/Applicant must submit a separate M/WBE Notice of Intent to Participate form for each MBE or WBE as part of the proposal/application.

Bidder/Applicant Name: _____ Federal ID No.: _____

Address: _____ Phone No.: _____

City _____ State _____ Zip Code _____ E-mail: _____

Signature of Authorized Representative of Bidder/Applicant's Firm _____
Print or Type Name and Title of Authorized Representative of Bidder/Applicant's Firm

Date: _____

PART B - THE UNDERSIGNED INTENDS TO PROVIDE SERVICES OR SUPPLIES IN CONNECTION WITH THE ABOVE PROCUREMENT/APPLICATION:

Name of M/WBE: _____ Federal ID No.: _____

Address: _____ Phone No.: _____

City, State, Zip Code _____ E-mail: _____

BRIEF DESCRIPTION OF SERVICES OR SUPPLIES TO BE PERFORMED BY MBE OR WBE:

DESIGNATION: ___ MBE Subcontractor ___ WBE Subcontractor ___ MBE Supplier ___ WBE Supplier

PART C - CERTIFICATION STATUS (CHECK ONE):

_____ The undersigned is a certified M/WBE by the New York State Division of Minority and Women-Owned Business Development (MWBD).

_____ The undersigned has applied to New York State's Division of Minority and Women-Owned Business Development (MWBD) for M/WBE certification.

THE UNDERSIGNED IS PREPARED TO PROVIDE SERVICES OR SUPPLIES AS DESCRIBED ABOVE AND WILL ENTER INTO A FORMAL AGREEMENT WITH THE BIDDER/APPLICANT CONDITIONED UPON THE BIDDER/APPLICANT'S EXECUTION OF A CONTRACT WITH THE NYS EDUCATION DEPARTMENT.

The estimated dollar amount of the agreement \$ _____

Signature of Authorized Representative of M/WBE Firm

Date

Printed or Typed Name and Title of Authorized Representative

M/WBE CONTRACTOR GOOD FAITH EFFORTS CERTIFICATION (FORM 105)

PROJECT/CONTRACT # _____

I, _____
(Bidder/Applicant)

_____ of _____
(Title) (Company)

_____ (_____) _____
(Address) (Telephone Number)

do hereby submit the following as *evidence* of our good faith efforts to retain certified minority- and women-owned business enterprises:

(1) Copies of its solicitations of certified minority- and women-owned business enterprises and any responses thereto;

(2) If responses to the contractor's solicitations were received, but a certified minority- or woman-owned business enterprise was not selected, the specific reasons that such enterprise was not selected;

(3) Copies of any advertisements for participation by certified minority- and women-owned business enterprises timely published in appropriate general circulation, trade and minority- or women-oriented publications, together with the listing(s) and date(s) of the publication of such advertisements;

(4) Copies of any solicitations of certified minority- and/or women-owned business enterprises listed in the directory of certified businesses;

(5) The dates of attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the State agency awarding the State contract, with certified minority- and women-owned business enterprises which the State agency determined were capable of performing the State contract scope of work for the purpose of fulfilling the contract participation goals;

(6) Information describing the specific steps undertaken to reasonably structure the contract scope of work for the purpose of subcontracting with, or obtaining supplies from, certified minority- and women-owned business enterprises.

(7) Describe any other action undertaken by the bidder to document its good faith efforts to retain certified minority - and women- owned business enterprises for this procurement

Submit additional pages as needed.

Authorized Representative Signature

Date

M/WBE CONTRACTOR UNAVAILABLE CERTIFICATION

RFP#/PROJECT NAME _____

I, _____
 (Authorized Representative) (Title) (Bidder/Applicant's Company)

 (Address) (_____) (Phone)

I certify that the following New York State Certified Minority/Women Business Enterprises were contacted to obtain a quote for work to be performed on the abovementioned project/contract.

List of date, name of M/WBE firm, telephone/e-mail address of M/WBEs contacted, type of work requested, estimated budgeted amount for each quote requested.

<u>DATE</u>	<u>M/WBE NAME</u>	<u>PHONE/EMAIL</u>	<u>TYPE OF WORK</u>	<u>ESTIMATED BUDGET</u>	<u>REASON</u>
1.					
2.					
3.					
4.					
5.					

To the best of my knowledge and belief, said New York State Certified Minority/Women Business Enterprise contractor(s) was/were not selected, unavailable for work on this project, or unable to provide a quote for the following reasons: Please check appropriate reasons given by each MBE/WBE firm contacted above.

- _____ A. Did not have the capability to perform the work
- _____ B. Contract too small
- _____ C. Remote location
- _____ D. Received solicitation notices too late
- _____ E. Did not want to work with this contractor
- _____ F. Other (give reason) _____

Authorized Representative Signature **Date** **Print Name**

REQUEST FOR WAIVER FORM

BIDDER/APPLICANT NAME:

TELEPHONE:

ADDRESS:

EMAIL:

FEDERAL ID NO.:

CITY, STATE, ZIPCODE:

RFP#/PROJECT NO.:

INSTRUCTIONS: By submitting this form and the required information, the bidder/applicant certifies that Good Faith Efforts have been taken to promote M/WBE participation pursuant to the M/WBE goals set forth under this RFP/Contract. Please see Page 2 for additional requirements and document submission instructions.

BIDDER/APPLICANT IS REQUESTING (check all that apply):	
<p>1) MBE Waiver - A waiver of the MBE goal for this procurement is requested.</p> <p style="text-align: center;">2) Total <input type="checkbox"/> Partial _____%</p>	<p>3) WBE Waiver - A waiver of the WBE goal for this procurement is requested.</p> <p style="text-align: center;">4) Total <input type="checkbox"/> Partial _____%</p>
<p>5) Waiver Pending ESD Certification (check here if subcontractor or supplier is not certified M/WBE, but an application for certification has been filed with Empire State Development)</p> <p>Subcontractor/Supplier Name: _____ Date of application filing: _____</p>	

PREPARED BY (*Signature*): _____

DATE: _____

SUBMISSION OF THIS FORM CONSTITUTES THE BIDDER/APPLICANT'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND/OR PROPOSAL DISQUALIFICATION.

NAME OF PREPARER:	FOR AUTHORIZED USE ONLY
<p>TITLE OF PREPARER:</p> <p>TELEPHONE:</p> <p>EMAIL:</p>	<p>REVIEWED BY: _____</p> <p>DATE: _____</p> <p>WAIVER GRANTED <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><input type="checkbox"/> TOTAL WAIVER <input type="checkbox"/> PARTIAL WAIVER</p> <p><input type="checkbox"/> ESD CERTIFICATION WAIVER <input type="checkbox"/> NOTICE OF DEFICIENCY</p> <p><input type="checkbox"/> CONDITIONAL WAIVER</p> <p>COMMENTS:</p>

M/WBE 101

REQUIREMENTS AND DOCUMENT SUBMISSION INSTRUCTIONS

When completing the Request for Waiver Form, please check all boxes that apply. To be considered, the Request for Waiver Form must be accompanied by documentation for items 1-11, as listed below. If a Waiver Pending ESD Certification is requested, please see Item 11 below. Copies of the following information and all relevant supporting documentation must be submitted along with the request.

1. A statement setting forth your basis for requesting a partial or total waiver.
2. The names of general circulation, trade association, and M/WBE-oriented publications in which you solicited certified M/WBEs for the purposes of complying with your participation goals.
3. A list identifying the date(s) that all solicitations for certified M/WBE participation were published in any of the above publications.
4. A list of all certified M/WBEs appearing in the NYS Directory of Certified Firms that were solicited for purposes of complying with your certified M/WBE participation levels.
5. Copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing and copies of such solicitations, or a sample copy of the solicitation if an identical solicitation was made to all certified M/WBEs.
6. Provide copies of responses made by certified M/WBEs to your solicitations.
7. Provide a description of any contract documents, plans, or specifications made available to certified M/WBEs for purposes of soliciting their bids and the date and manner in which these documents were made available.
8. Provide documentation of any negotiations between you, the Bidder/Applicant and the M/WBEs undertaken for purposes of complying with the certified M/WBE participations goals.
9. Provide any other information you deem relevant which may help us in evaluating your request for a waiver.
10. Provide the name, title, address, telephone number and email address of the Bidder/Applicant's representative authorized to discuss and negotiate this waiver request.
11. Copy of notice of application receipt issued by Empire State Development (ESD).

NOTE: Unless a Total Waiver has been granted, Bidder/Applicant will be required to submit all reports and documents pursuant to the provisions set forth in the procurement and/or contract, as deemed appropriate by NYSED, to determine M/WBE compliance.

EQUAL EMPLOYMENT OPPORTUNITY - STAFFING PLAN (Instructions on Page 2)

Applicant Name: _____

Telephone: _____

Address: _____

Federal ID No.: _____

City, State, ZIP: _____

Project No: _____

Report includes:

Work force to be utilized on this contract OR

Applicant's total work force

Enter the total number of employees in each classification in each of the EEO-Job Categories identified.

EEO - Job Categories	Total Work Force	Race/Ethnicity - report employees in only one category																	
		Hispanic or Latino		Not-Hispanic or Latino															
				Male										Female					
		Male	Female	White	African-American or Black	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or More Races	Disabled	Veteran	White	African-American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or More Races	Disabled	Veteran
Executive/Senior Level Officials and Managers																			
First/Mid-Level Officials and Managers																			
Professionals																			
Technicians																			
Sales Workers																			
Administrative Support Workers																			
Craft Workers																			
Operatives																			
Laborers and Helpers																			
Service Workers																			
TOTAL																			

PREPARED BY (Signature): _____

DATE: _____

NAME AND TITLE OF PREPARER: _____

TELEPHONE/EMAIL: _____

STAFFING PLAN INSTRUCTIONS

General Instructions: All Bidders/Applicants in the proposal/application must complete an EEO Staffing Plan (EEO 100) and submit it as part of the package. Where the work force to be utilized in the performance of the State contract/project can be separated out, the Bidder/Applicant shall complete this form only for the anticipated work force to be utilized on the State contract/project. Where the work force to be utilized in the performance of the State contract/project cannot be separated out, the Bidder/Applicant shall complete this form for Bidder/Applicant's total work force.

Instructions for Completing:

1. Enter the Project number that this report applies to, along with the name, address, and federal ID number of the Bidder.
2. Check the appropriate box to indicate if the work force being reported is just for the contract/project or the Bidder/Applicant's total work force.
3. Check off the appropriate box to indicate if the Bidder completing the report is the contractor or subcontractor.
4. Enter the total work force by EEO job category.
5. Break down the total work force by gender and race/ethnic background and enter under the heading Race/Ethnicity. Contact the M/WBE Coordinator, mwbegrants@nysed.gov, if you have any questions.
6. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in designated areas.

RACE/ETHNIC IDENTIFICATION

For purposes of this form NYSED will accept the definitions of race/ethnic designations used by the federal Equal Employment Opportunity Commission (EEOC), as those definitions are described below or amended hereafter. (Be advised these terms may be defined differently for other purposes under NYS statutory, regulatory, or case law). Race/ethnic designations as used by the EEOC do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. The race/ethnic categories for this survey are:

- **Hispanic or Latino** - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.
- **White (Not Hispanic or Latino)** - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.
- **Black or African American (Not Hispanic or Latino)** - A person having origins in any of the black racial groups of Africa.
- **Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)** - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **Asian (Not Hispanic or Latino)** - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **American Indian or Alaska Native (Not Hispanic or Latino)** - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- **Two or More Races (Not Hispanic or Latino)** - All persons who identify with more than one of the above five races.
- **Disabled** - Any person who has a physical or mental impairment that substantially limits one or more major life activity; has a record of such an impairment; or is regarded as having such an impairment
- **Vietnam Era Veteran** - a veteran who served at any time between and including January 1, 1963 and May 7, 1975.

EEO 100

New York State Education Department
Assurances for Federal Discretionary Program Funds

The following assurances are a component of your application. By signing the certification on the application cover page you are ensuring accountability and compliance with State and federal laws, regulations, and grants management requirements.

Federal Assurances and Certifications, General:

- Assurances – Non-Construction Programs
- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions
- General Education Provisions Act Assurances
- Drug-Free Workplace

Federal Assurances and Certifications, NCLB (if appropriate):

The following are required as a condition for receiving any federal funds under the Elementary and Secondary Education Act. (ESEA)

- ESEA Assurances

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Education Department Program Contact listed in the Application. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, and by signing the Application Cover Page, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) "§§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§" 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to

nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Standard Form 424B (Rev. 7-97), Prescribed by OMB Circular A-102, Authorized for Local Reproduction, as amended by New York State Education Department

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of the Application Cover Page provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 2 CFR 3485, "Government-wide Debarment and Suspension (Nonprocurement)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, the applicant certifies that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant,

the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement:

- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- c. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR 3485 for prospective participants in primary covered transactions, as defined at 2 CFR 3485--

- A. The applicant certifies that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
 - d. Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

ED 80-0014, as amended by the New York State Education Department

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION — LOWER TIER COVERED TRANSACTIONS

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 2 CFR 3485, for all lower tier transactions meeting the threshold and tier requirements stated at 2 CFR 3485.

Instructions for Certification

1. By signing the Application Cover Page, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause.

The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ED 80-0014, as amended by the New York State Education Department

NEW YORK STATE DEPARTMENT OF EDUCATION GENERAL EDUCATION PROVISIONS ACT ASSURANCES

These assurances are required by the General Education Provisions Act for certain programs funded by the U.S. Department of Education. These assurances are not applicable to certain programs, such as the No Child Left Behind Act. If you have any questions, please contact NYSED.

As the authorized representative of the applicant, by signing the Application Cover Page, I certify that:

1. the local educational agency will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
2. the control of funds provided to the local educational agency under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
3. the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program;
4. the local educational agency will make reports to the State agency or board and to the Secretary as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such

records, including the records required under section 1232f of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;

5. the local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;
6. any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
7. in the case of any project involving construction -
 - a. the project is not inconsistent with overall State plans for the construction of school facilities, and
 - b. in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under section 794 of title 29 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;
8. the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and
9. none of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 2 CFR 3485, Subpart F, for grantees, as defined at 2 CFR 3485 -

- A. The applicant certifies that it will or will continue to provide a drug-free workplace by:
 - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - b. Establishing an on-going drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;

2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
1. Abide by the terms of the statement; and
 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Professional, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;
- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, and zip code)

Check if there are workplaces on file that are not identified here.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 2 CFR 3485, Subpart F, for grantees, as defined at 2 CFR 3485 -

- A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and
- B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants Policy and Oversight Professional, Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant

**NEW YORK STATE DEPARTMENT OF EDUCATION
ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) ASSURANCES**

These assurances are required for programs funded under the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act of 2015.

As the chief school officer of the applicant, by signing the Application Cover Page, I certify that:

- (1) the applicant will comply with the requirements of Education Law § 3214(3)(d) and (f) and the Gun-Free Schools Act (20 U.S.C. § 7151);

- (2) the applicant will comply with the requirements of 20 U.S.C. § 7908 on military recruiter access;
- (3) the applicant will comply with the requirements of 20 U.S.C. § 7904 on constitutionally protected prayer in public elementary and secondary schools;
- (4) the applicant will comply with the requirements of Education Law § 2802(7), and any state regulations implementing such statute and 20 U.S.C. § 7912 on unsafe school choice; and
- (5) the applicant will comply with all fiscal requirements that apply to the program, including but not limited to any applicable supplement not supplant or local maintenance of effort requirements.
- (6) the applicant understands the importance of privacy protections for students and is aware of the responsibilities of the grantee under section 20 U.S.C. 1232g (FERPA) (ESSA §854)

Appendix A
STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as

the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the

Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following:

(i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of

process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development

Division of Minority and Women's Business Development
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwbecertification@esd.ny.gov
[MWBE Directory](#)

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS.

Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.

Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.

If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in

accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. IRAN DIVESTMENT ACT. By entering into this Agreement, Contractor certifies in accordance with State Finance Law §165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("[Prohibited Entities List](#)").

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with

respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

(January 2014)

APPENDIX A-1 G

General

- A. In the event that the Contractor shall receive, from any source whatsoever, sums the payment of which is in consideration for the same costs and services provided to the State, the monetary obligation of the State hereunder shall be reduced by an equivalent amount provided, however, that nothing contained herein shall require such reimbursement where additional similar services are provided and no duplicative payments are received.
- B. This agreement is subject to applicable Federal and State Laws and regulations and the policies and procedures stipulated in the NYS Education Department Fiscal Guidelines found at <http://www.nysed.gov/cafe/>.
- C. For each individual for whom costs are claimed under this agreement, the contractor warrants that the individual has been classified as an employee or as an independent contractor in accordance with 2 NYCRR 315 and all applicable laws including, but not limited to, the Internal Revenue Code, the New York Retirement and Social Security Law, the New York Education Law, the New York Labor Law, and the New York Tax Law. Furthermore, the contractor warrants that all project funds allocated to the proposed budget for Employee Benefits, represent costs for employees of the contractor only and that such funds will not be expended on any individual classified as an independent contractor.
- D. Any modification to this Agreement that will result in a transfer of funds among program activities or budget cost categories, but does not affect the amount, consideration, scope or other terms of this Agreement must be approved by the Commissioner of Education and the Office of the State Comptroller when:
 - a. The amount of the modification is equal to or greater than ten percent of the total value of the contract for contracts of less than five million dollars; or
 - b. The amount of the modification is equal to or greater than five percent of the total value of the contract for contracts of more than five million dollars.
- E. Funds provided by this contract may not be used to pay any expenses of the State Education Department or any of its employees.

Terminations

- A. The State may terminate this Agreement without cause by thirty (30) days prior written notice. In the event of such termination, the parties will adjust the accounts due and the Contractor will undertake no additional expenditures not already required. Upon any such termination, the parties shall endeavor in an orderly manner to wind down activities hereunder.

Responsibility Provisions

- A. **General Responsibility Language**

The Contractor shall at all times during the Contract term remain responsible. The Contractor agrees, if requested by the Commissioner of Education or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.
- B. **Suspension of Work (for Non-Responsibility)**

The Commissioner of Education or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Contract, at any time, when he or she discovers information that calls into question the responsibility of the Contractor. In the event of such suspension, the Contractor will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the Contractor must comply with the terms of the suspension order. Contract activity may resume at such time as the Commissioner of Education or his or her designee issues a written notice authorizing a resumption of performance under the Contract.

C. Termination (for Non-Responsibility)

Upon written notice to the Contractor, and a reasonable opportunity to be heard with appropriate SED officials or staff, the Contract may be terminated by the Commissioner of Education or his or her designee at the Contractor's expense where the Contractor is determined by the Commissioner of Education or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

Safeguards for Services and Confidentiality

- A. Any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department. The material prepared under the terms of this agreement by the Contractor shall be prepared by the Contractor in a form so that it will be ready for copyright in the name of the New York State Education Department. Should the Contractor use the services of consultants or other organizations or individuals who are not regular employees of the Contractor, the Contractor and such organization or individual shall, prior to the performance of any work pursuant to this agreement, enter into a written agreement, duly executed, which shall set forth the services to be provided by such organization or individual and the consideration therefor. Such agreement shall provide that any copyrightable work produced pursuant to said agreement shall be the sole and exclusive property of the New York State Education Department and that such work shall be prepared in a form ready for copyright by the New York State Education Department. A copy of such agreement shall be provided to the State.
- B. All reports of research, studies, publications, workshops, announcements, and other activities funded as a result of this proposal will acknowledge the support provided by the State of New York.
- C. This agreement cannot be modified, amended, or otherwise changed except by a written agreement signed by all parties to this contract.
- D. No failure to assert any rights or remedies available to the State under this agreement shall be considered a waiver of such right or remedy or any other right or remedy unless such waiver is contained in a writing signed by the party alleged to have waived its right or remedy.
- E. Expenses for travel, lodging, and subsistence shall be reimbursed in accordance with the policies stipulated in the aforementioned Fiscal guidelines.
- F. No fees shall be charged by the Contractor for training provided under this agreement.
- G. Nothing herein shall require the State to adopt the curriculum developed pursuant to this agreement.
- H. All inquiries, requests, and notifications regarding this agreement shall be directed to the Program Contact or Fiscal Contact shown on the Grant Award included as part of this agreement.
- I. This agreement, including all appendices, is, upon signature of the parties and the approval of the Attorney General and the State Comptroller, a legally enforceable contract. Therefore, a signature on behalf of the Contractor will bind the Contractor to all the terms and conditions stated therein.
- J. The parties to this agreement intend the foregoing writing to be the final, complete, and exclusive expression of all the terms of their agreement.

Rev. 5/12/14