

THOMAS P. DiNAPOLI
STATE COMPTROLLER



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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

October 16, 2014

Robin Beckwith
Executive Director
Catholic Charities Diocese of Syracuse – Chenango County
Three O'Hara Drive
Norwich, NY 13815

Dear Ms. Beckwith:

Re: VOCA Grant Program Applications:
#OVS01-VOCA-2014-00181
#OVS01-VOCA-2014-00243

This Office is in receipt of your letter dated August 6, 2014, protesting the funding awards made by the New York State Office of Victim Services (OVS) with respect to grant applications #OVS01-VOCA-2014-00181 (Application #181) and #OVS01-VOCA-2014-00243 (Application #243) submitted by Catholic Charities Chenango County (CCC) for funding under the Victims of Crime Act Victim and Witness Assistance Grant Program (VOCA Program). Specifically, you assert that Application #181 was not evaluated according to the specifications set out in the Request for Proposals (RFP) and should not have been found nonresponsive. While you do not state specific grounds in your protest with respect to Application #243, it appears that you are disputing OVS's decision to reduce the funding amount awarded to CCC in response to that application.

Pursuant to OVS's August 25, 2014 letter responding to your protest and our review of the procurement record submitted to this Office, Application #181 scored 65 points, exceeding the 61.5 point threshold and was thus considered for funding in this program. Application #243 scored 60 points, but was considered for funding because of geographic need in Chenango County. However, OVS has asserted that, due to a lack of sufficient information to support CCC's request for personal services funding and CCC's inclusion of unallowable mortgage interest costs, the funding requests in both applications were reduced significantly. Additionally, OVS made across the board reductions of 15 percent to all grant applications. As indicated by OVS, these reductions brought CCC's original funding request of \$66,048 for Application #181 down to \$13,796 and OVS determined that this amount was not reasonable or appropriate for the proposed program. Therefore, OVS found Application #181 nonresponsive. CCC's original funding request of \$117,726 for Application #243 was reduced to \$46,224, an amount that OVS determined reasonable and appropriate for that proposed program.

The RFP specifically required that “[a] detailed budget for the first year must be complete and provide sufficient detail, be reasonable and appropriate for the number of positions to be funded and must be adequately tied to the proposed project narrative. ...” (RFP, Page 20.) Appendix D of the VOCA Program RFP provided bidders with extensive information on the purpose and appropriate use of VOCA grant funds (RFP, Appendix D, “Allowable Direct Services, Activities, and Costs”). It gave detailed and specific examples of personal services that are considered direct crime victim services and appropriate for the use of VOCA grant funds. Appendix D also included several examples of unallowable costs to be supported with VOCA funds. One example on page 56 of the RFP explicitly provides:

“Indirect organizational costs such as real estate purchases, *mortgage payments*, capital improvements, construction costs, property losses and expenses, liability insurance on buildings and vehicles, and security guards and body guards may not be supported with VOCA funds” (emphasis added).

While the RFP made clear what was needed in order to provide a responsive budget supporting the requests for funding, CCC’s applications did not contain sufficient information to support its requests for funding of personal services. CCC’s applications also contained unallowable mortgage interest costs. Therefore, OVS reduced the personal service costs (75 percent for Application #181 and 53 percent for Application #243) and eliminated the mortgage interest costs from CCC’s applications. These reductions from CCC’s funding requests and the scoring of CCC’s applications are consistent with the specifications set forth in the RFP.

In light of these reductions, and the 15 percent across the board reductions to all grant applications, OVS found that the remaining available funding for Application #181 (\$13,796) would not be adequate to support the proposed program and did not fund this application. With regard to Application #243, OVS found that the reduced award of \$46,224 was reasonable and appropriate to fund the proposed program. The funding determinations made by OVS are supported by the procurement record. Therefore, this Office does not find sufficient merit to uphold your protest and will proceed in its review of the grant awards. The role of OSC’s protest review is to ensure the integrity of the process. However, our Office does not evaluate the merit of applications or the agency’s programmatic needs which is the responsibility of the Office of Victim Services.

While, unfortunately, CCC did not receive the full amount of funding requested from OVS under the current VOCA Program, we hope that you will continue to pursue other funding opportunities that New York State makes available.

Sincerely,



Charlotte E. Breeyear
Director of Contracts