

IOLA Fund of the State of New York

FY2026 - FY2030 IOLA Grant Cycle

Application Process Questions & Answers (as of October 7, 2024)

Question 1: How do I complete the registration process?

Answer: To respond to the FY 2026-2030, applicants must be registered in the NYS Statewide Financial System. Visit <https://grantsmanagement.ny.gov/register-your-organization-sfs> for information and instructions on how to register your organization with SFS. Note that registration with SFS is NOT the same as “Prequalified” status.

Question 2: I was unable to attend the Pre-Bid Conference. Is a recording of the webinar available for viewing? Will the slides be shared?

Answer: No, a recording of the Pre-Bid Conference is not available for viewing and the slides are not shared. Questions answered at the Pre-Bid Conference have been written and incorporated into the Questions & Answers document.

Question 3: On the “Organization Budget” application document, should applicants use their current fiscal year or the IOLA/NYS fiscal year (April 1, 2024 – March 31, 2025)?

Answer: Applicants should submit their Organization Budget for their current fiscal year.

Question 4: Would it suffice to include the summary pages of insurance policy documents that do not include the FEIN, but show the organization name and address?

Answer: Yes, summary pages of insurance policy documents showing the organization name and address are acceptable. Do NOT submit the entire insurance policy.

Question 5: Our organization provides civic restoration services but does not provide direct legal services, are we eligible to apply as a Civil Legal Services and/or Administration of Justice provider?

Answer: IOLA funding supports civil legal aid programs that serve low income New Yorkers. To the extent that the services fall within the definition of CLS or AOJ, are civil in nature, the people to be served meet the client financial eligibility rules, and the organization meets the IOLA Fund's other criteria for grant recipients described on page 4 of the RFP and set out in full at 21 NYCRR Part 7000.12, then the applicant is likely eligible for IOLA funding.

Eligibility does not guarantee funding. IOLA funds available for distribution may not be sufficient to make distributions to all qualified applicants and IOLA Fund's Board of Trustees considers a number of factors in settings its funding priorities among qualified applicants.

Regardless of whether an applicant believes it would be categorized as a CLS or an AOJ provider, applicants should simply answer the question prompts provided in the RFP.

IOLA will decide in its sole discretion whether an applying entity is to be considered CLS or AOJ pursuant to Section 7000.12 of the Trustees Regulations, as well as based on the application and all supporting documents submitted by an applicant.

Question 6: Does the Program Budgeting portion of the Financial Evaluation measure how an organization plans to use the funds? Is the total amount proposed a factor in the Program Budgeting evaluation?

Answer: In assessing an applicant's program budgeting information, IOLA considers, among other factors, whether the applicant

- proposes a grant budget that aligns with its intended program activities; and
- has a sufficiently detailed grant budget that is reasonable and adequate to support its proposed activities.

IOLA expects all applicants to request the amount of funding that is appropriate, reasonable and consistent with their intended projects, as well as commensurate with the applicant's principal activities.

Unreasonable budget requests would include but are not limited to those that, if awarded in full, would be grossly disproportionate (on a fiscal year basis) to prior IOLA grant awards the applicant received, would double the applicant's overall revenue, would be the sole revenue source for a brand new project.

Question 7: When entering information in the "Narrative" sections of the "IOLA FY26-30 Sample 1-Year Detail Budget Template", the text is cutoff. How can I enter narrative information without the text cutting off?

Answer: The initial version of the "IOLA FY26-30 Sample 1-Year Detail Budget Template" did not have the "Wrap Text" option turned on for all of the "Narrative" sections. An updated version has been uploaded to the iola.org website. Alternatively, if using the initial template, use the ALT + Enter keys to enter text on different lines. Text may also be entered in this section once converted to PDF format.

Question 8: In the proposed goals/work plan section, how should repeat volunteers from year to year be counted in the Pro Bono Services measure?

Example: During the IOLA grant term, Jane Smith takes a case in FY26, it concludes in FY27. In the middle of FY28 Jane takes a new case, which she works on in Year FY28 through FY29, when it concludes. Is Jane counted as a volunteer each of those four years or as a single volunteer throughout the multi year term?

Answer: Pro Bono volunteers may be counted for each fiscal year of the grant period in which they volunteer services, in the proposed goals/work plan section under the Pro Bono Services measure.

In the above example, Jane Smith may be counted as a volunteer for each of the four years she volunteers services.

Question 9: Previous IOLA RFPs asked for up to 3 pages in the “D. Financial Narrative” section, while the current RFP asks for up to 5 pages in the same section. Can you clarify what elements IOLA is looking for in describing “overall financial context”?

Answer: Please note the changes to the “D. Financial Narrative” prompt, including the added 3.c:

Describe the program’s financial/budgetary priorities for each year of the contract term, and how the proposed IOLA grant would support these priorities in each year.

The financial narrative should provide qualitative context for the services to be funded.

Question 10: Can we use an indirect cost rate for de-minimis indirect costs? What percent of general operating costs can an IOLA grant fund?

Answer: IOLA grants awarded under this RFP support general operating expenses, including administrative expenses. Administrative expenses may be allocated according to government-approved indirect cost rates (ICR). Where an applicant does not have a government-approved ICR, a 15% de minimis ICR rate is allowable. Indirect Cost Rates (ICR) should be categorized as Operating Expenses.

IOLA does not have set dollar or percentage caps for budget categories. If awarded, the grantee will be required to submit a detailed budget for the entire 5-year contract period. During this time, specific expenses can be discussed and negotiated.

All contract budgets are subject to review by the Office of the State Comptroller and subject to the terms of the New York State Contract for Grants and IOLA regulations.

Note: This is a correction to the answer provided in the previous Q&A.

Question 11: Are applicants eligible for awards from both Civil Legal Services (CLS) and Administration of Justice (AOJ)? Are applicants required to indicate their self-identification as an CLS or AOJ provider?

Answer: No, applicants are not eligible for both CLS and AOJ funding. IOLA will decide in its sole discretion whether an applying entity is to be considered CLS or AOJ pursuant to Section 7000.12 of the Trustees Regulations, as well as based on the application and all supporting documents submitted by an applicant.

No self-identification as a CLS or AOJ provider is required.

Question 12: Can you clarify the amount available under this RFP?

Answer: This RFP is for a total of up to \$562.5M. \$450M of this is allocated to CLS grants. The remaining \$112.5 is allocated to AOJ grants.

In preparing to release our RFP, DOB approved IOLA a 5-year grant, but indicated that at this time, it could not approve an RFP that would exceed the annual funding already built into the current Financial Plan, which is \$60M per year or \$300M for the 5 years – as compared with the \$562.5M that the Board authorized.

After discussions with DOB and the Comptroller's office, we were able to move forward with releasing the RFP by making clear in the RFP that contracts would be up to \$562.5M. IOLA will do everything it can to ensure that IOLA's appropriation and the State's Financial Plan allows us to grant out the full \$562.5M.

Question 13: What does accepting the invitation to bid in SFS entail?

Answer: You do not need to "Accept" the invitation to bid in SFS, as this does not initiate the Bid Response. To initiate the application, use the "Bid on Event" button.

Question 14: I am trying to save my draft bid in SFS to work on later, but the system says all required fields must be completed before saving. Is there any way to save a draft of the bid response?

Answer: To save the Bid Response, the following information under "Bidder Contact Information" must be completed; name, email, telephone, Site/Project Address. The "Site/Project Address" is a link where the organization's main administrative office should be entered.

Question 15: In Grants Gateway, there were text boxes where applicants were prompted to input text, as well as upload attachments. Will SFS also have text answer boxes, or will it just be attachments? Is there a character limit for the text boxes?

Answer: For each narrative section and application document, SFS will prompt the applicant to upload a corresponding file; no text box input is required. For the Bid Event fields that do require a text box answer (e.g. Project Summary), the maximum number of characters allowed is 2,000 characters.

Question 16: Once we have initiated the Bid Response in SFS and save an initial draft, how can I navigate back to the Bid Event if I am completing the application in more than one sitting?

Answer: In SFS, you can use the “Bid Response Search” to go back to an in-process application.

Question 17: Can multiple people work on the bid response in SFS? If so, does each person have to accept the invitation or bid on event to make changes?

Answer: Multiple people can work on the bid response in SFS, as long as they have the proper roles. Each person does not have to accept the bid invitation in order to make changes to the bid response. Those with the proper role access should use the “Bid Response Search” to navigate to in-process applications by your organization. If users are experiencing technical problems, or have questions about role access, please reach out to the SFS Helpdesk at HelpDesk@sfs.ny.gov.

Question 18: Our “Prequalified” status expires on 11/15 (after the application deadline). Will this impact our eligibility?

Answer: Applicants must have “Prequalified” status at the time of the application deadline (10/28/2024 at 12 p.m. ET). Prequalification status expiring after the application deadline will not affect an application’s eligibility to be reviewed. If awarded, grantees must have “Prequalified” status at the time of contracting.

Question 19: Our organization's prequalification was Prequalified in Grants Gateway and carried over into SFS during the January 2024 transition. In SFS, our organization shows as “Prequalified” but no expiration date is listed. What should we do?

Answer: During the Grants Gateway to SFS transition, Prequalifications were converted. However, SFS urges applicants to check their Prequalification Status in SFS to ensure information converted correctly. Prequalification dates are based on Fiscal Year end dates. If you are unsure of your organization’s Prequalification status in SFS or Expiration Date, reach out to the SFS Helpdesk at HelpDesk@sfs.ny.gov.

Question 20: Can my organization work on the application in SFS while we are in the process of getting “Prequalified”?

Answer: You can work on both the IOLA application and the NYS Prequalification at the same time in SFS. However, you will NOT be able to submit a response to the Bid Event if your organization does not hold “Prequalified” status.

Question 21: Will there be an extension granted for delays due to the technical issues with SFS?

Answer: No. Extensions will **NOT** be granted due to technical issues with SFS. IOLA encourages applicants to start the SFS submission process early so that any issues can be resolved before the application deadline. Applicants should reach out to the SFS Helpdesk with any questions as early as possible.

Question 22: How long does it take to get “Prequalified,” if we are applying for Prequalification for the first time?

Answer: Applicants should expect Prequalification to take *at least* a week. The NYS Prequalification Specialist reviewing the Prequalification application may request more information once submitted.

Question 23: In regard to “Application Documents”, please provide guidance for how you define “principal staff” and how many resumes we should submit?

Answer: Applicants should use their best judgement and should include the resumes of a few key staff only. For example, the resumes of executive or senior management staff (Executive Director, Legal Director, Supervising Attorney of the practice groups for which you seek funding) may be appropriate.

Question 24: Can you please elaborate what IOLA is looking for with respect to Client Eligibility Guidelines or Case Acceptance Policies? Should the document be related to the entire organization or the specific program/practice we are seeking funding for?

Answer: IOLA expects an applicant's client eligibility guidelines to be consistent with IOLA's client financial eligibility guidelines set forth in the IOLA regulations. A consistent policy may detail the client eligibility for all of an organization's programs, or states that client eligibility will follow grant requirements, with or without a specific reference to IOLA.

The client financial eligibility guidelines are set forth in the IOLA Fund regulations at 21 NYCRR Part 7000.14(a).

Question 25: Does the Revenue Worksheet need to be completed for all five years or just year one?

Answer: The Revenue Worksheet should only be completed for one year.

Question 26: How should the Revenue Worksheet attachment be completed using a fiscal year of January to December? Should this attachment be completed on a cash basis?

Answer: Applicants should complete the Revenue Worksheets for their current fiscal year. Any committed revenues can be included. Expected or anticipated, but not committed, revenue should not be included in the Revenue Worksheet, but can be described in Section D.2. Financial 5 Narrative, Projected Finances. This document is to help IOLA understand an organization's sources of revenue.

Question 27: Should we enter the 5-year or first year IOLA funding amount we are requesting in the “IOLA Funding Requested” box in the Revenue Worksheet document? This is inconsistent with the time period for all other numbers in the document. Additionally, as a current grantee, where should we report revenue received from IOLA in our current fiscal year on the Revenue Worksheet?

Answer: In line (a), applicants should report any current IOLA grant (the word “Requested” is a typo; please disregard).

Note: This is a correction to the answer provided during the Pre-Bid Conference on 10/01/2024.

Question 28: Are there any substantial changes to the subject area categories currently reported on (e.g. immigration, employment, housing)?

Answer: While changes have been made to the Work Plan categories, there is no substantive changes to the legal work currently reported on. If awarded, any substantial changes to reporting categories will be communicated during the contract negotiation period.

Question 29: When talking about “unmet” community needs, should we present this as what the unmet needs would be if we were not funded/not providing services?

Answer: Yes, applicants should describe the needs in the community that they are currently – and will continue – addressing.

Question 30: When setting goals in the work plan, if we have a limited-scope clinic where we are helping someone draft a petition or motion that will be submitted pro se, is this counted as a limited-scope/brief assistance client under Individual Case Services, as Pro Se Assistance, or as both?

Answer: IOLA defines a “case” as the “provision of civil legal assistance by an attorney, paralegal, or other person under the supervision of any attorney (including pro bono attorneys and volunteers) to an individual with a legal problem.” The “provision of civil legal assistance” refers to conferring legal assistance such that an attorney-client relationship has been established and privilege would attach, regardless of whether a formal intake has been completed or a retainer agreement has been executed. “Case” services can be provided to pro se litigants.

Pro Se assistance is help your program provides to self-represented individuals in pending legal actions or in otherwise handling their legal problems. Examples of pro se assistance could be helping a client complete court paperwork or providing self-help guides to litigants at court.

When determining if the service your program provided is a case or pro se assistance, consider whether an attorney-client relationship has been established. An interaction should only be counted as either a case or pro se; there should be no “double counting” between the categories.

When completing the proposed work plan, applicants should keep in mind that work plans are subject to revision during the contract negotiation period, if awarded. If awarded, the grantee and IOLA Grants Team can have further discussions regarding the appropriate placement of program work within the goal categories.

Question 31: Regarding the Work Plan, if we are aiming to close 100 cases per year, should our contract goal be 500 cases closed as the 5 year total?

Answer: Yes, goals should reflect the legal work planned for the entire 5-year contract period.

Question 32: Should the work plan/proposed goals incorporate all legal services that will be provided regardless of source of funding or only for IOLA-funded work?

Answer: Proposed goals should include all activities of an applicant's entire civil legal services program, not just the portion to be supported by IOLA funding. This is consistent with the quarterly Progress Reports and the annual Grantee Activity Reports (GAR) that IOLA Grantees are required to submit.

Question 33: How should we report "taxpayer savings" under the Achievements in Last Fiscal Year section?

Answer: Existing grantees can use the taxpayer savings reported with their Grantee Activity Report (GAR). If you are a new applicant and/or do not have this information readily available, the applicant should make a representation of estimated taxpayer savings based on the civil legal services work performed within the last fiscal year.

Question 34: What is IOLA's definition of a "self-represented person"?

Answer: The general definition of a "self-represented person" is a person who is not receiving representation from an attorney.

When completing the proposed work plan, applicants should keep in mind that work plans are subject to revision during the contract negotiation period, if awarded. If awarded, the grantee and IOLA Grants Team can have further discussions regarding the appropriate placement of program work within the goal categories.

Question 35: Will IOLA allow rollover of funds between contract years? If we did not expend our budget can we carry that forward to the next year? For example, in year 1 we budgeted for an equipment purchase but didn't do it within year 1 can we move it the next year?

Answer: Yes, IOLA will allow funds to rollover between contract years. The contracts that result from this RFP are five-year, fixed-term contracts.

Question 36: As a current grantee, is there opportunity to increase our IOLA grant to increase our services? Is there a formula applied to funding amounts? Is it by county, need, etc.?

Answer: IOLA's current expectation is that, with increased revenue and grants, there will be increased activity and legal service delivery.

There is no specific formula applied to all IOLA Grant funding. Civil Legal Services (CLS) funding is allocated on a regional basis based on U.S. Census Bureau SAIPE data. Poverty information by geographical region information is available in the "NYS Poverty Population by IOLA Unit and County" document in the "RFP Additional Documents" folder.

Question 37: Can you give guidance for the 5 Year Grant Breakdown and how we should map out increased costs?

Answer: IOLA expects the grant breakdown over five years to vary by program. IOLA encourages organizations to look at the 5-Year Plan approved by the IOLA Board of Trustees when planning increases.

Question 38: If an organization is planning to ramp up expenditures over the five years, Year 1 will be much less than Year 5. In the Sample 1-Year Detail Budget, should we fill it out only according to the first year proposed grant amount (ignoring the increases over the remaining four years) or provide an average of the proposed five year grant amount?

Answer: The Sample 1-Year Detail Budget should only detail costs for the first year of the grant, not averages. The purpose of this document is to give IOLA a snapshot of your plan for the coming fiscal year.

If awarded, the grantee will be required to submit a detailed budget for the entire 5-year contract period.

Question 39: Is there an upper limit for the dollar amount for 5-year budget?

Answer: There is no upper limit on a dollar amount an organization can request in its application. IOLA expects all applicants to request the amount of funding that is appropriate, reasonable and consistent with their intended projects, as well as commensurate with the applicant's principal activities.

Question 40: Can you summarize what each of the Application Document budget forms are for/should include?

Answer: Your organization will submit 1) a budget in SFS, 2) a Sample 1-Year Detail Budget Attachment, and 3) a 5-Year Grant Breakdown sheet.

1. The SFS Budget is submitted, via SFS as a series of linked webpages. The information must be directly entered into SFS. For this budget, we are only asking applicants for **broad, category-level detail**. This budget should equal the 5-year funding request.

2. The Sample 1-Year Detail Budget Attachment is an Application Document where applicants will detail the first year of the proposed grant. This detail budget should only cover the proposed amount for the first year of the grant (FY2026) and should include line-level detail, painting IOLA a picture of what specifically the proposed grant would support.

3. The 5-Year Grant Breakdown is also an Application Document attachment. In the 5-Year Grant Breakdown, applicants will propose a breakdown of the total funding request for each fiscal year, noting any budget priorities or projects that would affect planned spending. IOLA encourages applicants to take the funding schedule included in the RFP into account.

For those awarded, a 5-year detail budget will be required based on awarded funding.

Question 41: Can we use IOLA funding for our database/technology updates for case management and reporting purposes?

Answer: IOLA grants awarded under this RFP support general operating expenses, including OTPS and technology/equipment expenses. Upgrades to a legal case management system or to other IT systems would be allowable. IOLA supports sound infrastructure that make excellent civil legal aid programs possible.

If awarded, the grantee will be required to submit a detailed budget for the entire 5-year contract period. During this time, specific expenses can be discussed and negotiated.

All contract budgets are subject to review by the Office of the State Comptroller and subject to the terms of the New York State Contract for Grants and IOLA regulations.

Question 42: Are there caps on fringe benefits that can be charged? Does IOLA allow salary bonuses to employees to be charged to the grant? What categories can be charged under occupancy?

Answer: IOLA grants awarded under this RFP support personal services expenses and OTPS, including fringe benefits, salary bonuses, and occupancy costs. IOLA does not have set dollar or percentage caps for individual budget categories.

If awarded, the grantee will be required to submit a detailed budget for the entire 5-year contract period. During this time, specific expenses can be discussed and negotiated.

All contract budgets are subject to review by the Office of the State Comptroller and subject to the terms of the New York State Contract for Grants and IOLA regulations.

Question 43: Can grant funds be used for a Development Officer or Consultant?

Answer: IOLA grants awarded under this RFP support general operating expenses, including administrative expenses like development and finance staff. IOLA supports sound infrastructure that make excellent civil legal aid programs possible.

IOLA funds can support both contract and FTE staff. To the extent an applicant plans on using contract staff, they should be identified in the “Contractual Services” section of the application budget.

Applicants with IOLA-funded subcontracts should pay special attention to NYS Contract for Grants §III.B. In particular, all subcontracts in excess of \$100,000 must include the provisions required by NYS Contract for Grants §III.B.(2) and be submitted to IOLA for review and approval prior to execution and a final executed copy of the subcontract must be filed with IOLA. In addition, subcontractors will be required to submit a Vendor Responsibility Questionnaire and proof of Worker’s Compensation and Disability Insurance coverage to IOLA before a contract is submitted for execution. These subcontract documents are NOT necessary at the application stage.

Question 44: What can an applicant do to ensure their program falls under CLS instead of AOJ for funding?

Answer: IOLA will, in its sole discretion, decide whether an applying entity is to be considered CLS or AOJ pursuant to Section 7000.12 of the Trustees Regulations, based on the application and all supporting documents submitted by an applicant.

Regardless of whether an applicant believes it would be categorized as a CLS or an AOJ provider, applicants should simply answer the question prompts provided in the RFP.

Question 45: How do you define administration of justice for AOJ applicants?

Answer: The definition of Administration of Justice (AOJ) is set out in the IOLA Trustees Regulations Section 7000.12:

“Administration of Justice (AOJ) – Provides services that seek to:

a) enhance civil legal services to low income persons through innovative and cost-effective means;

b) provide direct civil legal services either to groups of clients currently underserved by legal services (such as the elderly or disabled), or in an area of representation (whether substantive or geographical) that cannot be or is not effectively served by individual qualified legal services providers;

c) provide legal, management or operational training, or legal, management, support service, or technical assistance, or direct legal assistance, informational advocacy or litigation support to qualified legal services providers; or

d) otherwise promote the improvement of the administration of justice.”

Question 46: What are the seven geographical units IOLA covers?

Answer: A map of the seven IOLA units can be found in the application documents package in the “Additional IOLA RFP Documentation” folder.

Question 47: Where can we find a list of IOLA grantees?

Answer: A list of current IOLA grantees for the FY24-25 grants can be found on iola.org.

Question 48: Does IOLA prioritize returning applicants over new, or do we all have an equal chance for funding?

Answer: The IOLA Statute and Regulations prioritize returning grantees, in alignment with IOLA’s mission of ensuring stability in civil legal services.

The up to 5 points for “grantees in good standing” is, in part, a way to operationalize IOLA’s statutory imperative to ensure stable support for legal services. Fin. Law §97v(3)(f); 21 NYCRR Part 7000.12(c)(1), (3).

Question 49: For the Q&A documents you are producing/updating, will/can the updated versions highlight changes since the previous versions?

Answer: No, changes are not highlighted in updated versions of the RFP Q&A documents. IOLA will generally add new questions to the end of the document, with the exception of the final version. The final version is organized into topic areas.

Question 50: Will there be quarterly or annual reporting?

Answer: IOLA Grantees are expected to submit quarterly programmatic and financial reports, as well as an annual Grantee Activity Report (GAR).

Question 51: Are one-time technology upgrades (e.g. website redesign for our civil legal services program) eligible expenses for the budget?

Answer: IOLA grants awarded under this RFP support general operating expenses, including OTPS and technology/equipment expenses. One-time technology upgrades would be allowable. IOLA supports sound infrastructure that make excellent civil legal aid programs possible.

If awarded, the grantee will be required to submit a detailed budget for the entire 5-year contract period. During this time, specific expenses can be discussed and negotiated.

All contract budgets are subject to review by the Office of the State Comptroller and subject to the terms of the New York State Contract for Grants and IOLA regulations.

Question 52: Can you confirm that IOLA does not give priority to new projects?

Answer: IOLA seeks to invest in strong organizations that are serving important community needs by providing thoughtful civil legal services programming.

This may - but does not necessarily - include new projects that expand work an organization is already performing or respond to a previously unmet need.

Question 53: Are there limitations on subcontracting?

Answer: The IOLA Fund supports collaboration. If awarded, subcontracts can be discussed at the time of contract negotiation.

Applicants with IOLA-funded subcontracts should pay special attention to NYS Contract for Grants §III.B. In particular, all subcontracts in excess of \$100,000 must include the provisions required by NYS Contract for Grants §III.B.(2) and be submitted to IOLA for review and approval prior to execution and a final executed copy of the subcontract must be filed with IOLA. In addition, subcontractors will be required to submit a Vendor Responsibility Questionnaire and proof of Worker's Compensation and Disability Insurance coverage to IOLA before a contract is submitted for execution. These subcontract documents are NOT necessary at the application stage.

Question 54: What is the threshold for variance that would require a budget modification? How does this apply when an organization has vacancies on certain staff budget lines?

Answer: Contracts awarded under this RFP will be subject to the New York Contract for Grants, IOLA Specific Terms and Conditions, and Special Payment and Reporting Provisions, which will detail thresholds for budget modifications.

Salary and Fringe categories are flexible to the extent that the Contractor may allocate staff member expenses that vary from the originally approved contract budget, provided the staff members support the Contractor's civil legal services programming and the expenses do not exceed the budgeted amounts.

Question 55: To what extent does IOLA perform “desk audits” and ask for backup documentation of expenses?

Answer: IOLA routinely conducts desk audits of grant contracts. IOLA generally notifies grantees in advance of expected expense documentation reviews.

IOLA or the Office of the State Comptroller may also request expense documentation for any individual payment.

Grantees are expected to maintain expense documentation backup to substantiate vouchered expenses. Vouchers and payments may be subject to OSC review and audit procedures.

Question 56: The Current Staffing worksheet directs to report the number of FTEs "as of 3/31/24 or sooner." My organization has had staffing changes since 3/31/24. Should I provide the numbers as they were on 3/31/24 or the numbers as they are at the time of application? How should half-time independent contractors be reported?

Answer: This instruction is intended to lessen the burden of drafting the application. Current IOLA grantees can use the staffing information they provided in the most recent Grantee Activity Report (Section H. Staffing, as of 3/31/2024).

Any applicant can complete the Current Staffing worksheet with more recent information, particularly where data as of 3/31/2024 may be stale.

Independent contractors should likely not be reported on the “Current Staffing” worksheet. The substantive work of any subcontractors can be described in the appropriate narrative sections.

Question 57: Should we include the pro bono hours provided by law firm co-counsel on impact cases in our contract goals?

Answer: Pro bono hours should not be included in the contract goals, as the “Pro Bono Services” contract goal measures Pro Bono volunteers to be enrolled, including firm co-counsel. Pro bono hours may be reported in the annual Grantee Activity Report (GAR).

Question 58: Now that IOLA is no longer tracking "Referrals" as a separate category, should "Cases Closed" include instances where the only assistance provided was a referral?

Answer: Referrals should NOT be included in the “Cases Closed” work plan goal. Please note IOLA’s definition of a “case”:

The provision of civil legal assistance by an attorney, paralegal or other person under the supervision of an attorney (including pro bono attorneys and volunteers) to an individual with a legal problem. Where the same client receives legal services in separate cases, each case should be counted (e.g., where a client is represented in a fair hearing and a housing dispute, two cases should be reported if both closed during the reporting period).

IOLA has removed “Referrals” as a contract goal in alignment with the vision of IOLA’s Justice Infrastructure Project. However, IOLA may still ask grantees to report on “Referrals” in the annual Grantee Activity Report (GAR).

When completing the proposed work plan, applicants should keep in mind that work plans are subject to revision during the contract negotiation period, if awarded. If awarded, the grantee and IOLA Grants Team can have further discussions regarding the appropriate placement of program work within the goal categories.

Question 59: Our organization serves low-income New Yorkers, and we use other funding sources to serve those making over 150% of federal poverty level. Should we spell out our organization's overall poverty level eligibility threshold, or just include a note that "We align our eligibility threshold with grant requirements?"

Answer: IOLA expects an applicant's client eligibility guidelines to be consistent with IOLA's client financial eligibility guidelines set forth in the IOLA regulations. A consistent policy may detail the client eligibility for all of an organization's programs, or states that client eligibility will follow grant requirements, with or without a specific reference to IOLA.

Question 60: Should downloads of online pro se materials be included in the total proposed goal for the "Pro Se Assistance" work plan goal?

Answer: No, online downloads of pro se materials should NOT be included under "Pro Se Assistance." Pro Se Assistance may include:

- Self-represented people who received **printed** pro se forms
- All forms that self-represented people completed using LawHelp Interactive, A2J or other publicly accessed, web-based document assembly tools you offer

Question 61: Should we include all law interns (who are not considered employees) toward the Pro Bono volunteers work plan goal, even if they are paid by our organization? Or should we only include unpaid interns (e.g. those with outside funding)?

Answer: Paid interns should not be as counted as volunteers when developing a Work Plan. Any paid person doing work for your organization should be counted as staff for the purposes of IOLA budgeting and reporting.

Question 62: Where can I locate the application document templates (e.g. Revenue Worksheet, 5-Year Grant Breakdown, Sample 1-Year Detail Budget, etc.)?

Answer: The Sample 1-Year Detail Budget and 5-Year Grant Breakdown forms can be found in the “FY2026-2030 IOLA Application and Instructions_FINAL.zip” file, in the RFP Additional Documents > Application Documents folder. The ZIP file is available for download on iola.org and within the Bid Event in SFS.

Question 63: On the application attachment, "Summary of Contract Goals", we are asked to enter Actuals on Recent GAR. If we are a past grantee, but are not currently a grantee, should we enter numbers from the last GAR we submitted to IOLA or enter N/A?

Answer: Applicants who are not *current* IOLA grantees for the FY24-25 cycle should enter N/A in the “Actuals on Recent GAR” column.

Question 64: Outside of including them in the narrative (per the IOLA RFP instructions), are subcontractors required to provide any documentation and/or are they subject to any of our IOLA RFP requirements (e.g., being prequalified in SFS?)

Answer: Proposed subcontractors do not need to be “Prequalified” in SFS or submit any documentation at the time of application.

Applicants with IOLA-funded subcontracts should pay special attention to NYS Contract for Grants §III.B. In particular, all subcontracts in excess of \$100,000 must include the provisions required by NYS Contract for Grants §III.B.(2) and be submitted to IOLA for review and approval prior to execution and a final executed copy of the subcontract must be filed with IOLA. In addition, subcontractors will be required to submit a Vendor Responsibility Questionnaire and proof of Worker’s Compensation and Disability Insurance coverage to IOLA before a contract is submitted for execution. These subcontract documents are NOT necessary at the application stage.

Question 65: Can IOLA confirm if I am “Prequalified” in SFS?

Answer: Prequalification status can be checked in SFS. For technical assistance with Prequalification, please contact the SFS Helpdesk at HelpDesk@sfs.ny.gov