

**ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES  
PERFORMANCE BASED CONTRACTING  
INSTRUCTIONS AND WORK SHEETS**

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**DECEMBER 2014**

# PERFORMANCE BASED CONTRACTING

## **Introduction:**

The Orange County Department of Social Services (DSS) has created a standardized method of developing and writing performance based contracts for vendors under contract with the Department. For the most part, these contracts will effect employment, case management, preventive, foster care, independent living, and FFFS contracts. A State Law, passed with the 2007-2008 State Budget, requires that the DSS have performance based contracts in place for vendors who access specific funding streams from the DSS.

The State Law primarily pertains to child welfare 62/38 funding (formerly 65/35). Since a majority of our child welfare contracts access this funding stream, we have developed a coordinated, consistent policy regarding how these contracts would be developed and measured. Additionally, other specialized funding for target populations, such as Persons in Need of Supervision (PINS) Prevention Funds will also require performance based contracts. There was no provision granted regarding the size and/or scope of the project. For example, contracts valued at \$500,000 must be considered the same as contracts with a value of \$10,000. Failure on the part of the DSS to transition existing contracts and new contracts to a performance based structure place our Federal and State reimbursement at risk.

This document has been put together to assist our contracts, in developing and measuring their performance targets. We have elected to proceed forward with a consistent series of performance measures that will be applied to all contracts.

Vendors under contract with the DSS will have a combination of mandatory performance measures and program specific performance measures that may be selected from a standard list of measures. DSS approval will be required for all performance measures.

Note, when working on the Mandatory Performance Measures the percentages and possible exemptions will be determined using the following methodology. Percentages will first be calculated to the first decimal point, and a percentage of .5 and over will then be rounded up to the next highest whole percent (i.e. .915 = 91.5% =92%). Exemptions are defined as cases or children that will NOT be included in the statistics used to determine the percentage (i.e. if the program serves 100 youth and receives an exemption, as authorized by the DSS official, for 1 youth, the percentage will then be calculated based on the remaining 99 youth). Exemptions are only allowed on the Mandatory Performance Measures.

5% of all reimbursement will continue to be subjected to these performance measures (1 % for each measure); with the possibility of increasing this percentage at some future date.

We would like to encourage your organization to continue the process of training your fiscal and human service delivery staff on issues of performance based contracting and performance measurement. As always, we stand ready to assist your organization as we move forward.

## PERFORMANCE MEASURES

### **Summary:**

As noted in the introduction, the Department of Social Services has a series of performance measures that will be applied to our contracts. These will consist of a combination of mandatory performance measures along with measures that can be selected by the Vendor on a yearly basis. Each contract will have a total of five performance measures, each of which has a value of 1% of the value of the contract, amounting to a value of 5% of the contract's total value.

Based on the contract, the funding stream, and the target population, each vendor will be required to select a series of performance measures and report to the DSS on an annual basis regarding their success and/or failure to meet the performance measures. Quarterly reports are also required. It should be understood, the DSS will withhold 5% of the contract value until the contracted agency completes an annual report that outlines their program achievements. The DSS will not be creating a template for the annual program report. The Contract Ending Performance Based Cover Sheet, which requests payment for achieved performance measures, as well as the Program's Annual Report, will be required to be submitted to, and validated by the DSS prior to authorization of the 5% final payment. These Quarterly & Annual Reports need to be sent to our Planning Coordinator, at our 11 Quarry Road, Goshen, NY administrative location. Please understand that these are actually negative Performance Measures, in other words to achieve the full reimbursement of your expenses, the Performance Measures must be attained.

Included in our two Training Packets and our Excel Worksheets are the DSS sponsored performance measures, budget and claiming forms, and a model Schedule B for each contract with this Department. The performance measures are presented in a manner that will allow the DSS to check specific performance measures that will be submitted with the annual budget forms required when completing a contract with this Department. Additionally, the DSS will not accept any budget that is not submitted on our "Standardized Agency Budget Forms", including an Administrative Overhead Form. Please be sure you are using our 12-17-14 versions, the New Excel forms. If you fail to submit each required form, your contract processing time and subsequently your reimbursement will be delayed.

As your organization begins to prepare a new contract or a contract renewal, please be sure to submit all the forms required, including your organization's selected performance measures.

**Performance Measures for Preventive Contracts & Related Program Areas:**

Each preventive program will have a total of five performance measures each accounting for one (1) percent of the contract award. The first three measures are mandatory and are listed below for you. Following these measures is a list of allowable program specific measures. In addition to the three mandatory measures, each program must select two additional performance measures from the menu of options listed under their program type. **Please note that Orange County DSS retains final approval of all the chosen performance measures.**

The programs types have been aligned into these three groups:

- A. – PINS/JD Prevention / Residential Alternative / Community Re-entry / Independent Living & Other Foster Care Programs
- B. – Mandated Preventive / Intensive Preventive / Parenting Programs
- C. – Intake and Assessment Programs

**Instructions:** ALL Preventive & Related Programs must use the three Mandatory Performance Measures, and then select two additional measures from their group for a total of five. Please detail how the program plans to track & report performance on an annual basis.

<b>Mandatory Performance Measures for ALL Preventive &amp; Related Contracts</b>		
	<b>Performance Measure</b>	<b>Weight</b>
1.	<b>First Contact</b> - 98% of all families will have a face to face contact in accordance with the program's individual Request for Proposal (RFP). Contacts must be made by the Caseworker/Case Supervisor/Therapist. If contact cannot be made as outlined above, the program must document all of their diligent efforts to make contact with the family. This documentation must be provided to OCDSS by the end of the business day following the missed contact. OCDSS will reserve the right to determine if program's diligent efforts made to contact a family will result in a case being exempted from a performance measure. Any exemptions to this measure will require a review of circumstances by OCDSS. Any exemptions must be authorized in writing and signed by an OCDSS supervisor or administrator.	1%
2.	<b>Required Monthly Casework Contacts</b> - 98% of all families will receive a minimum of casework contacts as prescribed by State Regulation. If the individual Request for Proposal (RFP) stipulates a number of casework contacts must be made in excess of the State Requirement, the program must adhere to the higher standard 98% of the time. If the program is unable to meet the required number of casework contacts, program must clearly document all efforts to make casework contacts in Connections progress notes. OCDSS will reserve the right to determine if program's diligent efforts made to contact a family will result in a case being exempted from a performance measure. Any exemptions to this measure will require a review of circumstances by OCDSS. Any exemptions must be authorized in writing and signed by an OCDSS supervisor or administrator.	1%
3.	<b>Maintained In Home Placement</b> - 90% of children served by program will be maintained in the custody of their parent/guardian or parent/guardian designee. For programs serving children in foster care, those youth served by the program will not require a higher level of placement. This measure will be documented in the monthly statistical reports that are provided to OCDSS. Any exemptions to this measure will require a review of circumstances by OCDSS. Any exemptions must be authorized in writing and signed by an OCDSS supervisor or administrator.	1%

**Instructions:** ALL Preventive & Related Programs must use the three Mandatory Performance Measures listed above. Then they must select two additional from their specific group below for a total of five. Please detail how the program will track & report performance on an annual basis.

<b>A. – PINS/JD Prevention / Residential Alternative / Community Re-entry / Independent Living &amp; Other Foster Care Programs</b>		
	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	<b>1. Arrest (NOTE: Independent Living Programs may Not select this measure)</b> – Program will work diligently to reduce criminal activity as evidenced by at least 85% of all youth remaining free of new arrests during their enrollment in the program.	1%
<input type="checkbox"/>	<b>2. Substance Abuse/Mental Health Treatment</b> - 80% of all children assessed to be in need of Substance Abuse or Mental Health Treatment will comply with all recommendations of the treatment program including attendance, medication compliance and substance abuse testing during their involvement in the program as verified by written report of the treatment professional (copy of written report in case file; and/or verbal progress documented in Connections).	1%
<input type="checkbox"/>	<b>3. School Attendance</b> - 85% of children enrolled in the program will maintain school attendance. 85% of youth who have been identified by the school as having attendance issues will improve their attendance. These measures are based on the child’s history of school attendance and verified by school attendance records (obtained quarterly). Copy of attendance records will be maintained in the case file.	1%
<input type="checkbox"/>	<b>4. School Behaviors</b> - 80% of children enrolled in the program will remain free of behavioral or academic suspensions throughout program enrollment. Any documented contact with school personnel is acceptable, including verbal and written. Information obtained verbally must be documented in Connections; written documentation will be maintained in the case file.	1%
<input type="checkbox"/>	<b>5. Program Skill Building Groups</b> - 95% of all children enrolled in the program will attend an independent living or skill building group organized or led by the program, at least 1 time per month. Youth will sign an attendance sheet at each event; attendance sheet to be submitted to the contract monitor for verification.	1%
<input type="checkbox"/>	<b>6. Community Involvement</b> - 90% of all children enrolled in the program will participate in a community pro-social activity at least 3 times per week, for the duration of program services. A pro-social activity can include employment, volunteer activity, after school sport, after school program, religious or cultural activity. Documentation will be maintained in Connections progress notes.	1%
<input type="checkbox"/>	<b>7. Academic Performance</b> - 85% of children enrolled in the program will maintain or improve their current level of academic performance. 85% of children identified by the school as failing will exhibit an improvement in academic performance, as evidenced by report cards. Copy of report cards will be maintained in the case file.	1%
<input type="checkbox"/>	<b>8. In Home Behavior</b> - For programs utilizing a rating instrument that captures child’s behavior within the home, 80% of children enrolled in the program will show an improvement in behavior. Instruments will be submitted quarterly to OCDSS. Improvements reflected in the instruments must be maintained in subsequent quarters.	1%

<input type="checkbox"/>	<b>9. Professional Training</b> - 100% of staff will receive the NYS Mandated Core trainings and will complete this training within 1 year of the onset of employment. After the first year, each staff member will attend a minimum of 10 additional hours of professional training/year. Copy of trainings topics and hours attended will be submitted to OCDSS annually.	1%
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**B. – Mandated Preventive / Intensive Preventive / Parenting Programs**

	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	<b>1. Safe Sleeping</b> - All children enrolled in the program will be assessed for safe, age appropriate sleeping arrangements upon the first visit and every month thereafter. Upon conclusion of the initial assessment, 100% of children will have safe sleeping arrangements. Assessments are to continue every month thereafter. Assessments, and any necessary remedies, will be documented in the Connections progress notes.	1%
<input type="checkbox"/>	<b>2. Substantiated Reports</b> - 90% of children will not become the subject of a substantiated report of abuse and/or neglect during their enrollment in the program. Program will document any substantiated reports on their monthly statistics; program monitor are alerted to CPS reports via the Connections system and as such can verify the outcome of this measure.	1%
<input type="checkbox"/>	<b>3. Staff Vacancies</b> - 100% of all vacant positions will be filled within 30 days to maintain appropriate staff to child(ren) ratios. Program will provide dates employees vacated the position and dates of hire for all new employees. Any exceptions to this must be approved by OCDSS.	1%
<input type="checkbox"/>	<b>4. Professional Training</b> - 100% of staff will receive the NYS Mandated Core trainings and will complete this training within 1 year of the onset of employment. After the first year, each staff member will attend a minimum of 10 additional hours of professional training/year. Copy of training topics and hours attended will be submitted to OCDSS annually.	1%

**C. – Intake and Assessment Programs**

	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	<b>1. Safe Sleeping</b> - All children enrolled in the program will be assessed for safe, age appropriate sleeping arrangements upon the first visit and every month thereafter. Upon conclusion of the initial assessment, 100% of children will have safe sleeping arrangements. Assessments are to continue every month thereafter. Assessments, and any necessary remedies, will be documented in the Connections progress notes.	1%
<input type="checkbox"/>	<b>2. Assessments</b> - 90% of families enrolled in the program will have a thorough and detailed assessment of parent/child service needs completed within 30 days of program involvement. Assessments will be documented in Connections.	1%

<input type="checkbox"/>	<b>3. Referrals and Linkages</b> - 90% of all families participating in the program will be provided with appropriate service referrals and/or linkages to community services, which will be documented in Connections.	<b>1%</b>
<input type="checkbox"/>	<b>4. Homelessness</b> - 90% of all homeless families referred to the program will obtain safe and suitable housing during program enrollment. New housing arrangements will be assessed for safety and documented in Connections.	<b>1%</b>
<input type="checkbox"/>	<b>5. Staff Vacancies</b> - 100% of all vacant positions will be filled within 30 days to maintain appropriate staff to child(ren) ratios. Program will provide dates employees vacated the position and dates of hire for all new employees. Any exceptions to this must be approved by OCDSS.	<b>1%</b>
<input type="checkbox"/>	<b>6. Staff Training</b> - 100% of staff will receive the NYS Mandated Core trainings and will complete this training within 1 year of the onset of employment. After the first year, each staff member will attend a minimum of 10 additional hours of professional training/year. Copy of training topics and hours attended will be submitted to OCDSS annually.	<b>1%</b>

**Tracking and Performance Tracking:** provide a narrative regarding how the performance outcomes selected above will be tracked and reported to the DSS for annual review.

**TANF FUNDING / EMPLOYMENT PROJECTS  
PERFORMANCE WORKSHEET**

**Performance Measures for TANF Funded / Employment Contracts & Related Program Areas:** Each program will have a total of five performance measures each accounting for one (1) percent of the contract award. Similar to the last eight years you will have the opportunity to select your five measures, at least one from each of the following four “Life Domain” areas. **Please note that Orange County DSS retains final approval of all chosen performance measures.**

**Instructions:** TANF Funded / Employment Projects, all programs for which the core measure of the program is employment and / or self sufficiency. Please select a total of five performance measures (each worth 1%), and detail how the program plans to track and report performance on an annual basis. Please choose at least one measure from each Life Domain.

<b>Life Domain: Employment</b>		
	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	85% of families and / or single individuals referred for employment services are employed within three months (employment must be 30 hours a week or more).	1%
<input type="checkbox"/>	90% of families and / or single individuals referred have maintained employment through the course of their enrollment in the program.	1%
<input type="checkbox"/>	60% of families and / or single individuals referred have identified their own transportation resources prior to discharge from the project.	1%
<input type="checkbox"/>	50% of families and / or single individuals referred for underemployment services have experienced an increase in the number of hours worked per week or an increase in their hourly earnings.	1%

<b>Life Domain: Educational</b>		
	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	95% of families and / or single individuals referred will be participating in an accepted State / Federal employment activity within one month of their enrollment in the program.	1%
<input type="checkbox"/>	95% of families and / or single individuals referred will maintain their participation in an accepted State / Federal employment activity throughout the course of their involvement in the program.	1%
<input type="checkbox"/>	50% of families and / or single individuals referred will be engaged in an activity designed to improve their wage earning potential by their discharge from the program.	1%

<b>Life Domain: Community / Health and Wellness</b>		
	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	80% of families and / or single individuals referred will be engaged in substance abuse treatment throughout the course of their involvement in the program.	1%
<input type="checkbox"/>	50% of families and / or single individuals referred who are exempt due to a history of substance abuse will be employed by their discharge from the program.	1%
<input type="checkbox"/>	50% of families and / or single individuals referred who are exempt due to a history of substance abuse will be engaged in 30 hours of accepted employment activities by their discharge from the program.	1%



**Life Domain: Program Monitoring**

	<b>Performance Measure</b>	<b>Weight</b>
<input type="checkbox"/>	95% of Individualized Service Plans will be found in the case file up to date and accurate.	1%
<input type="checkbox"/>	95% of progress notes which accurately document program activities will be completed and submitted on time.	1%
<input type="checkbox"/>	98% of all casework contacts as prescribed by the Scope of services will be completed.	1%
<input type="checkbox"/>	Staff to caseload ratios is maintained as prescribed in scope of services.	1%
<input type="checkbox"/>	Collection and validation of data used to evaluate program performance is maintained and adequate.	1%
<input type="checkbox"/>	Minimum qualifications of program staff and monitoring (evaluation) of performance is maintained.	1%
<input type="checkbox"/>	Staff training is well documented in employee records.	1%
<input type="checkbox"/>	Cost Allocation methodology is maintained in a consistent manner.	1%
<input type="checkbox"/>	Annual independent financial audit is provided to the DSS.	1%
<input type="checkbox"/>	Minimum qualifications of program staff and monitoring (evaluation) of performance is maintained.	1%
<input type="checkbox"/>	20 hours of additional professional development training is noted in the employees file.	1%

**Tracking and Performance Tracking:** provide a narrative regarding how the performance outcomes selected above will be tracked and reported to the DSS for annual review.

# BUDGET AND CLAIMING INSTRUCTIONS

## Summary:

The Department of Social Services uses a standardized method for contractors when they submit their annual budgets and monthly claims. Our budget forms are included in this instruction workbook (to complete forms, see attached Excel Package updated 12-17-14) to highlight the importance of insuring a consistent use of the budget forms. As previously noted, Budgets will not be processed unless they are submitted on the DSS provided forms. Administrative overhead will not be permitted unless the Administrative Overhead forms are fully completed, including salaries for executive officers.

If an organization has an approved Federal Administrative Overhead Rate, that percentage may be applied without completing the form as long the approved rate is submitted. This rate may not exceed 15% (for Budget & Billing purposes), which is the DSS maximum reimbursement rate. For vendors that have and choose to use a Federal approved rate, the acceptance letter from the Federal Government must be included with the budget submission.

The DSS conducts annual financial and programmatic audits. The **Cost Allocation Plan** for the vendor must be submitted with the annual budget forms. Without the Cost Allocation Plan, when the DSS conducts an annual audit, cost sharing between staff and programs may not be accepted as there will be no basis for reviewing the cost sharing.

All of the forms, instructions, and workbooks noted above can be found on the Department of Social Services Website at: <http://www.co.orange.ny.us/content/124/1374/default.aspx>. To access the forms, click the link to the Performance Based Contracting Documents. At this time we ask All Vendors to refrain from using their old forms, and to replace them with our current version.

In the Excel Document, after the budget forms, the DSS has included the monthly claim forms for your review and use. As noted above, these forms are available as an excel file and are on the DSS website. Should you have trouble accessing the files, please contact us & we would be glad to e-mail you the updated versions. The DSS Claim forms must be used in order to have your monthly expenses reimbursed. Some of the forms included may not be applicable for use on all contracts. At a minimum, the "Non Personnel" and "Personnel Forms" must be included for reimbursement. Based on the reimbursement method for your contract, additional forms may be required.

Our claiming forms include two "Performance Based" forms, one which is titled the "**Vendor Monthly Cover Sheet, for Preventive Paperwork Compliance**". This form should be used by those vendors who have specific documentation requirements that must be adhered to monthly (i.e. Preventive Programs, where 5% of your contract is tied to this requirement, please see the form for further details). The second form, titled "**Contract Ending, Performance Based Cover Sheet**" should be submitted at the end of the contract year when the 5% of your contract, which is dependent on your annual performance measures must be accounted for. An annual report, validating the achievements of each performance measure should also be submitted with the final claim for reimbursement. Please see the attached Sample Schedule B for further clarification.

## Schedule B

**Summary:** The Department of Social Services develops contracts with a specific Scope of Services, which details the activities of the contracted services. Schedule B, details the annual budget as well as the reimbursement methodology applied for each contract. Its Sections are described below:

1 ) Section 1 of the Schedule B is the Annual Budget. As an example, Schedule B outlines how the performance measures will be written into each contract for services, using a contract with an annual cost of \$500,000.

2 ) The Orange County Department of Social Services has agreed to reimburse YY Human Services Organization, for approved program expenses through a **cost reimbursement methodology**. This will include **monthly claims for only those costs incurred by the vendor for the provision of services specific to their contracted scope of services**.

3 ) The following performance targets have been identified and applied to the Schedule B, Fees and Expenses. YY Human Services Organization must provide documentation that each performance target has been achieved on an annual basis (quarterly reports may also be required at the discretion of the DSS). The DSS will verify the performance target and allow reimbursement for your costs, provided each target has been met, at the end of the contract period. YY Human Services Organization is permitted to seek reimbursement from the DSS for each performance target achieved, based upon the percentage associated with the performance target. If YY Human Services Organization fails to achieve a performance target, the DSS will reduce the final monthly claim by the percentage allowed for that performance target based on the actual annual expenditures or the contracted amount. The costs associated with the performance targets for this contract cannot exceed 5% of the lesser of the actual annual program expenditures or the total contracted amount. In our example, the following Schedule B would include YY's five chosen targets:

- a) First Contact - 98% of all families will have a face to face contact in accordance with the program's individual Request for Proposal (RFP). (if not achieved: -1% of the lesser of the actual program expenditures or the total contracted amount annually).
- b) Required Monthly Casework Contacts - 98% of all families will receive a minimum of casework contacts as prescribed by State Regulation. (if not achieved: -1% of the lesser of the actual program expenditures or the total contracted amount annually).
- c) Maintained In Home Placement - 90% of children served by program will be maintained in the custody of their parent/guardian or parent/guardian designee (if not achieved: -1% of the lesser of the actual program expenditures or the total contracted amount annually).
- d) School Behaviors - 80% of children enrolled in the program will remain free of behavioral or academic suspensions throughout program enrollment. (if not achieved: -1% of the lesser of the actual program expenditures or the total contracted amount annually).
- e) Academic Performance - 85% of children enrolled in the program will maintain or improve their current level academic performance. (if not achieved: -1% of the lesser of the actual program expenditures or the total contracted amount annually).

4.) The maximum amount of reimbursement through this contract cannot exceed **\$500,000; and the reimbursement will not exceed the Actual Program Expenditures**. Performance payments should be claimed at the completion of the contract on the "Contract Ending, Performance Based Cover Sheet". The YY Human Services Organization will be required to submit an annual report detailing and validating their achievement, or lack of achievement of each performance measure noted above. The annual report must be submitted with the final claim for reimbursement and must be validated as accurate by the Department of Social Services prior to the Final Monthly Payment being made for this contract.