



Homes and Community Renewal

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Governor

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Commissioner/CEO

October 8, 2020

FROM: Betsy Mallow, Executive Deputy
Commissioner and Chief Operating Officer

TO: HFA and SONYMA
Members and Directors

Thomas Boody
Vice President, Development Manager

SUBJECT: Approval to amend the contracts with firms on the Agencies' prequalified panel of firms for the provision of information technology temporary staffing consultant services

Reason before the Members and Directors

Authorization to amend the contracts with firms on the Agencies' prequalified panel of firms for the provision of information technology temporary staffing consultant services ("Panel") is before the Members and Directors for approval, in accordance with the Agencies' Procurement and Contract Guidelines ("Guidelines") and Section 2879 of the Public Authorities Law that require the Members and Directors to approve contracts that exceed one year in duration or \$100,000 in amount. (Unless otherwise defined herein, capitalized terms appearing in this memorandum adhere to their respective definitions in the Guidelines.)

Criteria for Use of Contractors for Personal Services

In accordance with the provisions of Article III of the Agencies' Guidelines, the Agencies have made a determination that it is appropriate that information technology ("IT") temporary staffing consultant services (and collectively, "IT Services") be performed under personal contracts as: (a) such services are necessary to the performance of the Agencies' responsibilities; and (b) such services are not available from Employees or (c) use of personnel of any Agency for such services would not be cost efficient or cost beneficial. Such services are appropriately determined to be personal services proper for "contracting out" as they are substantially akin to other typically contracted out personal services listed in Article III of the Guidelines.

Description of Selection of Vendors & Personal Services

A. *Issuance of a Request for Proposals.*

The Agencies issued a request for proposals (“RFP”) on February 3, 2016 to establish a prequalified panel of firms for the provision of IT Services. The Agencies received 67 responses, 35 of which were from New York State (“NYS”) certified minority and/or women-owned business enterprises (“MWBEs”) and one of which was from a NYS certified service-disabled veteran owned business enterprise (“SDVOB”).

B. *Committee’s Review of Proposals*

An Agency review committee (“Committee”) comprised of five Agency members evaluated the contents of the proposals. In addition, the resumes and diversity material in proposals were reviewed by three Agency subject matter experts (“SMEs”). The SMEs were charged with the review of resumes and Diversity/SDVOB requirements. The Committee, including the SMEs, ranked the proposals based upon the following objective criteria: (i) number of applications for the ten IT positions identified in the RFP; (ii) number of resumes for each position; (iii) percentage of the mark-up between wage and billing rates for each position; (iv) firm’s experience with governmental entities; (v) firm’s experience with financial entities; (vi) whether providing IT Services is the firm’s primary business; (vii) hourly billing rates for each of the ten positions; (viii) firm’s status as an MWBE; and (ix) whether the firm’s office is located in the Tristate area. After reviewing and ranking the proposals, based on the nine areas of objective criteria, a decision was made to create a short list of firms that scored 80% or more and such list included 13 firms. The Committee, charged with evaluating the remaining 13 proposals, reviewed each proposal utilizing the following criteria: (i) qualifications; (ii) experience; and (iii) screening process. The Vice President of the Office of Economic Opportunity Partnerships and Development reviewed each of the 13 proposals for Diversity/SDVOB requirements and the Chief Technology Officer and a representative from the IT Unit reviewed resumes. For these 13 proposals, the scores for costs were carried forward from the Committee’s initial review and ranking of the 66 proposals. Based on a review of the proposals from firms on the short list, the Committee selected for recommendation all 13 firms to be included on the Panel with the names of these firms indicated below:

- Computer Aid, Inc. (“Computer Aid”)
- Currier, McCabe and Associates d/b/a CMA Consulting Services (“CMA”), a WBE
- Edwards Daniels Group, Inc., a WBE (“EDG”)
- InfoPeople Corporation, a MBE (“InfoPeople”)
- Infosys International, Inc., a MBE (“Infosys”)
- InnoSoul, Inc., a MWBE (“InnoSoul”)
- Mindlance, Inc. (“Mindlance”)*
- Novisync Inc. a MBE (“Novisync”)

- Quantilus, Inc., a MBE (“Quantilus”)
- Resourcesys Inc., a MWBE
- Spruce Technology, Inc., a MBE (“Spruce”)
- Systems Application Information Network, Inc. d/b/a Computer Resources of America, Inc., a MBE (“CRA”)
- Tech Valley Talent, LLC, a WBE (“Tech Valley”)
- Unique Comp Inc., a MWBE (“Unique Comp”) (and collectively, the “13 Firms”)

*C. *2017 Evaluation of Mindlance Proposal*

In 2017, it came to the attention of Agency staff that while Mindlance submitted a timely proposal, the proposal was inadvertently not evaluated by the Committee. As a result, a decision was made for the Committee to evaluate the firm’s proposal in accordance with the same process and criteria as outlined in A. above. After reviewing the Mindlance proposal, the Committee recommended that Mindlance be added to be Panel.

On December 13, 2016, the Agencies’ Governance Committees authorized contracts with 13 firms on the Panel, on an as-needed basis, for a one-year period with four optional one-year renewals. On January 25, 2018, the Governance Committees authorized the Agencies (i) to enter into an IT Services contract with Mindlance and (ii) to extend the term of contracts with all IT firms on the Panel, on an as-needed basis, for a one-year period (i.e., November 1, 2017 to October 31, 2018), with three optional one-year renewals.

On October 18, 2018, the Boards authorized the Agencies (i) to extend the term of contracts with all IT firms on the Panel, on an as-needed basis, for a one-year period (i.e, November 1, 2018 to October 31, 2019), with two optional one-year renewals. Since October 18, 2018, as a result of a series of prior increases authorized by the Boards, as of September 5, 2019, the cap on total life-to-date expenditures through October 31, 2019 (or beyond, if funds remain) among IT firms on the Panel is \$30.05 million, \$28.05 million for BAM project IT Services and \$2 million for non-BAM IT Services.

On October 10, 2019, the Boards authorized the Agencies (i) to extend the term of contracts with all IT firms on the Panel, on an as-needed basis, for a one-year period (i.e, November 1, 2019 to October 31, 2020), with one optional one-year renewal. Since October 10, 2019, as a result of a series of prior increases authorized by the Boards, as of September 3, 2020, the cap on total life-to-date expenditures through October 15, 2020 (or beyond, if funds remain) among IT firms on the Panel is \$46,008,259, \$43,208,259 for BAM project IT Services and \$2.8 million for non-BAM IT Services.

Authorization to extend the term of contracts with all firms on the Panel, on an as-needed basis, for a one-year period (i.e., November 1, 2020 to October 31, 2021) and increase the budget for BAM IT Services by \$1,908,627 (for the period 10/16/2020 to 11/30/2020, or beyond if funds remain) and the Below the Line IT Services by \$3,258,260 (for the period 11/1/2020 to 10/31/2021, or beyond if funds remain), in a total life-to-date amount not to exceed \$51,175,146 (i.e., \$45,116,886 for BAM project IT Services and \$6,058,260 for non-BAM project and Below the Line IT Services), for total life-to-date expenditures among the IT firms on the Panel, is being presented to the Members and Directors for approval.

Promoted and Prohibited Contracts & Contracts Subject to Other Limitations

Article VIII of the Agencies’ Guidelines provides for consideration to be given to certain kinds of contracts that may be promoted, prohibited or subjected to certain limitations which include, but are not limited to, contracts with MWBEs, NYSBEs and enterprises from “Discriminatory Jurisdictions.” CRA and Tech Valley are NYSBEs. InfoPeople and CRA are MBEs. EDG and Tech Valley are WBEs.

Record of Expenditures on Contractual Agreements and Allocation of Costs Between Agencies

Name	Amount Paid in FY 2019 to 2020 (11/1/2019 to 08/31/2020)	Amount Paid in FY 2018 -2019 (11/1/2018 to 10/01/2019) for BAM projects	H F A	S O N Y M A	A H C	M B A	T S F C
CRA	\$ 307,452	\$ 1,119,900	93%	7%			
InfoPeople	2,252,025	417,290	96%	4%			
Tech Valley	1,900,992	2,089,962	92%	8%			
EDG	6,293,298	12,342,789	100%				
Mindlance	-	1,585,431	100%				
Innosoul Inc.	41,500	-	100%				
Quantilus	69,120	-	100%				

Recommendation with respect to Length of Contract Terms

Staff has been satisfied with the IT Services performed by the firms on the Panel and wishes to continue to retain their services for a further one-year period. During the upcoming year, staff will: (a) continually evaluate each contract and the performance of each contractor; (b) continually give consideration as to whether the further use of each contractor's services and the continuation of each contractual agreement is desirable; and (c) at least annually, as part of the annual review and re-certification of the Panel process, make a determination with respect to awarding the contracts again through a new competitive process.

Recommendation

Authorization to amend the contracts with firms on the Panel for IT Services, on an as-needed basis, is being submitted to the Members and Directors for approval. In consideration of the recommendations of staff, it is respectfully requested that the transmitted resolution be adopted by the Members and Directors, approving and authorizing the Agencies to extend IT Services contracts with firms on the Panel, on an as-needed basis, for a one-year period (i.e., November 1, 2020 to October 31, 2021), in a total life-to-date amount not to exceed \$51,175,146, for total life-to-date expenditures among the IT firms on the Panel (i.e., \$45,116,886 for BAM project IT Services and \$6,058,260 for non-BAM project and Below the Line IT Services).

A RESOLUTION OF THE
NEW YORK STATE HOUSING FINANCE AGENCY AND
STATE OF NEW YORK MORTGAGE AGENCY
AUTHORIZING THE CONTINUED RETENTION OF CONTRACTS WITH
FIRMS ON THE AGENCIES' PREQUALIFIED PANEL FOR
INFORMATION TECHNOLOGY TEMPORARY STAFFING CONSULTANT SERVICES

WHEREAS, pursuant to Section 2879 of the Public Authorities Law and the Procurement and Contract Guidelines of the New York State Housing Finance Agency and State of New York Mortgage Agency (and collectively, "Agencies") ("Guidelines"), the Agencies' Members and Directors are required to review and approve all procurement contracts that exceed one year in duration or \$100,000 in amount; and

WHEREAS, as a result of a 2016 request for proposal ("RFP") process for the provision of information technology ("IT") temporary staffing consultant services ("IT Services"), the Agencies established a prequalified panel ("Panel") with the following 13 firms: (i) Computer Aid, Inc.; (ii) Currier, McCabe and Associates d/b/a CMA Consulting Services; (iii) Edward Daniels Group, Inc.; (iv) InfoPeople Corporation ("InfoPeople"); (v) Infosys International, Inc.; (vi) InnoSoul, Inc.; (vii) Novisync Inc.; (viii) Quantilus, Inc.; (ix) Resourcesys Inc.; (x) Spruce Technology, Inc.; (xi) Systems Application Information Network, Inc. d/b/a Computer Resources of America, Inc. ("CRA"); (xii) Tech Valley Talent, LLC ("Tech Valley"); and (xiii) Unique Comp Inc. (and collectively, the 13 IT Firms"); and

WHEREAS, IT Services contracts with the 13 IT Firms were approved by the Agencies' Governance Committees at their December 13, 2016 meetings, on an as-needed basis, for a one-year period (i.e., November 1, 2016 to October 31, 2017) with four optional one-year renewals, in a total life-to-date amount not to exceed \$1.6 million for the fiscal period that ended on October 31, 2017 (\$1.2 million for business application modernization "BAM" project IT Services and \$400,000 for non-BAM project IT Services) for total life-to-date expenditures among the 13 IT Firms; and

WHEREAS, Mindlance, a firm that also submitted a proposal to the 2016 RFP for IT Services, was also added to the Panel; and

WHEREAS, the Agencies' Governance Committees subsequently approved a contract with Mindlance and approved contract amendments with the 13 IT Firms at their January 25, 2018 meetings, all on an as-needed basis, for a one-year period (i.e., November 1, 2017 to October 31, 2018) with three optional one-year renewals, in a total life-to-date amount not to exceed \$5.9 million (i.e., \$5 million for BAM project IT Services and \$800,000 for non-BAM project IT Services) for total life-to-date expenditures among the 13 IT Firms and Mindlance (collectively, hereinafter referred to as the "14 IT Firms"); and

WHEREAS, the Agencies' Members and Directors authorized the continued retention of contracts with the 14 IT Firms at their October 18, 2018 meetings, on an as-needed basis, for a one-year period (i.e., November 1, 2018 to October 31, 2019) with two optional one-year renewals, in a total life-to-date amount not to exceed \$10 million (i.e., \$8 million for BAM project IT Services and \$2 million for non- BAM project IT Services) for total life-to-date expenditures among the 14 IT Firms; and

WHEREAS, the Agencies' Members and Directors authorized the continued retention of contracts with the 14 IT Firms at their October 10, 2019 meetings, on an as-needed basis, for a one-year period (i.e., November 1, 2019 to October 31, 2020) with one-optional one-year renewal, in a total life-to-date amount not to exceed \$32,002,000 (i.e., \$29,202,000 for BAM project IT Services and \$2.8 million for non- BAM project IT Services) for total life-to-date expenditures among the 14 IT Firms; and

WHEREAS, as a result of a series of increases since October 10, 2019, the Boards authorized a cap of \$46,008,259 million on total life-to-date expenditures through October 31, 2019 (or beyond, if funds remain) among the 14 IT Firms on the Panel, \$43,208,259 for BAM project IT Service and \$2.8 million for non-BAM IT Services; and

WHEREAS, the Agencies have a continuing need for IT Services and wish to extend the term of contracts with the 14 IT Firms and increase the aggregate life to date not to exceed amount under these contracts; now therefore, be it;

RESOLVED, by the Agencies' Members and Directors as follows:

Section 1. Approval to extend the term of the contracts, on an as-needed basis, with the 14 IT Firms on the Panel for the provision IT Services, is hereby approved by the Members and Directors, for a one-year period.

Section 2. Approval of total life-to-date combined expenditures among the 14 IT Firms on the Panel is hereby approved in an amount not to exceed \$51,175,146 (or beyond, if funds remain), \$45,116,886 for BAM project IT Services through November 30, 2020 (or beyond, if funds remain) and \$6,058,260 for Non-BAM project and Below the Line IT Services through October 31, 2021(or beyond, if funds remain) (i.e., \$2,800,000 for non-BAM IT Services and \$3,258,260 for Below the Line/Capitalized IT Services).

Section 3. The President and Chief Executive Officer, or another designated officer of the Agencies, is hereby authorized and directed, subject to the provisions of this resolution, to execute any and all documents which may be necessary and appropriate to effectuate the purposes of this resolution in accordance with the provisions set forth in the memorandum accompanying this resolution.

Section 4. This resolution shall take effect immediately.

Dated: October 15, 2020