

# SeaChange

## Research Note

APRIL 7, 2023

### MOCJ: A LITMUS TEST FOR PROCUREMENT REFORM

We have heard from a number of nonprofits that are in difficult financial straits because of delayed payments by the Mayor's Office of Criminal Justice (MOCJ). Difficult enough that some struggle to make payroll and might even be unable to pay their staff who are often people of color, working hard under difficult conditions, and deserving to get paid. (Not paying them would also be a violation of [New York labor law](#).)

This might seem surprising at a moment when the Adam's administration seems rightly focused on the issues of racial, social, and criminal justice that dominate our city life, but to insiders, it comes as no surprise since MOCJ has been catastrophic from a procurement standpoint for several years.

Let's review the [facts](#) based on the city's own data:

- Over the last five years, MOCJ has issued 354 new contracts (i.e., excluding amendments) totaling \$1.2 billion: 96% of these were registered after the start date (avg. 436 days): discretionary items were 100% late (avg. 493 days) while new non-discretionary contracts were 89% late (avg. 336 days). More than half (53%) of the contracts were registered after *all* the work had been completed. (Fig 1) (Note: The NY State Division of Criminal Justice Services is almost as bad. [Open Book](#) shows its contracts are 90% late (avg. 170 days).)
- The nonprofits receiving these new contracts had incurred \$437 million of costs before these contracts were even registered. Since the city never pays anything prior to registration, and borrowing against unregistered contracts is close to impossible, this creates tremendous financial pressure. (After registration, nonprofits received 75% of what they were owed within two months and 95% within six months.)
- There are 61 new contracts from fiscal 2019-2023 that remain unregistered, totaling \$65 million. On average these are 462 days late, and the nonprofits have done \$43 million of work for which they have received nothing (Fig 2A, Table A for full list).
- Including amendments, MOCJ has a backlog of 87 unregistered contacts outstanding (Fig 2B). Over the last 12 months, MOCJ has registered an average of 4 contracts per month. At this rate, it will take almost two years to work through the backlog before consideration of the new FY2024 contracts (Figure 2C).

The situation at MOCJ is no secret but the responses ("MOCJ was never set up to be a contracting agency" – "MOCJ is being folded into DYCD" – "MOCJ is really understaffed" – "MOCJ has more discretionary contracts than most agencies") are profoundly unresponsive to the financial predicament that some MOCJ-funded organizations face right now. A nonprofit that is worried about being able to pay its front-line staff *this month* can't simply be told all the reasons why things will be probably better *next year* (even if they will).

Unlike the NYC Department of Education, MOCJ is no behemoth. It is a tiny agency that sits within the Mayoralty so it would seem easy to send in a swat team to help them work through the backlog given a modicum of political will. (If there were out-of-pocket costs involved, philanthropy might even help foot the bill.) Given this, it is perplexing that the situation has been allowed to fester for so long. And the longer it does the less nonprofits, their staffs, and the city's philanthropic funders will continue giving the administration the benefit of the doubt with respect to procurement reform.

Mayor Adams came in with a promise to "get stuff done" and it's high time to do just that. Fixing the problems at MOCJ is a golden opportunity to demonstrate that this administration cares about its nonprofit partners and is serious about procurement reform. "We are working on it!" lasts only so long. MOCJ needs help and it needs help now. It's been 15 months and the clock is ticking.

**Figure 1A| All New Contracts FY19-23 | Data From Passport Public**

FY	#	Value	Late (%)	Late (Days)	Past End Date	Pre-reg Work
2019	3	\$ 1,262,800	100%	1,429	100%	\$ 1,262,800
2020	9	\$ 2,206,366	100%	1,033	100%	\$ 2,206,366
2021	108	\$ 140,752,316	100%	521	68%	\$ 79,993,899
2022	155	\$ 429,831,733	91%	424	65%	\$ 151,815,707
2023	79	\$ 627,189,744	100%	239	0%	\$ 201,730,621
<b>Grand Total</b>	<b>354</b>	<b>\$ 1,201,242,959</b>	<b>96%</b>	<b>436</b>	<b>53%</b>	<b>\$ 437,009,392</b>

**Figure 1B| All Discretionary Contracts FY19-23 | Data From Passport Public**

FY	#	Value	Late (%)	Late (Days)	Past End Date	Pre-reg Work
2019	1	\$ 232,000	100%	1,278	100%	\$ 232,000
2020	6	\$ 1,120,500	100%	1,022	100%	\$ 1,120,500
2021	85	\$ 35,326,820	100%	521	79%	\$ 35,090,761
2022	109	\$ 44,902,087	100%	485	91%	\$ 44,253,981
2023	25	\$ 25,998,544	100%	274	0%	\$ 19,570,333
<b>Grand Total</b>	<b>226</b>	<b>\$ 107,579,951</b>	<b>100%</b>	<b>493</b>	<b>77%</b>	<b>\$ 100,267,574</b>

**Figure 1C| All New Contracts (excluding discretionary) FY19-23 | Data From Passport Public**

FY	#	Value	Late (%)	Late (Days)	Past End Date	Pre-reg Work
2019	2	\$ 1,030,800	100%	1,504	100%	\$ 1,030,800
2020	3	\$ 1,085,866	100%	1,057	100%	\$ 1,085,866
2021	23	\$ 105,425,496	100%	524	26%	\$ 44,903,138
2022	46	\$ 384,929,646	70%	279	4%	\$ 107,561,726
2023	54	\$ 601,191,200	100%	223	0%	\$ 182,160,288
<b>Grand Total</b>	<b>128</b>	<b>\$ 1,093,663,008</b>	<b>89%</b>	<b>336</b>	<b>10%</b>	<b>\$ 336,741,818</b>

**Figure 2A| All New Contracts that remain unregistered | Data From Passport Public**

FY	#	Value	Late (Days)	Pre-reg Work
2019	1	\$ 750,000	1,551	\$ 750,000
2021	4	\$ 657,108	935	\$ 657,108
2022	23	\$ 15,958,934	605	\$ 13,578,468
2023	33	\$ 47,523,307	272	\$ 28,407,650
<b>Grand Total</b>	<b>61</b>	<b>\$ 64,889,349</b>	<b>462</b>	<b>\$ 43,393,225</b>

**Figure 2B| All Contracts (including amendments) that remain unregistered | Data From Passport Public**

FY	#	Value
2019	1	\$ 750,000
2021	21	\$ 33,455,744
2022	24	\$ 16,141,184
2023	41	\$ 66,445,059
<b>Grand Total</b>	<b>87</b>	<b>\$ 116,791,987</b>

**Figure 2C| MOCJ Contract Registrations by Month | Data From Passport Public**

Month	#
2023/3	3
2023/2	10
2023/1	7
2022/12	0
2022/11	0
2022/10	0
2022/9	3
2022/8	3
2022/7	3
2022/6	5
2022/5	4
2022/4	9
<b>Annual Total</b>	<b>47</b>

**TABLE A| Unregistered Contracts (excluding amendments) | Data From Passport Public**

CTR-ID	Vendor	Contract Amount	Start Date	End Date	Late (Days)
4862539	CENTER FOR ALTERNATIVE SENTENCING AND EMPLOYMENT SERVICES IN	\$ 750,000	01/01/2019	09/30/2022	1,551
4907677	AFRICAN AMERICAN PLANNING COMMISSION INC	\$ 5,000	07/01/2020	06/30/2021	1,004
4809346	SAFE HORIZON INC	\$ 280,800	10/01/2020	09/30/2022	912
4831340	SAFE HORIZON INC	\$ 140,400	10/01/2020	09/30/2022	912
4831341	SAFE HORIZON INC	\$ 230,908	10/01/2020	09/30/2022	912
4893191	TURNING POINT FOR WOMEN AND FAMILIES	\$ 75,000	07/01/2021	06/30/2022	639
4880058	THE OSBORNE ASSOCIATION, INC	\$ 2,002,500	07/01/2021	06/30/2023	639
4650485	THE LONG ISLAND GAY LESBIAN BISEXUAL AND TRANSGENDER HEALTH	\$ 50,000	07/01/2021	06/30/2022	639
4893183	THE LONG ISLAND GAY LESBIAN BISEXUAL AND TRANSGENDER HEALTH	\$ 50,000	07/01/2021	06/30/2022	639
4780578	STREET CORNER RESOURCES INC	\$ 5,330	07/01/2021	06/30/2022	639
4883542	SANCTUARY FOR FAMILIES INC	\$ 1,904,382	07/01/2021	06/30/2023	639
4729190	Safe Passages	\$ 600,000	07/01/2021	06/30/2023	639
4852073	SAFE HORIZON INC	\$ 4,792,680	07/01/2021	06/30/2023	639
4883538	SAFE HORIZON INC	\$ 320,324	07/01/2021	06/30/2023	639
4763689	BROOKDALE HOSPITAL MEDICAL CENTER	\$ 1,050,000	01/01/2022	06/30/2024	455
4907680	BROOKLYN COMMUNITY BAIL FUND INC	\$ 200,000	07/01/2021	06/30/2022	639
4852081	QUEENS LEGAL SERVICES CORPORATION	\$ 225,782	07/01/2021	06/30/2023	639
4883539	QUEENS LEGAL SERVICES CORPORATION	\$ 605,268	07/01/2021	06/30/2023	639
4893177	OSBORNE TREATMENT SERVICES INC	\$ 13,305	07/01/2021	06/30/2022	639
4896687	NEW YORK LEGAL ASSISTANCE GROUP INC	\$ 968,412	07/01/2021	06/30/2023	639
4893184	LifeWay Network Inc	\$ 80,000	07/01/2021	06/30/2022	639
4893197	LIFE CAMP INC	\$ 8,516	07/01/2021	06/30/2022	639
4907679	LGBT Center Intercultural Collective INC	\$ 20,000	07/01/2021	06/30/2022	639
4892480	JUSTICE INNOVATION INC	\$ 264,475	05/01/2022	06/30/2023	335
4892481	JUSTICE INNOVATION INC	\$ 669,918	05/01/2022	06/30/2023	335
4650483	JEWISH CHILDRENS MUSEUM	\$ 50,000	07/01/2021	06/30/2022	639
4880059	HOUR CHILDREN, INC	\$ 2,002,500	07/01/2021	06/30/2023	639
4893186	HARLEM MOTHERS STOP ANOTHER VIOLENT END INC	\$ 542	07/01/2021	06/30/2022	639
4893192	YOUNG NEW YORKERS INC	\$ 50,000	07/01/2022	06/30/2023	274
4893181	WOMEN'S PRISON ASSOCIATION & HOME INC	\$ 895,200	07/01/2022	06/30/2023	274
4893174	URBAN YOUTH ALLIANCE INTERNATIONAL INC	\$ 402,000	07/01/2022	06/30/2023	274
4883749	TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK	\$ 150,000	07/01/2022	06/30/2023	274
4893196	THE OSBORNE ASSOCIATION, INC	\$ 1,852,074	07/01/2022	06/30/2023	274
4893176	THE HOPE PROGRAM INC	\$ 178,000	07/01/2022	06/30/2023	274
4893171	THE FORTUNE SOCIETY INC	\$ 2,563,850	07/01/2022	06/30/2023	274
4893170	SCO FAMILY OF SERVICES	\$ 128,000	07/01/2022	06/30/2023	274
4883541	SANCTUARY FOR FAMILIES INC	\$ 985,441	07/01/2022	06/30/2023	274
4848779	SAFE HORIZON INC	\$ 11,783,500	07/01/2022	06/30/2023	274
4893194	BROOKLYN DEFENDER SERVICES	\$ 123,000	07/01/2022	06/30/2023	274
4893180	POLICE ATHLETIC LEAGUE INC	\$ 103,000	07/01/2022	06/30/2023	274
4893187	NETWORK SUPPORT SERVICES INC.	\$ 178,000	07/01/2022	06/30/2023	274
4893175	NATIONAL ASSOCIATION ON DRUG ABUSE PROBLEMS (NYS) INC	\$ 178,000	07/01/2022	06/30/2023	274
4893172	CENTER FOR ALTERNATIVE SENTENCING AND EMPLOYMENT SERVICES IN	\$ 1,098,775	07/01/2022	06/30/2023	274
4893173	LEGAL ACTION CENTER OF THE CITY OF NEW YORK INC	\$ 793,828	07/01/2022	06/30/2023	274
4883540	JUSTICE INNOVATION INC	\$ 670,000	07/01/2022	06/30/2023	274
4883544	JUSTICE INNOVATION INC	\$ 14,983,562	07/01/2022	06/30/2024	274
4893182	CENTER FOR COMMUNITY ALTERNATIVES INC.	\$ 778,977	07/01/2022	06/30/2023	274
4893193	JUSTICE INNOVATION INC	\$ 1,175,000	07/01/2022	06/30/2023	274
4883537	HELP SOCIAL SERVICE CORPORATION	\$ 386,689	07/01/2022	06/30/2023	274
4893189	Greenburger Center for Social and Criminal Justice Inc	\$ 450,000	07/01/2022	06/30/2023	274
4893195	GIRLS FOR GENDER EQUITY Inc.	\$ 173,000	07/01/2022	06/30/2023	274
4893169	GETTING OUT AND STAYING OUT INC	\$ 223,000	07/01/2022	06/30/2023	274
4907678	CENTER FOR FAMILY REPRESENTATION INC	\$ 50,000	07/01/2022	06/30/2023	274
4893178	FAMILY LEGAL CARE	\$ 485,000	07/01/2022	06/30/2023	274
4893190	CENTER FOR FAMILY REPRESENTATION INC	\$ 200,000	07/01/2022	06/30/2023	274
4668370	EXODUS TRANSITIONAL COMMUNITY INC	\$ 2,791,426	07/01/2022	06/30/2024	274
4883536	EDWIN GOULD SERVICES FOR CHILDREN & FAMILIES	\$ 357,645	07/01/2022	06/30/2023	274
4893185	EAC INC	\$ 1,416,340	07/01/2022	06/30/2023	274
4893179	COMMUNITY SERVICE SOCIETY OF NEW YORK	\$ 50,000	07/01/2022	06/30/2023	274
4897285	COMMON JUSTICE INC	\$ 1,200,000	09/01/2022	06/30/2025	212
4893188	COLLEGE & COMMUNITY FELLOWSHIP	\$ 670,000	07/01/2022	06/30/2023	274
<b>Total</b>		<b>\$ 64,889,349</b>			<b>462</b>

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