



THE CITY OF NEW YORK  
OFFICE OF THE COMPTROLLER  
SCOTT M. STRINGER

April 6, 2020

Dean Fuleihan  
First Deputy Mayor  
City of New York  
City Hall  
New York, NY 10007

Dear First Deputy Mayor Fuleihan:

I write again today about the stability of the non-profit sector and the need for the City to take action on their behalf. As our non-profit organizations continue to serve New Yorkers in the most challenging circumstances, it is important that they receive clear, written guidance about their obligations under City contracts, and how the City will work with them to adjust contract expectations to meet the existing realities of the COVID-19 pandemic. It is also critical that the City do all it can to help keep our non-profits whole so they can continue to serve the City and its residents long after the pandemic ends.

Since I last wrote about the sector, the Mayor's Office of Contract Services issued guidance on March 18, 2020 to human service providers. The guidance assures providers that "as long as they are working with their contracting agencies on a plan to continue, modify or suspend services, they will get paid their contracted expenses." It further explains that if service modifications due to COVID-19 cost more to deliver than what was originally contracted, the City will pay the additional costs, and that providers will be reimbursed for additional personnel expenditures to address shortages if staff cannot come to work.

This guidance was extremely helpful to the human service provider community, but questions have since been raised for my office about which agencies this guidance applies to, and specifically, whether the Department of Education and Department of Cultural Affairs will be following these policies with their non-profit vendors.

As you know, the Department of Education (DOE) operates under its own procurement rules and is not typically classified as human service agency by the City. However many non-profit providers that contract with the City's human service agencies also operate programs that are funded by DOE, and require the same assurances that they will be held harmless for missed contract deliverables if programs are closed or restructured. Similarly, the Department of Cultural Affairs contracts with many non-profits that are now unable to deliver their programs due to event cancellations, building closures including theaters, schools and senior centers, or other barriers created by COVID-19. In many cases, these non-profit arts organizations have already incurred the expenses related to their Fiscal Year 2020 contracts, and without full payment, they will be left at a loss.

I deeply appreciate all you are doing to keep our City running through this most challenging moment in its history. I look forward to your help in bringing prompt resolution to the outstanding questions raised in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott M. Stringer". The signature is fluid and cursive, with the first name "Scott" being more prominent.

Scott M. Stringer  
New York City Comptroller

C: Dan Symon, Director, Mayor's Office of Contract Services  
Richard A. Carranza, Chancellor, New York City Department of Education  
Kathleen Hughes, Acting Commissioner, New York City Department of Cultural Affairs