

Testimony of Daniel Symon,
Acting Director of the Mayor's Office of Contract Services, and
Acting City Chief Procurement Officer
Before the New York City Council Committee on Contracts
"Budget Hearing" March 27, 2018

Good morning Chair Brannan and members of the Contracts Committee. Thank you for inviting me back to share more information about the Mayor's Office of Contract Services (MOCS).

My name is Dan Symon and I am the Acting Director and City Chief Procurement Officer. Today, I will further describe our work and explain how we are resourced to advance efforts to oversee, facilitate and transform procurement for the City of New York.

As I shared last month, the City's procurement process remains complex, with ample room for improvement. Various steps — from vendor management through to solicitation and invoicing — present opportunities for business process re-engineering and utilization of proven technology solutions. As we implement long-term fixes, our day-to-day oversight role has evolved from mere compliance review to providing intricate advisory, hands-on and technical support to agencies.

The Fiscal Year 2019 Preliminary Budget provides MOCS \$17.6 million, including \$15.4 million for Personal Services to support 190 full-time positions and \$2.2 million in Other Than Personal Services funding. Across the five-year plan window, our agency's budgeted funds and headcount remain relatively flat. As of today, we have 145 active employees across two sites.

Since the Fiscal Year 2018 Adopted Budget, MOCS' budget has increased by approximately \$836,000. This increase in funding enhances our capacity for nonprofit partnerships and improves our data and reporting capability. With the advent of new technology solutions, and the sunsetting of legacy systems, we will now be able to consolidate existing data from legacy City systems, manage data more efficiently and benefit from enhanced analytics tools.

Overall, our budget reflects efforts to realize efficiencies in both the near- and long- term, and these resources support five key areas of work:

- technology solutions;
- learning management and support;
- compliance and partnerships;
- data and reporting; and
- internal operations

Our primary technology solutions are HHS Accelerator and the Procurement and Sourcing Solutions Portal (PASSPort).

HHS Accelerator streamlines, standardizes and digitizes the management of procurement and financial transactions for human service delivery, thereby reducing administrative burden and saving time and resources for providers and city agencies. In response to feedback from providers and city agencies, MOCS enhanced HHS Accelerator Financials this fiscal year to simplify budget modifications, reduce duplicative audit communications, and enable on-boarding of contracts from the Department for the Aging (DFTA) and the Department of Health and Mental Hygiene (DOHMH).

We implemented PASSPort using lessons learned from HHS Accelerator, and in response to considerable advocacy from our vendor community. As we have shared in previous testimony, the vendor disclosures process (formerly known as VENDEX) is online, benefiting all vendors who seek to do business with the City. Online updates and electronic certification of filings enable thousands of vendors to focus more mission critical activity. To date, nearly 9,000 vendors have created PASSPort accounts, with nearly 6,000 successfully filing disclosures.

Technology solutions must be combined with robust support services and change management practices to realize full and successful adoption.

We believe that the rapid utilization rate for PASSPort and success of Accelerator represent sound design and ease of use, and more importantly, a responsive, customer-centered approach built on availability of tailored online user reference resources, hands-on help desk support, in-person training, and ongoing deployment of technical system enhancements. Since the launch of PASSPort, our online resources have been accessed roughly 16,000 times and our help desk has processed over 21,000 requests for personal support.

Our extensive and responsive customer support services and online technology solutions help to level the playing field for small organizations and those new to doing business with the City. Today, we are accessible whenever and wherever it is most convenient for our vendors – whether a volunteer-based nonprofit or a large company with a dedicated government contracts team.

MOCS staff also design and host the Citywide Procurement Training Institute, educating Agency Chief Contracting Officers (ACCOs) and staff on procurement

policies, procedures and best practices. As municipal procurement practices continue to evolve, we are working to align our educational and advisory services to adopt industry-recognized best practices, learning from other government institutions and corporate partners. Partnerships across sectors and stakeholder communities are increasingly informing our work. In the human service sector, MOCS project manages the Nonprofit Resiliency Committee (NRC), a key partnership between approximately 20 City agencies and 100 nonprofits, representing the broad spectrum of human services the City procures. The NRC has helped to streamline administrative processes, implement new policies that increase provider cash flow and ensure greater provider input on program design.

MOCS uses this collaborative model across multiple relationships to design and engage responsive procurement solutions. Earlier this month, MOCS was proud to partner with city agencies and the Mayor's Office of M/WBE on an innovative procurement method that implements a State authorized increase to the discretionary purchasing threshold for City-certified M/WBEs. This approach enabled the Administration to respond quickly to this rule change and immediately expand M/WBE engagement in City contracting.

Accessibility, transparency, and accountability are critical to ensuring fairness in procurement. MOCS further pursues these goals through centralized procurement data collection, analysis and reporting, offering a critical service to agencies, policy makers, vendors and providers.

To continue the progress in each of our areas of focus, our administrative division works to ensure that we are optimally staffed and have sufficient budget.

Coordinating across all division and with external agency partners, the team has on-boarded 57 staff since the beginning of the fiscal year and supported recruitment as we seek to hire for all open positions, including especially hard-to-fill technical positions. A major administrative priority is to ensure our team is appropriately housed. We are working closely with DCAS to achieve this goal in the coming months. Our move is especially critical now to stabilize operations and prepare to launch the next phase of PASSPort. This second phase will introduce centralized ordering and payment for goods citywide.

I look forward to discussing our work, and in the coming year, providing you with updates on efforts to advance procurement transformation, while maintaining fair and responsible processes.

Thank you for the opportunity to testify. I am joined by Ryan Murray, First Deputy Director at MOCS, Victor Olds, General Counsel, Jeremy Halbridge, Deputy Director of Administration and Danielle Louis, Associate Director, Finance and Operations. We're happy to take any questions you may have.



New York City Council
Committee on Contracts, Chair, Council Member Brannan
March 27, 2018
Preliminary Budget and Oversight Hearing

LiveOn NY thanks Chair Brannan and the full committee for the opportunity to testify on the ways the city can make New York a better place to age. LiveOn NY also thanks Mayor de Blasio, Speaker Johnson, and the entire City Council for their consideration of senior's needs as the FY19 budget process moves forward.

With a base of more than 100 community-based organizations that serve over 300,000 older New Yorkers annually, LiveOn NY's members provide core services that allow older adults to thrive in their communities, including senior centers, congregate and home-delivered meals, affordable senior housing, elder abuse prevention services, caregiver supports, transportation, NORCs and case management.

Despite both the positive externalities associated with seniors aging in their communities and the rising demand for services that accompanies a growing and diversifying senior population, a lack of funding puts the entire network of senior services at risk. Chronically underfunded, the DFTA budget experienced stagnation and even dramatic cuts at a time of rapid growth of older New Yorkers. Even after the historic gains in the FY18 "Year of the Senior" budget, DFTA's budget remains less than 1% of the total city budget, despite DFTA being the crucial access point for older adults to receive the services needed to age with dignity and respect.

There's a human impact of an unfair budget - growing waiting lists, staff burnout, and lack of a safety net for seniors. While the funding added in FY18 will support these programs, the system remains grossly underfunded. LiveOn NY's full list budget priorities for core senior services are attached to this testimony, and were fully presented at the Aging Budget hearing last week.

It is imperative that moving forward, all human services contracts, including those funded through DFTA, take into account the *full cost* of reaching the service deliverables for the life of the contract. Too often human service nonprofit providers are forced to cobble together funding in order to cover the full cost of services.

To provide some context, meals programs run by DFTA have been shown to have reimbursement rates ranging from \$3 to \$18. The significance of this range leads one to assume that providers at the lower end of the reimbursement spectrum cannot be receiving the full cost for each contracted meal. Further, providers are required to offer culturally-competent meals, such as kosher or halal, both of which have higher costs, and currently result in a deficit to nonprofits upon each meal provided. The city must fully fund contracts taking into account the services required.

FY19 Recommendations

LiveOn NY is a member of the Human Services Advancement Strategy Group (HSASG), a group of nine membership organizations representing 2000 human service provider organizations across the City to secure the programmatic, financial and operational resources needed to fully cover costs and meet the contractual obligations of provider organizations holding City HHS contracts.



Last year saw an important investment in human services provider organizations that hold City contracts. With your help, we secured \$300m of our \$500m ask to help nonprofit provider organizations cover the cost of delivering essential services to New Yorkers.

There are two areas of human service nonprofit operations that need special attention in FY19: 1) costs associated with indirect rates and fringe and 2) escalating occupancy and insurance costs. We are suggesting funding parameters that set a floor of 15% for indirect in all human services contracts and are requesting a 10% increase in the portions of human services contracts covering occupancy and casualty and liability insurance to cover escalating costs in these areas. Additionally, the City uses an outdated formula for calculating employee fringe benefits. We are also asking for consideration of a 37% fringe rate in all human service contracts to reflect a generally accepted industry standard and that, coincidentally mirrors the fringe rate used by the City for its own employees.

Thus, LiveOn NY respectfully requests that the New York City Council include in its March Response a \$200m ask for FY19 to address critical funding shortfalls.

Further, as a general rule, we advocate that the core principles around city contracting should be flexibility, transparency, responsiveness and accountability. Specifically, City agencies should allow contracted providers to suggest spending modifications in line with their budgets on a case-by-case basis. Further, agencies should actively communicate with providers whenever necessary in order to understand the methodology behind every model budget process. City agencies should increase responsiveness to help contracted providers meet the needs of the people and communities they serve. Finally, city agencies must provide reasonable timelines to providers as to when they may expect to receive funds throughout the model budget process and with all future human service contracts.

One other issue LiveOn NY would like to bring to your attention is a City Council rule which places a 35% cap on the funding line for consultants for discretionary funding awards. For senior service providers, many who rely on the vital generous discretionary funding each year to support programming, this cap can be very restricting and limiting on the programming they wish to offer and their ability to be creative and maximize resources.

Older New Yorkers citywide are using the momentum they've spent a lifetime building to improve our communities through local economic engagement, civic activism, volunteerism, and assisting with the care of younger generations. In effect, the *inability* for government to enable senior's to age in place would not only have a negative impact on each individual's lives, but would tear at the fabric that makes New York's communities so vibrant and cohesive. Through improved contracting and increased funding, NYC providers *can* reach the full potential of the communities they serve and ensure seniors have access to services. This strong, cost-effective network of services already exists and through contracting improvements we can unleash the full potential of the population we serve. By investing in services such as senior centers, NORCs, and meals, seniors across the five boroughs will be able to age like a New Yorker, with the dignity and respect that they deserve.

LiveOn NY looks forward to working with City Council and all city agencies to make New York a better place to age through a strong network of community based services.



Making New York a better place to age

LiveOn NY's members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home-delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, and NORCs. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of community-based service providers.

LiveOn NY administers a citywide outreach program that supports seniors in communities where benefits are most underutilized. This program educates thousands of older adults, including those who are homebound, about food assistance options, as well as screens and enrolls those who are eligible for SNAP and SCRIE/DRIE.

LiveOn NY is also proud to administer the Senior Medicare Patrol (SMP) program for the entire state, which works to prevent Medicare fraud and its associated healthcare expenses. SMP is modeled around recruiting and actively engaging senior volunteers to promote peer counseling, education and assistance on how to protect, detect, and report Medicare fraud. SMPs empower beneficiaries to reduce healthcare costs caused by errors, abuse, and fraud.

Solvency for Senior Services

Fair Funding for Senior Centers

FY19 New Needs

NYCHA Senior Center Improvements	\$5,000,000	Ensure the nearly 100 DFTA controlled NYCHA Senior Centers have proper facilities & supports
Congregate Meals	\$7,600,000	Increase reimbursement rate by need & ensure cultural competency flexibility

We request that the \$10,000,000 in funding promised through the "model budget process" be expedited to be fully allocated by FY20, as opposed to the proposed 3 year rollout. The "model budget" funding applies to personnel and programs.

As such, we will continue to monitor this funding and advocate for increased funding as needed to ensure senior center providers are adequately reimbursed for the full cost of providing services.



Keeping Seniors in their Communities

FY19 New Needs

Home-Delivered Meals	\$4,500,000	Increase reimbursement rate by need & ensure cultural competency flexibility
Case Management	\$2,000,000	Address waitlist & growing demand associated with a rising senior population
Homecare	\$1,000,000	Address waitlist & growing demand associated with a rising senior population
Transportation	\$1,000,000	Increase transportation support
Elder Abuse Prevention	\$500,000	Increase prevention & awareness of supports
Caregiver Supports	\$500,000	Continue outreach & expand services

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Restore Aging Discretionary Funding

We ask for continued investment in all Senior Services Council Initiatives, found in Schedule C, in FY19

Here are just a few examples of Senior Service initiatives funded by City Council:

LiveOn NY
supports
raising NORC
funding to
\$5 million

NORCs
\$3,850,000



Fosters aging in place among areas of dense senior populations

Support Our Seniors
\$3,060,000



Supporting Senior Services across the City

SU-CASA
\$2,550,000



Creative Aging art programs at senior centers throughout NYC

Senior Centers for Immigrant Populations
\$1,500,000



Supports NYC's diverse older adults in a culturally competent manner

Healthy Aging Initiative
\$1,810,000



Support for various health-promotion programming

Social Adult Day Enhancement
\$1,055,556



Additional support for seniors with higher levels of need

Thank you to the New York City Council for your consistent support of these programs and all senior services

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Testimony
 New York City Council
 Committee on General Welfare/Contracts
 Preliminary Budget Hearing
 Tuesday, March 27, 2018

Submitted by
 Msgr. Kevin Sullivan

Good afternoon, Chairman Brannan and good afternoon to the members of the New York City Council General Welfare and Contracts Committee. I am Msgr. Kevin Sullivan, Executive Director of The Catholic Charities of the Archdiocese of New York. I am pleased to speak about the work of Catholic Charities as a contracting agency, provider of social services, and the current challenges we face.

The Catholic Charities of the Archdiocese of New York seeks to uphold the dignity of each person as made in the image of God by serving the basic needs of the poor, troubled, frail and oppressed of all religions. We collaborate with parishes, as well as non-Catholic and Catholic partners, to build a compassionate and just society. Through a network of administered, sponsored, and affiliated agencies, Catholic Charities delivers, coordinates, and advocates for quality human services and programs touching almost every human need.

The Catholic Charities Federation of 90 organizations, from large - over \$100 Million to small - under \$1 Million, administers about 1,000 City human services contracts with all the major NYC agencies. These contracts are valued at just under \$200 Million. The services provided touch more than 150,000 New Yorkers in need in every neighborhood of NYC.

Context

I would like to contextualize the two main areas that I will speak to:

Important progress has been made in recent years under both the Bloomberg and de Blasio Administrations to better the contracting process, and the funding of human service contracts.

This morning I wish to recognize and express appreciation for this progress, and to encourage the trajectory and direction of the past decade, and also to note that the road still to be travelled is significant, with more work needed. Simple to grasp: thanks for the good progress; now, let's get on with the rest of what needs to be done.

1. The first area I would like to address is that of the contracting process: procurement, awarding, negotiating, registering, vouchering, and payment.

HHS Accelerator in its first phase has helped to reduce the paperwork burden and consequent delays in the procurement process. Let's now get all city agencies, including the Board of Education (BOE) to use it. Additionally, not all contracts flow through Accelerator, such as discretionary contracts. The specific challenges that discretionary grants face cannot be overlooked.

The use of Passport as an online platform for Vendex has been a very fine step forward.

Let me point out one example. Lags in contract registration are of serious concern. One of our agencies is awaiting the registration of 32 contracts with \$3.9 Million in outstanding claims. During the last 6 months this agency has already filed over 200 reports to NYC agencies and is waiting to file an additional 115 once the contracts are registered.

We still have a way to go. We encourage greater uniformity and transparency in the procurement process, and increased capacity by City agencies to track contracts as they move through the registration process. Continuing to allocate the resources and attention necessary to getting to the next phases of Accelerator as soon as possible is an important necessary focus. Use of terms and conditions in the upcoming budget might be one way to ensure ongoing focus.

2. The second area is the adequacy of funding for the delivery of services being contracted for.

Catholic Charities has joined with FPWA and UJA-Federation and other human services providers to create the Human Services Advancement Strategy Group (HSASG), a group of nine membership organizations representing 2,000 human service provider organizations, to work with NYC to secure the programmatic, financial, and operational resources needed to fully cover costs and meet the contractual obligations of provider organizations holding City Health and Human Service (HHS) contracts.

With your help, our sector secured about a 3-4% additional funding of \$190 Million in the last FY'18 budget to help nonprofit provider organizations cover the cost of delivering essential services to New Yorkers in need. A portion of this is needed to deal with raises in salaries as mandated by the increased minimum wage. We thank the City Council and the Mayor for this important investment. But more needs to be done.

While last year saw an important investment in human services provider organizations that hold City contracts, the fact is that government contracts only cover between 85% and 90% of the real costs of operating these programs, or a deficit in funding of approximately \$500 Million on a base of approximately \$4.7 Billion.

We continue to face increases in the cost of rents, utilities, telephones, meals for clients, even office supplies. And more importantly, the challenges that the poor and vulnerable in this city face are even more complex, requiring additional time and resources to assist these families and individuals to live their lives with dignity and the basic necessities.

The areas of investment in human service nonprofit operations that need special attention in the FY19 include: real indirect costs, fringe benefits, occupancy, and insurance costs.

We are suggesting funding parameters that permit up to a 15% indirect rate for all human services contracts, a 10% increase in occupancy and casualty and liability insurance. We are also asking for up to a 37% fringe rate in all human service contracts that coincidentally, mirrors the fringe rate used by the City for its own employees.

Catholic Charities joins with the Human Services Advancement Strategy Group (HSASG), in requesting that the New York City Council include in its March response approximately 4% additional funding in the amount of \$200 Million in the FY1'9 to make further progress on the path of addressing these critical funding shortfalls.

Thank you again for providing me with this opportunity to testify, and for your partnership on all issues impacting our community.



TESTIMONY

New York City Council
Committee on Contracts
Preliminary Budget Hearing
March 27, 2018

Submitted by
Michelle Jackson
General Counsel
Human Services Council of New York

Introduction

Good morning, Chairperson Brannan, and good morning to the members of the New York City Council Committee on Contracts. My name is Michelle Jackson and I am the Deputy Director and General Counsel of the Human Services Council, a membership organization representing over 170 human services providers in New York City. Thank you for the opportunity to testify on the Preliminary Fiscal Year 2019 Executive Budget. We deeply appreciate your continued leadership and partnership in addressing issues that affect the health and wellbeing of all New Yorkers.

About the Human Services Council of New York

HSC is a membership association representing New York's leading nonprofit human services organizations, including direct service providers and umbrella and advocacy groups. HSC strengthens New York's nonprofit human services sector, ensuring all New Yorkers, across diverse neighborhoods, cultures, and generations reach their full potential. Our members provide essential supports to a broad spectrum of New Yorkers, including children, the elderly, the homeless, people with disabilities, individuals who are incarcerated or otherwise involved in the justice system, immigrants, and individuals coping with substance abuse and other mental health and behavioral challenges. We serve our membership as a convener, a coordinating body, and an advocate. We are also an intermediary between the human services sector and government, fostering cross-sector collaboration. We help our members better serve their clients by addressing matters such as government procurement practices, disaster preparedness and recovery, government funding, and public policies that impact the sector.

State of the Human Services Sector

The nonprofit human services sector continues to play an essential role in the daily lives of millions of New Yorkers. These vital community services, ranging from homeless services, senior care, and employment training, assist approximately 2.5 million New Yorkers annually. Unfortunately, our sector has been historically underfunded, leaving many providers in dire financial situations. In fact, a recent report by SeaChange Partners found that 30 percent of human services community-based organizations (CBO) have cash reserves that cover less than one month of operating expenses. Additionally, more than 40 percent of human services CBOs lack liquidity to meet their short-term financial obligations. As leaders of the human services sector, we are witnesses to the continuing financial challenges facing providers each day.

Last year saw an important investment in human services provider organizations that hold City contracts. As a result of last year's Sustain Our Sanctuary Campaign, the City made commitments to three areas of nonprofit human services sector in its Adopted Fiscal Year 2018 New York City Budget: 1) Indirect costs to bring indirect cost reimbursement rates to 10 percent 2) Model budget processes that will better align costs for preventive services, senior centers, services for runaway and homeless youth, and adult protective services and 3) Cost-of-living adjustments for the human services workforce at a rate of two percent per year over the next three years. With your help, we secured \$300 million of our \$500 million ask to help nonprofit provider organizations cover the cost of delivering essential services to New Yorkers.

Despite the City's notable commitment last year to the sector, many human services organizations continue to face numerous administrative barriers that have restricted their ability to receive the funding. Recent outreach to our members that hold contracts with the City revealed that many providers still have not received any City funds allocated for indirect costs and cost-of-living adjustments. Furthermore, model-budget processes have been particularly difficult for providers to manage. Due to each City agency adhering to different conditions, timelines and restrictions, HSC has observed an extremely slow rollout of the model budget process. Contracted providers have reported varying degrees of progress and expressed an overall sense of frustration regarding the City's ability to coordinate and streamline the entire process.

Fiscal Year 2019 Goals and Priorities

If the City intends to make significant progress in its fight against homelessness, mental health and other important human services issues, it must strengthen its commitment to the very organizations that do this critical work every single day. This begins by adhering to several core contracting principles that should apply to every City agency, regardless of the specific services rendered. First, all funding should be responsive to the most critical needs of contracted providers and the clients they serve. Second, City agencies must remain accountable and provide reasonable timelines to providers as to when they may expect to receive funds. Third, agencies should seek more transparency and actively communicate with providers throughout the funding process. Human services providers that fully understand the methodologies behind all budgeting and contracting decisions will be better equipped to fulfill their contractual obligations. Finally, City agencies must allow for reasonable flexibility in contracting decisions and allow for exemptions on a case-by-case basis.

Indirect Costs

Last year's Executive Budget began to address the prolonged underfunding of indirect costs in human services contracts, but more investment is needed. In order for contracted nonprofits to provide essential public needs such as homeless shelters and food pantries, their financial needs extend far beyond their ability to simply pay for direct programming costs. Nonprofit providers must also be able to pay for the basic administrative costs necessary to keep their organization open for business. These inadequate cost rates have contributed significantly to the destabilization of the sector and immediate investment in this area is still urgently needed. HSC believes that all human services contracts must compensate indirect costs at rates that are reasonable, logical and consistent across the entire sector. We are suggesting funding parameters that set a floor of 15 percent for indirect in all human services contracts.

Furthermore, special attention must be placed around the issues of occupancy costs and casualty and liability insurance. Nonprofit organizations, like every other business, contend with rising costs that are often beyond their control. While provider rents and insurance costs have skyrocketed in the past decade, long-term City contracts have consistently failed to keep pace. As a result,

reimbursement levels have struggled to meet the nonprofits' needs to cover necessary and legitimate costs. HSC is asking City Council for a 10 percent increase in the portions of human services contracts covering occupancy and casualty and liability insurance. Funding to address rising rent and insurance costs will demonstrate the City's continued concern for a fair and equitable system that delivers quality human services to the greater community.

Fringe Rates

Human services providers report that the issue of fringe benefits such as employee health insurance and unemployment compensation remains one of the most significant barriers to long-term operational sustainability. The rates around fringe benefits - the additional compensation provided to employees by their employer - have been historically underfunded, and often arbitrarily capped in the City's human services contracts. As a result, many providers are forced to re-evaluate their ability to take on new RFPs as well as serious changes to existing contracts. HSC is asking for consideration of a 37 percent fringe rate in all human services contracts to reflect a generally accepted industry standard. By providing a reasonable fringe rate, the sector stands a fighting chance in attracting quality talent and convincing employees to stay. Those working on the front-lines in the human services sector providing essential services, and they deserve appropriate compensation that properly reflects their valuable work and contributions.

As a member of the Human Services Advancement Strategy Group (HSASG), HSC respectfully requests that the New York City Council include in its March Response a \$200 million ask for FY19 to address these critical funding shortfalls. An investment of this size will go a long way towards addressing the programmatic areas important to the City Council and the Mayor.

Human Services Advancement Strategy Group

We have created the Human Services Advancement Strategy Group (HSASG), a group of nine membership organizations representing 2000 human services provider organizations across the City to secure the programmatic, financial and operational resources needed to fully cover costs and meet the contractual obligations of provider organizations holding City HHS contracts.

In the months since the FY18 budget was adopted we've worked to insure timely disbursement of funds and to identify funding gaps that continue to hamstring human services providers. Getting these funds out to the human services provider community has been slow. ACS, DYCD and DFTA have made the most progress getting funds out the door to providers.

Conclusion

We urge the Council to continue investing in the historically underfunded contracts held by human services providers. The provision of human services by community-based organizations is the key to healthy, safe and diverse neighborhoods. With a continued commitment by the City towards our community's human services ecosystem, we can avoid the need to implement more costly interventions in the near future. Thank you again for providing me with this opportunity to testify, and for your partnership on all the issues impacting our community.



**ADVANCING OUR
COMMUNITY**

Chinese-American Planning Council, Inc. (CPC)

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**Chinese-American Planning Council, Inc.
Testimony at the New York City Council Contracts Committee
Honorable Justin Brannan, Chair
March 27th, 2018**

Good afternoon. My name is Carlyn Cowen and I am Chief Policy and Public Affairs Officer at the Chinese American Planning Council. I would like to thank Chair Brannan and the members of the Committee for the opportunity to testify before you today and for your leadership on issues that deeply impact human service organizations here in New York City.

The mission of the Chinese-American Planning Council, Inc. (CPC) is to promote social and economic empowerment of Chinese American, immigrant, and low-income communities.

CPC was founded in 1965 as a grassroots, community-based organization in response to the end of the Chinese Exclusion years and the passing of the Immigration Reform Act of 1965, which brought waves of Asian immigrants to New York City. Initially a provider of counseling services to low-income families referred by local schools, CPC has continued to expand its program offerings over the years to become the largest Asian American social service organization in the U.S., providing vital resources to more than 60,000 people per year through more than 50 programs at over 30 sites across the boroughs of Manhattan, Brooklyn, and Queens. Our revenue is approximately half New York City funding.

CPC now employs a team of over 700 staff members, many of whom come from the same neighborhoods we serve. With the firm belief that social service can incite social change, CPC strives to empower our constituents as agents of social justice, with the overarching goal of advancing and transforming communities.

CPC offers holistic services that target both individual and family needs. Our programs are available for community members of all ages and backgrounds, and span five key service areas:

- **Early Childhood Education:** child care for children of ages 1-5 and workshops for parents.
- **School-Age Child Care Services:** after-school programming for children in grades K-5.
- **Education & Career Services:** ESOL classes, youth development, and workforce trainings.
- **Senior Services:** wellness, recreation, meals, and workshops for adults aged 60 and older.
- **Community Services:** family resources, public benefits, counseling, advocacy, and referrals.

Our affiliate, CPC Home Attendant Program, also offers care for homebound individuals

We thank the City Council for your commitment to the human services sector and ensuring that contracted human services are adequately funded to run their programs. Last year saw an important investment in human services provider organizations that hold City contracts. With your help, we secured \$300m of our \$500m ask to help nonprofit provider organizations cover the cost of delivering essential services to New Yorkers.

These investments will better allow for human services workers across the city to provide critical services to New Yorkers in need. In particular, CPC will now be able to address the gap between our senior center

programs costs and reimbursement rate through the model budget process. We have also received a 2% increase in several contracts' indirect rates, which will help us close the gap. However, there is still 7% gap between our indirect rate and the average reimbursement we receive from the city, which means that we have to make up approximately \$1 million in indirect each year.

CPC has gotten COLA funds on some of our DYCD contracts, but not all, as well as some of our DFTA contracts. They have only begun to disburse, with the others being delayed or providing no updates. Because of the uncertainty around COLAs, we had to add increases to salaries for some staff but not others, which has led to low staff morale, and increased turnover. Our organization tried to see if it would be possible to fund the increases for other staff internally, but it was not possible due to the high cost. Indeed, we had to front the increases for many of our contracts, which has led to reduced cash flow.

In addition to COLA funds, CPC received a notification of an increase on indirect rates from some of our DFTA contracts, but have not received notification on the status of increasing the indirect cost rate the remainder of our contracts. We have seen no actual disbursement of indirect rate increases. The delay in disbursing indirect funds has required CPC to delay planned hiring of mission-critical staff as well as some key technological upgrades that would allow more efficient programming. At a time when federal uncertainty has led to a sharp increase in demand for our services, chronic underfunding of city contracts and delay in disbursement of increases has led to us being unable to meet that demand.

There are two areas of human service nonprofit operations that need special attention in FY19 - costs associated with indirect rates and fringe and escalating occupancy and insurance costs. We are suggesting funding parameters that set a floor of 15% for indirect in all human services contracts and are requesting a 10% increase in the portions of human services contracts covering occupancy and casualty and liability insurance to cover escalating costs in these areas. Additionally, the City uses an outdated formula for calculating employee fringe benefits. We are also asking for consideration of a 37% fringe rate in all human service contracts to reflect a generally accepted industry standard and that, coincidentally mirrors the fringe rate used by the City for its own employees.

We urge the New York City Council to include in its March Response a \$200m ask for FY19 to address these critical funding shortfalls. CPC appreciates the opportunity to testify on these issues that so greatly impact the communities we serve, and look forward to working with you on them.

Lastly, as ACS is now transferring Early Childhood Education to DOE, it is important to address the issue of the budget only paying for 7.5 hours for a 10 hour day. This issue needs to be addressed especially now that the Governor's mandate has become strict in regards to adult supervision and administrative supervision. The program is 10 hours a day, but each person is paid for 7.5hrs which includes the duty free hour. Therefore out of the 10 hours, employees are meant to be working for 6.5 hours plus take their lunch break. However, per Article 47 such schedule is not advisable because they could lose their job if they truly worked the schedule stated within their collective agreement. A CPC early childhood educator explains:

"I am paid for 38 hours a week without overtime. There is no budget for overtime, for a second person to cover the DCC at the end of my shift. The DCC is expected to have a certified person onsite without teaching duties at all time but there is no money for such person on the budget. There is no money for when I need to take vacation to have someone sit in my office to cover for me while I am away. For me I don't see it as an option to work beyond the 38 hours but as an obligation if I want to keep my center from being closed due to lack of supervision by an administrator."

We urge the City Council to push for the Early Childhood contracts to be fully funded for actual hours required by the program in the transfer to DOE.

If you have any questions, please contact Carlyn Cowen at ccowen@cpc-nyc.org

How HRA Commits Wire Fraud

"Diversity and inclusion are the foundation of our City," said **Department of Social Services Commissioner Steven Banks**. "We applaud this Administration's commitment to these core values and for making a concerted effort to ensure that all New Yorkers, regardless of race, gender, and sexual orientation have equal access to services and resources".

Source: 9/8/17 BS press release by Mayor's office located at the following address:

<http://www1.nyc.gov/office-of-the-mayor/news/581-17/mayor-dc-blasio-signs-12-bills-strengthening-justice-equity-new-york-city>

NYC
Human Resources
Administration
Department of
Social Services
Office of the
Legal Affairs

W-2-110N
Rev. 12/15

Steven Banks
Commissioner

August 1, 2017

Martha A. Calhoun
General Counsel

Ann Marie Scalia
Senior Deputy General
Counsel/Fair Hearings

Re: Addressing your concerns

150 Greenwich Street
New York, NY 10007

929 221 5408

I am the Senior Deputy General Counsel for the Fair Hearing Administration of the Department of Social Services. I am responding to the concerns you recently raised with Commissioner Banks at a town hall meeting in Queens.

We will continue to try to address your concerns and assist you in any way possible.

Sincerely,


Ann Marie Scalia

3/25/2018
101817HPD Building, Registration & Violation Services [Home](#)The selected address: **802 FAIRMOUNT PLACE, Bronx 10460**

HPD#	Range	Block	Lot	CD	CensusTract	Stories	A Units	B Units	Ownership	Registration#	Class	
931302	Active	798-802	02954	0026	6	36502	4	16	-	PVT	227429	E

Other Units

Property
Owner
Registration
Information

Charges

Complaint
StatusComplaint
HistoryLitigation / Case
StatusTenant
Harassment
ReportAll Open
Violationsprior year
Open Viol.'s

Ecertification

Overdue Lead
Paint Viol.
Correction

Vacate Orders

I-Card
Images

PROS Online

Map

THIS PROPERTY IS NOT CURRENTLY VALIDLY REGISTERED WITH HPD.

Residential properties are required to register with HPD every year. If you are the owner or agent for this property, go to our [Property Registration page](#) to find out more about registration requirements or to use our Property Registration Online System, which allows you to begin the registration process. If you just wish to view the existing registration information for the property, click on the Property Owner Registration Information link on the left hand tool bar on this page.

Building Registration Summary Report

Find Apartment#

Owner	Last Reg Dt Reg Expire Dt	Organization	Last Nm	First Nm	House No	Street Nm	Apt	City	State	Zip
Head Officer	11/09/2016 09/01/2017		KAHEN	ROBERT	10	CUTTER MILL ROAD	400	Great Neck	NY	11021
Officer	11/09/2016 09/01/2017		POUR	ROMINA	10	CUTTER MILL ROAD		Great Neck	NY	11021
Corporation	11/09/2016 09/01/2017	FAIRMOUNT PLACE LLC			10	CUTTER MILL ROAD	400	Great Neck	NY	11021
Managing Agent	11/09/2016 09/01/2017	URBAN PATHWAYS	LOMBARDI	LISA	575	8TH AVE	16 FL	New York	NY	10018
Partner/Member	11/09/2016 09/01/2017		KAHEN	ROBERT	10	CUTTER MILL ROAD		Great Neck	NY	11021

Open Violations - ALL DATES

There are 47 Violations. Arranged by category: A class: 23 B class: 22 C class: 1
I class: 1

For Definitions of the columns indicated below, select glossary under the Services option (located at the upper right).

To sort the columns, click on their underlined headers below in the blue area.

Apt Story	Reported Date nov ISSUED Date	Hzrd Class	Order no	Violation ID NOV ID NOV Type	Violation Description	Status Status Date	Certify By Date Actual Cert, Date
4	2018/02/23 B 2018/02/27	502		12257170 6026684 Original	§ 27-2005 adm code properly repair with similar material the broken or defective fire retardant material at ceiling at public hall, 4th story	NOV SENT 2018/02/27	2018/04/17
4	2018/02/23 B 2018/02/27	507 *		12257175 6026684 Original	§ 27-2005 adm code repair the roof so that it will not leak at ceiling at public hall, 4th story	NOV SENT 2018/02/27	2018/04/17



How HRA ignores neglect and fraud in existing buildings by its housing partners and opens new buildings to divert attention away from such problems

Doe Fund celebrates ribbon cutting for \$21.1 million Crotona Park; General contractor is L Riso & Sons

December 05, 2017 - Owners Developers & Managers (<http://nyrej.com/section/ODM>)

Bronx, NY The Doe Fund was joined by the NYC Department of Housing Preservation and Development (HPD), the NYC Housing Authority (NYCHA), the NYC Human Resources Administration (HRA), and development partners today for a ribbon cutting ceremony celebrating the completion of Crotona Park, an affordable and supportive housing development. The new building's 60 apartments are reserved for extremely low-income individuals. Rents at Crotona Park will be kept at or below 30% AMI.

Located at 1420 Crotona Park East, the eight-story, 36,400 s/f building includes 60 studio apartments, 36 of which are for formerly homeless individuals with chronic conditions, and 24 of which are reserved for seniors currently on the NYCHA wait list. The residence includes a community room, a landscaped courtyard and garden, on-site laundry facilities, and 24-hour staffed security.

"Crotona Park East exemplifies the City's commitment to creating new, supportive and affordable housing opportunities for the New Yorkers who need it most. More than half of the residents that will be able to call these high-quality apartments home will receive the supportive services that are critical for their continued wellbeing, and the remainder will be reserved for senior citizens," said Housing Preservation and Development Commissioner Maria Torres-Springer. "I'd like to thank my colleagues at HPD, our partners at The Doe Fund, HRA, and Citi, as well as our many development partners for their work to provide safe, secure and affordable housing for some of our city's most vulnerable residents."



Ribbon cutting of Crotona Park - Bronx, NY

Eventbrite

MAY
11

Who will attend Urban Pathways, Inc.'s 5/11/18 fundraiser at the Grand Hyatt by Grand Central while it violates applicable law with respect to a building in which military veterans reside that HRA financed with more than \$2 Million from taxpayers and HRA, HPD, the Bronx D.A.'s office, and New York Attorney General's office ignore this problem?

Urban Pathways Gala 2018

\$200 – \$50,000



Urban Pathways Gala 2018

Fri, May 11, 2018, 6:00 PM – 9:00 PM EDT

From \$200

TICKETS



DATE AND TIME

Fri, May 11, 2018

6:00 PM – 9:00 PM EDT

[Add to Calendar](#)

LOCATION

The Main Ballroom at The Grand Hyatt

109 East 42nd Street

New York, NY 10017

[View Map](#)

DESCRIPTION

Gala 2018 Sponsorship



**Department of
Social Services**

Human Resources
Administration

Department of
Homeless Services

Steven Banks
Commissioner

Molly Murphy
DSS First Deputy Commissioner

Saratu Grace Gharvey
Chief Program
Accountability Officer

250 Church Street
New York, NY 10013

212 274 5600

W-2-539
Rev. 04/14

12/14/2017

Dear

We are writing to you from the City of New York Human Resources Administration, Bureau of Fraud Investigation. We have received your complaint regarding fraud.

Please be advised that your complaint will be duly investigated. The appropriate action will be taken based on the investigation. Due to the laws of confidentiality, we cannot disclose the result of any investigation.

Thank you for your efforts in combating social service fraud in New York City. Please send any additional correspondence to the Bureau of Fraud Investigation, 250 Church Street, 3rd floor, New York, NY 10013 or call (718) 722-8001.

Sincerely,

Bureau of Fraud Investigation

IRIS Ctrl#: 201712130393

How HRA and New York State's OTDA helps NYPD cook its crime statistics

Violence redefined at NYC homeless shelters keeping stats down

BY GREG B. SMITH

NEW YORK DAILY NEWS Saturday, February 17, 2018, 6:00 PM



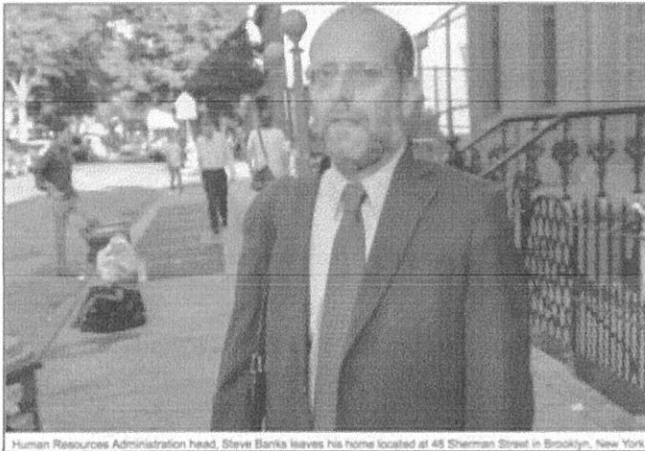
The Department of Homeless Services quietly changed its guidelines for what constitutes a "reportable incident" at city shelters, including Midtown Manhattan's Samaritan Village, seen here. (SAM COSTANZA/FOR NEW YORK DAILY NEWS)

A distraught woman who lived in the Liberty Avenue homeless shelter in Brooklyn ran into its management office one afternoon two years ago "crying profusely," according to a city report.

The woman said her spouse had demanded she give him money for beer and "grabbed her and shook her violently" when she refused.

On 12/14/17, the AHole shown below lied by claiming that HRA isn't responsible for crime that occurs in the shelters that it and its partners operate. The decision issued in the case shown on the next page proves otherwise.

Salary and contact information for HRA's Commissioner Steven Banks:



Source: <http://a856-gbol.nyc.gov/GBOLWebsite/GreenBook/Details?orgId=2880>

• **Work Contact Information:**

150 Greenwich St., 40th Fl. New York, NY 10007

Steven Banks, Commissioner. Salary: \$226,366

Appointed Apr 1, 2014

☎ (929) 221-7315

Work e-mail: banksst@hra.nyc.gov

Work Fax: 212-437-2126

Home: 48 Sherman Street
Brooklyn, New York

Note: This is also home to Jean Schneider, who is the Supervising Judge Citywide for New York City's Housing Courts

246 A.D.2d 88 (1998)

676 N.Y.S.2d 38

**Eric A. Johnson, Individually and as Administrator of The Estate of Kathryn Hinnant
Johnson, Deceased, Appellant,**

v.

New York City Health and Hospitals Corporation, Respondent, et al., Defendants

Appellate Division of the Supreme Court of the State of New York, First Department.

June 18, 1998

Thomas A. Moore of counsel, New York City (*Matthew Gaier* and *Norman Bard* on the brief; *Kramer, Dillof, Tessel, Duffy & Moore*, attorneys), for appellant.

Margaret G. King of counsel, New York City (*Stephen J. McGrath* on the brief; *Paul A. Crotty*, Corporation Counsel of New York City, attorney), for respondent.

MILONAS, J. P., and WALLACH, J., concur with WILLIAMS, J.; ROSENBERGER and MAZZARELLI, JJ., dissent in a separate opinion by ROSENBERGER, J.

89 *89 WILLIAMS, J.

Plaintiff Eric A. **Johnson** brought a wrongful death action seeking damages for defendants' negligence in failing to provide minimal security to protect his wife, Dr. Kathryn Hinnant, a pathologist at Bellevue Hospital Center (Bellevue). Dr. Hinnant was murdered and sexually assaulted in her office on Saturday, January 7, 1989 at approximately 4:00 P.M. by Steven Smith, a homeless intruder who had recently been a patient at the hospital.

This appeal seeks to overturn a judgment in favor of defendant New York City **Health** and Hospitals Corporation (HHC) following posttrial denial of plaintiff's motion to set aside the jury verdict as against the weight of the evidence. The jury found, by a vote of 10 to 2, that HHC's security measures were reasonable.

90 The trial evidence showed that at the time in question, Bellevue, a 1,000-bed public hospital in New York City with approximately 4,000 employees, had a mandate "to provide the *90 best care to anyone regardless of their ability to pay". It treated many patients with antisocial personality disorders stemming from problems such as drug use or domestic violence. It had over 100 clinics and logged over 300,000 total clinic visits in 1988-1989. The psychiatric walk-in clinic logged over 30,000 annual visits, the emergency room about 100,000 visits. There were approximately 300 beds for psychiatric patients. There was also an adjoining 1,000-bed homeless shelter run by the New York City Human Resources Administration.

The hospital center's enormous physical plant encompassed approximately one million square feet in several separate buildings with numerous entryways. In the "new" building, where Dr. Hinnant was attacked, each of the 22 floors covered one acre. The new building and an adjacent building shared a huge basement area that contained laundry, storage and maintenance facilities as well as the morgue. There was also a tunnel that connected the basement to the basement of the homeless shelter.

The hospital's security system at the time employed 65 to 70 security officers. They were deployed in both uniform and plainclothes, at fixed posts and in roving patrols, in three shifts around the clock throughout the



Human Resources
Administration
Department of
Social Services

W-2-539
Rev. 04/14

Investigation, Revenue, and
Enforcement Administration

8/16/2016

Steven Banks
Commissioner

Saratu Grace Gharthey
Chief Program
Accountability Officer

Bedros L. Boodanian
Deputy Commissioner

250 Church Street
New York, NY 10013

929 252 3020

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Please be advised that your complaint will be duly investigated. The appropriate action will be taken based on the investigation. Due to the laws of confidentiality, we cannot disclose the result of any investigation.

Thank you for your efforts in combating social service fraud in New York City. Please send any additional correspondence to the Bureau of Fraud Investigation, 250 Church Street, 3rd floor, New York, NY 10013 or call (718) 722-8001.

Sincerely,

Bureau of Fraud Investigation

IRIS Ctrl#: 201608160143

Mount Sinai Beth Israel
Department of Emergency Medicine
First Avenue at 16th Street
New York, NY 10003
212-844-1644

Take-Home Instructions for the Patient

Patient's Name:

DOS: 07/30/2016 13:27

Medical Record Number:

E.D. Attending Physician: MD Kimberly Henderson

E.D. Resident or Physician Assistant: RPA-C Ursula Jemiolo

E.D. Primary Nurse : Marjorie Rubin, RN

Primary Care Provider: Physician - Non-BI

Primary Diagnosis: Concussion w/o LOC

Additional Diagnoses:

If you were seen in the Emergency Department today and you have any questions relating to your treatment, please call 212-420-2840

PLEASE NOTE: The examination and treatment that you have received in the Emergency Department have been rendered on an emergency basis only and are not intended to be a substitute for or an effort to provide complete medical service. A follow-up doctor or facility is named below. It is important that you be checked again as recommended below and report any new or remaining problems at that time, because it is impossible to recognize and treat all elements of injury or illness in a single Emergency Department visit. In addition, if an X-Ray has been taken here, it has been read on a preliminary basis only, and a final review will be made by the Radiologist. If there is a change in the preliminary x-ray reading you will be contacted by our follow-up staff
Call to arrange an appointment to see the following physician for follow-up care.

WARNING: You or your child may have been treated with a sedative or pain medicine to provide comfort during your Emergency Department visit. Even though most of the effects will be gone by the time you leave for home, some effects may linger for up to 24 hours. These include: sleepiness, confused thinking, dizziness, nausea, and difficulty walking. If you or your child received this medication, it is very important that activities should be limited or supervised for at least the next 24 hours:

- Do not drive a car or operate machinery and be very careful around stairs.
- Avoid alcohol or any other sedating medicines
- Children should not ride bikes, use a skateboard, go swimming, or play on swings or monkeybars.

IMPORTANT INFORMATION ABOUT YOUR PAPER PRESCRIPTION

As of 3/27/16, New York State Department of Health now requires computer-generated (electronic) prescriptions for all medications be sent directly to your pharmacy. However, Mount Sinai Beth Israel providers have been granted a temporary waiver from the ePrescribing requirement and may write paper prescriptions. By law, once a provider has been granted a waiver, the pharmacy must fill your prescription.

What if my pharmacy refuses to fill my paper prescription?

1. Tell the pharmacist to call the New York State Bureau of Narcotic Enforcement (BNE) directly at 866-811-7957 (8.45 am to 4.45 pm), wait for assistance, and the operator will confirm that paper prescription can be filled.

2. Tell your provider that your pharmacy refused to fill your prescription. Be sure to give your provider the name, address, and phone number of the pharmacy.

Mount Sinai Beth Israel
Department of Emergency Medicine
First Avenue at 16th Street
New York, NY 10003

212-844-1644

Medical Record

Take-Home Instructions for the Patient

Patient's Name: DOS: 07/02/2016 19:51
Medical Record Number:
E.D. Attending Physician: MD Nicole Nembhard
E.D. Resident or Physician Assistant: PA-C Dafna Gershoony
E.D. Primary Nurse : Adora Chatman, RN
Primary Care Provider: Physician - Non-BI
Primary Diagnosis: Abrasion of left forearm
Additional Diagnoses: Head injury

If you were seen in the Emergency Department today and you have any questions relating to your treatment, please call 212-420-2840

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2. Tell your provider that your pharmacy refused to fill your prescription. Be sure to give your provider the name, address, and phone number of the pharmacy.

Who wants a ticking time bomb in front of their kids and teachers at the Department of Education instead of being in jail for an assault that caused concussion with more than 15 punches to the temple on 7/2/16 that was foreseeable, since Ronald Sullivan tried committing an assault on 5/12/16?

<https://www.facebook.com/ronald.sullivan.351>




Ronald Sullivan

[Timeline](#) [About](#) [Friends](#) [Photos](#)

DO YOU KNOW RONALD?

If you know Ronald, send him a message.

 Intro

 SR. S.L.H at New York City Department of Education



Ronald Sullivan shared

March 5 at 2:44am · 



Excerpts from HRA's records concerning whistleblower complaint about the bait-and-switch fraud and forgery by Urban Pathways, Inc.:

3/16/2016	CA Application	Mensah,R	He also provided a lease stating in apartment by himself but when he moved he found out there was someone else sharing the apartment with him. and the first lease he signed was change
3/16/2016	Make Case Comment	Harris,V	He also provided a lease stating this is where he moved to but stated he was suppose to be moving in apartment by himself but when he moved he found out there was someone else sharing the apartment with him. and the first lease he signed was change by landlord.

Subject: Fraud by HRA's business partner, Urban Pathways, Inc.
Date: April 1, 2016 at 4:53:02 PM EDT
To: beirneb@hra.nyc.gov
Cc: bankss@hra.nyc.gov

Dear Ms. Beirne,

Good afternoon and thank you for the time you shared with me during our phone call today.

As discussed, the following is a copy of the lease agreement that I signed with Lisa Lombardi of Urban Pathways on February 16, 2016 at the offices of DHS located at 33 Beaver Street in Manhattan in a small conference room where there were roughly 5 people who witnessed that signing by Ms. Lombardi and I:



Urban Pathways -
Original Lease.pdf
1.3 MB

The following file attachment is a copy of the illegally modified lease agreement I received from Urban Pathways on or about March 7, 2016:



Urban Pathways -
Illegally Re... Lease.pdf
2.2 MB

The following is a list of how those 2 lease are different:

FAIRMOUNT FACILITY FOR VETERANS - Negotiated Acquisition
 - Other - PIN# 16NHEOC02001 - Due 1-28-16 at 2:00 P.M.

For Informational Purposes Only

HRA intends to enter into a Negotiated Acquisition with the following vendor;

Urban Pathways, Inc. Located at 802 Fairmount Place, Bronx NY
 E-Pin#: 09616N0004 Contract Amount: \$1,851,220.00 Contract Term: 10 Years

The need for safe shelter for veterans is immediate, as there is a homelessness crisis with veterans as a particularly vulnerable group. Urban Pathways, Inc. can provide case management and building management services, and has identified 802 Fairmount Place as a building that is appropriate and available to permanently house 24 formerly homeless veterans in 1 and 2 bedroom units using subsidies such as LINC and VASH. Urban Pathways, Inc. would enter into a master lease with the property owner, and manage all aspects of this permanent housing facility.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Barbara Beirne (929) 221-6348; beirneb@hra.nyc.gov

06/07/16 70c1 FH ELIGIB CONFRENCE CNCN5 70cn 06/07/16 B46 E1803
 -Client states landlord
 swaped lease he signed and gave him a room instead of an apartme
 nt

Client states his landlord committed fraud in swappin
 g room for apartment-Client advised to resolve housing issue in 1
 andlord/tenant housing court

Bronx DA's office overrun with sex, booze and fights: employee

BY MOLLY CRANE-NEWMAN THOMAS TRACY GRAHAM RAYMAN

NEW YORK DAILY NEWS Updated: Monday, February 26, 2018, 10:14 PM



Crystal Rivera, a crime analyst in the Bronx District Attorney's office, claims the office is a cesspool of on-duty sex, drinking and rampant prosecutorial misconduct. (JEFFERSON SIEGEL/NEW YORK DAILY NEWS)

Ronald Sullivan was found not guilty of assault partly because Judge Cori Weston wrongfully suppressed security logs about his assault and attempted assault. The following case confirms that such logs are admissible.

142 A.D.3d 863 (2016)

38 N.Y.S.3d 149

2016 NY Slip Op 06149

THE PEOPLE OF THE STATE OF NEW YORK, Respondent,

v.

HENRY DARDEN, Appellant.

1700, 4607/10.

Appellate Division of the Supreme Court of New York, First Department.

Decided September 27, 2016.

Judgment, Supreme Court, New York County (Maxwell Wiley, J.), rendered November 14, 2011, convicting defendant, after a jury trial, of criminal trespass in the second degree, petit larceny, and two counts of assault in the third degree, and sentencing him to four consecutive terms of one year, unanimously affirmed.

Concur — Friedman, J.P., Andrias, Richter, Gische and Kahn, JJ.

864 *864 Defendant's right of confrontation was not violated by the admission of a logbook entry, created by a nontestifying security guard at the homeless shelter where the events took place. Properly admitted as a business record, the logbook entry was not testimonial because it was not "procured with a primary purpose of creating an out-of-court substitute for trial testimony" (*Michigan v Bryant*, 562 US 344, 358 [2011]). The evidence established that such logbook entries were routinely made for the private security firm's business purposes, regardless of whether an arrest or other unusual activity occurred.

The court properly denied defense counsel's request for a missing witness instruction with regard to the guard, who was no longer employed by the security company, since he was neither available to the People nor within their control for purposes of a missing witness instruction (see *People v Gonzalez*, 68 NY2d 424 [1986]).

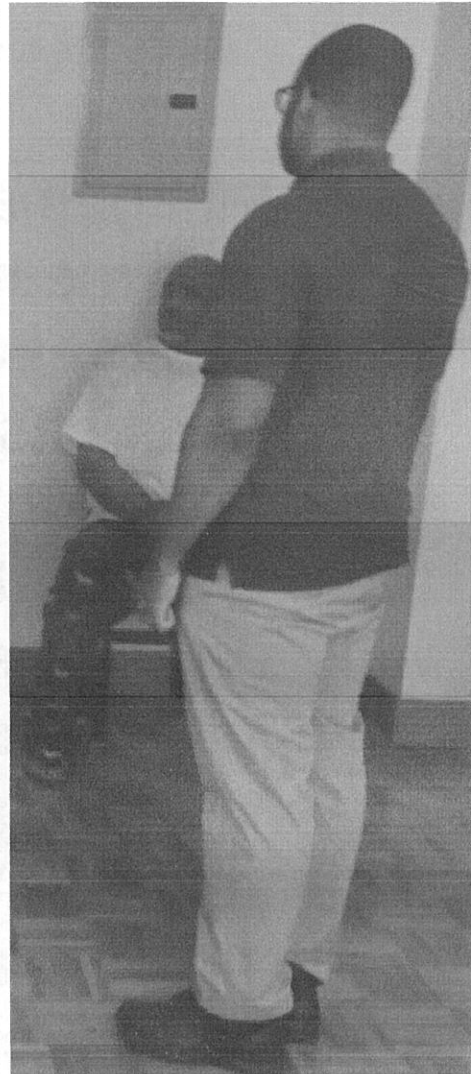
7:10 - 9:10 - off duty
Thursday Mar 12, 2016
5:45 Thomas on duty received
1 cellphone and 1 set of
keys
9:15 All is safe and secure
10:15 All is safe and secure
10:25 Cerson on site at this time
10:50 Cerson off site at this time
11:45 All is safe and secure
12:00 All is safe and secure
and Ronald on duty.
1:00 All is safe and secure
2:00 All is safe and secure
3:00 All is safe and secure
4:30 Thomas off duty and a
problem happened earlier in afternoon
4:10 and I notified Mike.
DUTY RECEIVED (ACELL)

+1 (646) 866-9302

Thu, May 12, 12:44 PM



I want my roommate forced out immediately for the following reasons: a) He made a verbal threat today against me in the presence of the security officer in my apartment's living room, b) he charged at me in the living room and had to be held back by that security officer. c)



+1 (646) 866-9302

The management company has offered to meet with you to air out these grievances and offer some solutions to the problem. We will pass on your request to them for a written response as well. Please also consider reaching out to Keisha or Arianna in the grievances department. Again, I'd recommend reaching out to the management company to have a meeting, face to face always works better. Lastly, please understand that you are both lease holders in that building and no one is going to be relocated against their will.

Sat July 2, 2016 8:00am - 4:00PM

161

8:00AM S/O D. Nathaniel On Duty All is well 21 keys
in safe box, 2 set of keys, cell phone, log books,
check in with Hughes

9:00AM Same as last hour Safe & secure

10:00AM Nothing to report at this time

11:00AM All is well safe & secure

12:00PM Same as last hour / M/W Brown on site

1:00PM Every Thing is good Safe & Secure

2:00PM On Lunch All is well Safe & secure

3:00PM Please be Advise Dwyer Sandra in unit 2A
locked her self

3:15PM Sullivan Ronald off site

3:30PM Ronald Sullivan just got into the apt (Rn)
with [redacted], Cops has been called

and they were on site, they are getting
a report on the altercation from [redacted]

Sullivan has left the premises

4:00PM back from Lunch came to Cops 48Pct

Colt hummer name Lugo bage number 11963

5:00PM S/O D. Nathaniel off Duty

4:00PM (Rn) Maintenance Statement

While prepping garbage in Basement,

I went upstairs in the lobby I saw [redacted] Rn

going fast pace, out the front door, he looked

angry, 10 minutes later Cops were

in lobby, I heard that Sullivan and

[redacted] got into a fight in the

apt, which [redacted] confirmed with

apt, which [redacted]

police [redacted] in Bldg / Bldg from [redacted]

ORI No: _____
Order No: _____
NYSID No: _____
CJTN No: _____
Present: Hon. Pitt

At a term of the Criminal Court, County of 10:30
at the Courthouse at (address) 215 E 101st State of New York

People of the State of New York
-against-

Ronald Sullivan

Defendant

Date of Birth: _____

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND THEN CONTINUES IN EFFECT UNTIL A NEW DATE SET BY THE COURT.

☒ **TEMPORARY ORDER OF PROTECTION.** Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of ☐ recognizance ☐ release on bail ☐ adjournment in contemplation of dismissal].
☐ **ORDER OF PROTECTION.** Whereas defendant has been convicted of [specify crime or violation]:

And the Court having made a determination in accordance with section 530.13 of the Criminal Procedure Law,

IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:

(Check applicable paragraphs and subparagraphs):

☒ Stay away from ☒ (name(s) of protected person(s) or witness(es)): _____
and/or from the ☐ home of _____
☐ school of _____
☐ business of _____
☐ place of employment of _____
☐ other _____

☒ Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other electronic or any other

Case Details - Charges

CASE INFORMATION

Court: **Bronx Criminal Court**
Case #: **2016BX042188**
Defendant: **Sullivan, Ronald G**

Charge	Detail
PL 120.15 00	B Misdemeanor, 1 count, Not an arrest charge, Arraignment charge Description: <i>Menacing 3rd</i>
PL 240.26 01	Violation, 1 count, Not an arrest charge, Arraignment charge Description: <i>Harassment 2nd- Phy Contact</i>
PL 120.00 01 **TOP CHARGE**	A Misdemeanor, 1 count, Arrest charge, Arraignment charge Description: <i>Aslt W/int Causes Phys Injury</i>

Case Details - Appearances

CASE INFORMATION

Court: **Bronx Criminal Court**
Case #: **2016BX042188**
Defendant: **Sullivan, Ronald G**

Date/ Time	Judge/ Part	Calendar Section	Arraignment/ Hearing Type
02/24/2017	TP5	BENCH TRIAL	No Type
02/23/2017	Weston, C TP5	PENDING	Bench Trial
02/10/2017	Weston, C AP2	PENDING	Bench Trial



MayorFirst LadyNewsOfficials

Mayor de Blasio Appoints Judges to Criminal Court and Civil Court

June 7, 2016

NEW YORK— Mayor Bill de Blasio today appointed two new judges to Criminal Court and four new judges as interim Civil Court judges who will sit in Criminal Court. The judges appointed have years of experience in the public and private sectors.

“The appointment of experienced, honest and diverse judges helps ensure that all New Yorkers have access to a fair, equitable justice system,” said **Mayor Bill de Blasio**.

“From a former career prosecutor to a former attorney with the Legal Aid Society, these highly qualified appointees represent various legal and personal backgrounds that I am certain reflect and uphold the values of our great city.”

Criminal Court Appointments:

Judge Gerianne Abriano has been a career prosecutor, having served 22 years with the Kings County District Attorney's Office. She last served as Bureau Chief of the Red Hook Community Justice Center, the first multi-jurisdictional problem solving court in the nation. Judge Abriano received her B.A. from Hunter College and her law degree from New York Law School.

Judge Cori Weston served with the Legal Aid Society, Criminal Defense Division for seven years, then worked for the New York County Defender Services for nearly 19 years. She is a member of the Criminal Advocacy Committee of the New York City Bar. Judge Weston is a graduate of Hofstra University and received her law degree from Fordham University School of Law.

Civil Court Appointments:

Judge Toni Cimino, who has been appointed to Civil Court and assigned to Criminal Court, began her career as an associate criminal defense attorney with a private firm, then served with the New York State Unified Court System for nearly 17 years as a Court Attorney, Assistant Deputy Counsel and Court Attorney Referee. She received her undergraduate degree from St. John's University and her J.D. from St. John's University School of Law.



**TESTIMONY
of
FPWA**

**Presented to:
New York City Council Committee on Contracts
Justin Brannan, Chair**

Preliminary Budget Hearing

Tuesday, March 27th, 2018

**Prepared By:
Edline Jacquet, Director of Policy**

**Jennifer Jones Austin
Executive Director/CEO**

40 Broad Street, 5th Floor
New York, New York 10004
Phone: (212) 777-4800
Fax: (212) 414-1328

My name is Edline Jacquet and I am the Director of Policy at FPWA, an anti-poverty policy and advocacy nonprofit with a membership network of about 170 human services and faith-based organizations. Thank you, Chairperson Brannan and members of the committee for the opportunity to testify here today and for your leadership on that deeply affect New Yorkers.

FPWA has been a prominent force in New York City's social services system for more than 94 years, advocating for fair public policies, collaborating with partner agencies, and growing its community-based membership network to meet the needs of New Yorkers. Each year, through its network of member agencies, FPWA reaches close to 1.5 million New Yorkers of all ages, ethnicities, and denominations. FPWA strives to build a city of equal opportunity that reduces poverty, promotes upward mobility, and creates shared prosperity for all New Yorkers.

Human Service & Nonprofit Sector Investments

Human Services Advancement Strategy Group

Human services providers that contract with the city to provide essential services are struggling with underfunded contracts that fail to keep up with the rising costs of doing business and provide inadequate wages and support for the workforce. Just as the city has increasingly become an expensive place to live, it has also become an increasingly expensive place to do business, especially for human services organizations, whose business is caring for people. Without the ability to raise prices on services, and without increases in government funding, nonprofits have been significantly weakened-- from a chronically underpaid and under-resourced workforce, to rising costs for rent, insurance and other expenses, to underfunding of overhead and indirect expenses, and insufficient funding to deliver programs that meet the needs in communities. These challenges play off and exacerbate one another, making service delivery increasingly difficult.

While costs like rent, utilities, general liability coverage and others increase every year, contracts don't keep up with those increases, making it harder each year for nonprofits to do their work. When long term contracts are flat funded, often rent increases will eat into so much of the contract dollars that there are none left for actual services. Indirect expenses are the backbone of a fully functioning and successful organization, covering key administrative, security, and facilities staff, infrastructure and technology supports.

Despite the funded minimum wage increase, which has helped lift thousands of workers out of poverty, chronic low wages and benefits in the human services sector mean that many workers are eligible for the same public benefits as their clients. At the same time similar positions in government and the private sector can pay tens of thousands more for lower caseloads and fewer hours, forcing nonprofit employees to make the tough choice between serving communities and making ends meet. This leads to high turnover rates (nearly 1 in 3 workers annually in many positions), creating instability in service delivery and draining nonprofit resources.

To better address these critical needs, a group of nine membership organizations representing 2000 human service provider organizations across the City, including FPWA, partnered together and created the Human Services Advancement Strategy Group (HSASG), to secure the programmatic, financial and operational resources needed to fully cover costs and meet the contractual obligations of provider organizations holding City HHS contracts. Last year saw an

important investment in human services provider organizations that hold City contracts. With your help, we secured \$300m of our \$500m ask to help nonprofit provider organizations cover the cost of delivering essential services to New Yorkers.

There are two areas of human service nonprofit operations that need special attention in FY19 – costs associated with indirect rates and fringe and escalating occupancy and insurance costs. We are suggesting funding parameters that set a floor of 15% for indirect in all human services contracts and are requesting a 10% increase in the portions of human services contracts covering occupancy and casualty and liability insurance to cover escalating costs in these areas. Additionally, the City uses an outdated formula for calculating employee fringe benefits. We are also asking for consideration of a 37% fringe rate in all human service contracts to reflect a generally accepted industry standard and that, coincidentally mirrors the fringe rate used by the City for its own employees.

As a member of the Human Services Advancement Strategy Group (HSASG), FPWA, respectfully requests that the New York City Council include in its Response **a \$200 million dollar ask for FY19** to address these critical funding shortfalls.

In the months since the FY18 budget was adopted we've worked to insure timely disbursement of funds and to identify funding gaps that continue to hamstring human service providers. Getting these funds out to the human services provider community has been slow. ACS, DYCD and DFTA have made the most progress getting funds out the door to providers.

Conclusion

We thank the Contracts Committee for the opportunity to testify. We hope that you consider our budget priorities and recommendations during this year's negotiation process. We look forward to working closely with you to ensure that nonprofit agencies, their staff and the communities that they serve receive the resources and support needed for them to create shared prosperity for all New Yorkers.

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TESTIMONY: UJA-FEDERATION OF NEW YORK

New York City Council

Committee on Contracts, Preliminary Budget Hearing FY 2019

Honorable Justin L. Brannan, Chair

Submitted by:

Hillary Stuchin, UJA-Federation of New York

March 27, 2018

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*Executive Committee member **Of Blessed Memory

TESTIMONY: UJA-FEDERATION OF NEW YORK
Committee on Contracts, Preliminary Budget Hearing FY 2019
March 27, 2018

Good morning Chairperson Brannan and members of the Committee on Contracts. My name is Hillary Stuchin and I am the Director of Government and External Relations at UJA Federation of New York. On behalf of UJA, our network of nonprofit partners and those we serve, thank you for the opportunity to testify on the importance of maintaining and expanding services for New York City's most vulnerable residents.

Established more than 100 years ago, UJA-Federation of New York is one of the nation's largest local philanthropies. Central to our mission is to care for those in need. We identify and meet the needs of New Yorkers of all backgrounds and Jews everywhere. We connect people to their communities and respond to crises in New York, Israel and around the world. We support nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services.

UJA thanks the City Council for its efforts and commitment in the FY18 Budget to increase the funding for human service contracts. These investments once fully implemented will better allow for human services workers to provide critical services to New Yorkers in need. However, there remain a number of issues with city human service contracts that challenge our nonprofit partners as they attempt to serve individuals and families across New York City.

UJA submits the following recommendations related to contracts for the FY 2019 budget:

Supporting the Human Services Sector

The Human Services Advancement Strategy Group (HSASG), a group of nine membership organizations that includes UJA, represents 2,000 nonprofit human service provider organizations across the City. HSASG was created to advocate for and secure the programmatic, financial and operational resources needed to fully cover costs and meet the contractual obligations of nonprofit providers holding New York City health and human services contracts.

In the months since the FY18 budget was adopted, HSASG has worked to disburse funds and identify funding gaps that continue to plague human service providers.

UJA, as a member of HSASG, greatly appreciates the important investment made in City-contracted human service provider organizations in FY18. With the support of the City Council, \$300 million (of a \$500 million funding request) was included in the final budget to help provider organizations cover the cost of delivering essential services to New Yorkers.

However, there are two areas of human service nonprofit operations that need special attention in FY19 - costs associated with indirect rates and fringe benefits as well as escalating occupancy and insurance costs. We are suggesting funding parameters that set a floor of 15% for indirect costs in all human service contracts and are requesting a 10% increase in the portions of human service contracts covering occupancy and casualty and liability insurance to cover escalating costs in these areas. Additionally, the City uses an outdated formula to calculate employee fringe benefits. We are therefore asking for consideration of a 37% fringe rate in all human service contracts to reflect a generally accepted industry standard and that, coincidentally, mirrors the fringe rate used by the City for its own employees.

UJA, as a member of the Human Services Advancement Strategy Group, respectfully requests that the Council include in its March Response a \$200 million ask for FY19 to address these critical funding shortfalls.

Example of the Impact of Underfunded Contracts on Nonprofits

Many of our nonprofit partners struggle to provide the services they are contracted for due to the low reimbursement rates promised in their city agency contracts.

Through our network of nonprofit partners, UJA is the largest provider of kosher food in New York City, particularly home-delivered meals. Home-delivered meal programs are one of the ways kosher food is made available to the community. Home-delivered meals provide important social contact for those who are confined to their homes acting as an access point for other important services and helping older adults to age safely and in place. However, the high cost of a kosher meal presents a unique challenge for many of our agencies in their work with clients who observe these dietary laws.

Providing culturally sensitive meal services for seniors is a priority for UJA, and we are particularly concerned about kosher meal reimbursement rates. The cost of kosher home-delivered meals is higher than the current DFTA reimbursement rate, and our agencies that provide these kosher meals to the elderly struggle to cover the higher costs. This also makes it difficult for service providers to meet the needs of the diverse senior communities throughout the City. Although increased investment in FY15 alleviated some of this burden, providers of kosher meals continue to feel strained. UJA requests an additional \$4.5 million for Home Delivered meals from DFTA to address this reimbursement issue.

Salary Parity Across DFTA and DOE/ACS Pre-K Contracts

DFTA Contracts

UJA appreciates the efforts of the City Council and Chairperson Chin for securing significant funding increases for DFTA and the human service sector in FY 18. Part of this funding is allocated to support the “model budget” process to right-size personnel and programming in DFTA senior center contracts.

Despite these funding increases, salaries at NORC programs, caregiver programs, and other DFTA contracts remain significantly underfunded. Providers are left to wrestle with the inequity of paying different salaries to staff doing comparable work, and the inevitable recruitment, turnover, and morale problems that will lower service access and quality for New York's seniors. For some of our larger nonprofit partners, who provide services to seniors citywide, this cost has amounted to millions of dollars. Competitive salaries are needed in order to retain qualified staff, avoid turnover, and provide uninterrupted service to clients. With the aging population increasing at an incredible rate, the City should recognize the ever growing need to attract skilled individuals, interested in the geriatric field. **With attention being giving to senior center staffing, UJA requests that the City Council further advocate to implement increases in salaries for all DFTA funded contracts.**

DOE/ACS Pre-K Contracts

Over 60% of the City's publicly funded early childhood programs are in community based organizations (CBOs) working under contracts with NYC Department of Education and NYC Administration for Children's Services. Without community based organizations providing

prekindergarten programs, NYC's UPK program would be unable to reach as many children as it has. And yet, teachers, staff and directors at community based organizations earn significantly less than similarly qualified counterparts in the public schools.

The salary disparities are stark and grow over time. For example, a certified head teacher in a three year old classroom in a community based organization has a starting salary of \$46,920 while a certified teacher in a public school starts at \$61,894. After time, these disparities grow wider. With eight years of experience, a public school teacher's annual salary will have grown to slightly over \$81,042 while a teacher in a community based program will be earning just \$48,920. **UJA encourages the Administration, with the support of the City Council, to end this unequal payment system and invest in the Pre-K workforce by establishing salary parity for teachers, staff, and directors between DOE schools and CBOs.**

Conclusion:

UJA-Federation of New York respectfully urges your consideration and support of our requests to improve City contracting practices for human service providers so that these nonprofits can continue to delivery programs and services to New York's most vulnerable residents. Thank you for your time and if you have any questions please contact me at stuchinh@ujafedny.org or 212-836-1722.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

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Address: 1011 1st Ave

I represent: Exec Dir. Catholic Charities of the

Address: Archdiocese of NY

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Address: _____

I represent: Chinese American Planning Council

Address: 150 Elizabeth Street

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I represent: MOCS

Address: _____

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Address: 253 Broadway

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Address: MOCs

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I represent: MOCs

Address: MOCs

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Address: _____

I represent: Self

Address: _____

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THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: 3/27/18

(PLEASE PRINT)

Name: Miguel Jackson

Address: 1305 East 59th St NY, NY 10022

I represent: Human Services Council

Address: _____

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Date: _____

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Address: _____

I represent: Live On NY

Address: _____

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