



# Homes and Community Renewal

Andrew M. Cuomo, Governor    Darryl C. Towns, Commissioner/CEO

# Request for Proposals for Financial Printing Services, ~~as amended~~ as of April 29, 2015

**Proposal Issuance Date:**                      **April 20, 2015**  
**Proposal Submission Deadline:**            **May 12, 2015, 3PM EDT**

**NEW YORK STATE HOUSING FINANCE AGENCY  
STATE OF NEW YORK MORTGAGE AGENCY  
STATE OF NEW YORK MUNICIPAL BOND BANK AGENCY  
TOBACCO SETTLEMENT FINANCING CORPORATION  
641 LEXINGTON AVENUE • NEW YORK, NEW YORK 10022  
[www.nyshcr.org](http://www.nyshcr.org)**

# Checklist

## CHECKLIST OF ITEMS TO BE COMPLETED AND RETURNED:

- Tab I - Application Coversheet
- Tab I - Cover Letter
  
- Tab 2 – Company Background (qualifications and capacity)
- Tab 2 – Experience and Performance
  
- Tab 3 - Specifications and Bid Proposal Form, Exhibit A

Tab 4:

- [Lobbying Reform Law Form 1](#)
- [Lobbying Reform Law Form 2](#)
- [Non-Collusive Bidding Certification Form](#)
- [Contractor and/or Vendor Information Form](#)
- [Vendor Responsibility Questionnaire – For Profit Business Entity OR Non-Profit Entity;](#)
- [EEO Staffing Plan, PROC-1](#)
- [MWBE Utilization Form, PROC-2](#)
- [MWBE & EEO Policy Statement, PROC-4](#)
- [Company Demographic Profile, PROC-7](#)
- [EEOC Statement, PROC-8](#)
- [Diversity Practices Questionnaire, PROC-9](#)
- Conflict Of Interest Statement (refer to Page 15)
- Proof of Errors & Omissions Insurance & additional Insurance Requirements (refer to Page 15)
- Proposer's most recent two years of financial statements or federal tax returns

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# *Application Coversheet*

*Attach this form to the top of your proposal.*

**DATE OF APPLICATION:**

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**GENERAL INFORMATION ON FIRM:**

Legal Name of Firm:

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Firm's Mailing Address:

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Firm's Website:

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Firm's Main Telephone Number (including area code):

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Federal Tax ID Number:

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SEC Registration Number (if applicable):

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MWBE Registration Number (if applicable):

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**MAIN CONTACT INFORMATION FOR THIS PROPOSAL:**

Please list the individual that will be the main contact *regarding this proposal*:

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**PRINCIPAL IN CHARGE:**

Please list the primary staff person(s) who will provide services relating to the Agencies. Attach additional sheets if necessary.

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**ADDITIONAL CONTACTS (if applicable):**

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**New York State Housing Finance Agency  
State of New York Mortgage Agency  
State of New York Municipal Bond Bank Agency  
Tobacco Settlement Financing Corporation**

**REQUEST FOR PROPOSALS**

**FOR**

**FINANCIAL PRINTING SERVICES**

**The Procurement Lobbying Law designated Contact Officer for this procurement is:**

Alejandro J. Valella, Vice President and Deputy Counsel  
HFA. SONYMA. MBBA. TSFC  
641 Lexington Avenue, 4<sup>th</sup> Floor  
New York, New York 10022  
Alex.Valella@nyshcr.org

**I. INTRODUCTION**

New York State Homes and Community Renewal (“HCR”) consists of all the major housing and community renewal agencies of the State of New York (“State”), including the New York State Housing Finance Agency (“HFA”), State of New York Mortgage Agency (“SONYMA”), State of New York Municipal Bond Bank Agency (“MBBA”) and the Tobacco Settlement Financing Corporation (“TSFC”) (individually, “Agency” and collectively, the “Agencies”).

**II. OVERVIEW OF THE AGENCIES**

The Agencies are public benefit corporations, co-located and co-administered from their New York City (“NYC”) office.

**New York State Housing Finance Agency**

HFA’s core mission is to promote the production and preservation of affordable rental housing opportunities for low- to moderate-income citizens of the State. To accomplish this mission, HFA issues bonds and notes and uses the proceeds as capital to fund mortgage loans for multi-family rental developments. In 2014, HFA issued over \$1.6 billion of bonds to finance over 6,106 affordable units.

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## **State of New York Mortgage Agency**

SONYMA's mission is to provide single-family homeownership opportunities for low and moderate income New Yorkers. The Agency funds its mortgage lending activities through the issuance of taxable and tax-exempt bonds. In fiscal year 2014, the Agency issued over \$419 million in bonds. Together with HFA, the two agencies combined to be the largest housing issuer in the nation last year.

## **State of New York Municipal Bond Bank Agency**

MBBA's mission is to facilitate access to the capital markets for municipalities across the State. In its 40 year history, MBBA has issued bonds for various projects and purposes consistent with its mission.

## **Tobacco Settlement Financing Corporation**

TSFC, a subsidiary of MBBA, monetizes the State's Tobacco Settlement Revenues. Pursuant to the Tobacco Settlement Financing Corporation Act, TSFC was authorized to issue bonds in an aggregate principal amount not to exceed \$4,200,000,000 (excluding costs of issuance and refunding bonds). TSFC's authority to issue bonds, other than refunding bonds, expired on June 30, 2004. TSFC used its total new money bond authority through bond issuances in 2003. Since then, it has issued refunding bonds in 2008, 2011, and 2013.

### **III. PURPOSE**

The Agencies seek qualified competitive proposals from financial printing firms ("Proposers") with experience in municipal bond finance offerings for printing and electronically transmitting both preliminary and official statements and performing related duties (collectively, the "Printing Services") as further described in Section IX ("Scope of Work and Printer Requirements") of this RFP for the Agencies' various bond issues.

The successful Proposer (also referred to herein as "Financial Printer" or "Printer") shall provide Printing Services to the Agencies on an "as needed" basis at the rates indicated in the Proposer's Specifications and Bid Proposal Form, attached hereto as **Exhibit A**, for the Agencies' various bond issues throughout the contract term.

The Agencies currently anticipate an aggregate total of approximately 10-15 separate municipal bond issues which will require Printing Services in a single year. However, the Agencies cannot guarantee a minimum amount of work to be assigned to the Printer during a single year or during the term of the contract.

The Agencies intend to award a contract to the responsive and responsible Proposer demonstrating qualifications that meet or exceed the requirements of this RFP. The Agencies' selection of a Printer will be based on the Agencies' overall assessment of the Proposer's qualifications, which will provide, in the Agencies' opinion, the most cost-effective method (which will include an assessment of any past performance with respect to Printing Services and turnaround time) of providing the Printing Services, including

demonstrated compliance with all State-mandated requirements with respect to such Printing Services, as further described herein.

#### **IV. MINORITY AND/OR WOMEN OWNED BUSINESS ENTERPRISE PARTICIPATION**

The Agencies are committed to awarding contracts to firms that are dedicated to diversity and provide high-quality services. The Agencies strongly encourage firms that are certified by New York State as minority and/or women-owned business enterprises (“MWBEs”), as well as firms that are not yet certified, but have applied for certification, to submit responses to this RFP. All certified MWBE firms submitting proposals to this RFP should be registered as such with the [State’s Empire State Development](#)~~Isn’t the appropriate name Empire Development?~~. For MWBE firms that are not certified but have applied for certification, please provide evidence of filing, including the filing date.

The Agencies are required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (“MWBE Regulations”) for all Agency contracts, as defined therein, with a value in excess of \$25,000. The Agencies strongly encourage joint ventures of MWBE firms with majority firms and MWBE firms with other MWBE firms. For assistance identifying MWBE partners, contact Ms. Berniesha Coleman, Assistant Contract Administrator, at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org).

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% of total contract expenditures for MWBE participation, 15% for minority-owned business enterprises (“MBEs”) and 15% for women-owned business enterprises (“WBEs”).

#### **V. ASSESSMENT OF DIVERSITY PRACTICES**

The Agencies have determined, pursuant to New York State Executive Law Article 15-A, that an assessment of the diversity practices of respondents to this RFP is practical, feasible, and appropriate. Accordingly, Proposers shall be required to include as part of their proposal to this RFP, as described in Section XIV herein, (i) [EEO Staffing Plan, PROC-1](#); (ii) [MWBE Utilization Form, PROC-2](#); (iii) [MWBE/EEO Policy Statement, PROC-4](#); (iv) [Company Demographic Profile PROC-7](#); (v) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees; and (vi) [Diversity Practice Questionnaire, PROC-9](#), all forms hyperlinked herein.

## VI. KEY EVENTS & DATES

EVENTS	DATES
Issuance of RFP	April 20, 2015
Deadline for RFP Questions	May 1, 2015, 12:00 PM EDT
Deadline for Responses to RFQ Questions	May 5, 2015
Proposal Submission Deadline	May 12, 2015, 3:00 PM EDT
Anticipated Selection Date	June 11, 2015
Anticipated Date of Contract Execution	June 30, 2015

The Agencies reserve the right to modify this schedule at their discretion. The Agencies reserve the right to conduct interviews with Proposers for purposes of expanding or clarifying responses. Notification of changes in connection with this RFP will be made available to all interested parties via the Agencies' web page: <http://www.nyshcr.org/AboutUs/Procurement/DHCRindex.htm>.

## VII. QUESTIONS FROM PROPOSERS & UPDATES TO THE RFP

Proposers may submit questions regarding this RFP by email to Ms. Berniesha Coleman at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org) no later than the deadline for questions set forth in the "KEY EVENTS/DATES" section of this RFP. The "Subject" line of the email should indicate "2015 Financial Printing Services RFP Questions." The email must cite the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions are to be resolved prior to the submission of a Proposal.

Answers to all substantive questions will be posted in a timely manner on the [NYSHCR website "Procurement Opportunities" page](#). Questions submitted after the deadline will not receive a response.

The timeline and target dates for this RFP are subject to change. Proposers should check the [NYSHCR website "Procurement Opportunities" page](#) for updates to the RFP timeline and other important information.

An electronic version of this RFP will be posted on the [NYSHCR website](#) in addition to any subsequent changes, additions or deletions to the RFP. **Proposers are encouraged to check the NYSHCR website frequently for notices of any clarifications, changes, additions, or deletions to the RFP.**



## VIII. TERM OF CONTRACT(S)

The term of the financial printing services contract(s) is anticipated to be for a period of three (3) years with the option to extend the contract(s) for an additional two (2) years, subject to approval by the Agencies' Boards and/or Governance Committees. The Agencies, at their discretion, may exercise their option to extend the term of the engagement and revise any provision of the engagement, on an as needed basis, with the mutual written consent of contracting parties. Any contract that exceeds a five year period will require the affirmative concurrence of the Agencies' Boards and/or Governance Committees to extend the contract(s) without undergoing a new solicitation process.

The successful Proposer will be required to execute a contract(s) with the Agencies that incorporates Appendix I [Standard Clauses for Contracts](#) (hyperlinked herein) and Appendix II relating to requirements and procedures for [Participation by Minority Group Members and Women](#) (also hyperlinked herein).

## IX. SCOPE OF WORK AND PRINTER REQUIREMENTS

1. The Printer will handle all the printing requirements and related duties of each of the Agencies' bond issues as further set forth in this section and pursuant to the specifications of the Agencies' "Specifications and Bid Proposal Form," attached hereto as Exhibit A, and supplemented from time to time by written instructions from the Agencies.
2. The Printer must possess the facilities necessary for typesetting, printing and binding, which will include the ability to do "perfect binding" if the official statement is in excess of the typical number of pages used to print an official statement "on the web."
3. The Printer must maintain adequate staff on each shift to handle the printing requirements on the time schedule provided by the Agencies for a bond issue. One or more individuals must be available at all times to answer questions or respond to requests of the Agencies. The Agencies must be informed in a timely manner of any changes in contact personnel.
4. In addition to the "regular" staff requirements set forth in (3) above, the Printer must also maintain sufficient technical staff available in a timely fashion to support the Agencies' schedule of electronic transmission of preliminary and final official statements which will include being available to "troubleshoot" any difficulties with preparing the official statements for such transmission or with the actual receipt and "opening" of any such electronic transmissions by email recipients (particularly with respect to the "file size" of an official statement if it contains a large number of text pages and camera ready exhibits).
5. The Printer must identify if the Printer offers accommodations for day and/or night conferences. This will also include the ability to electronically transmit the final draft

version of the official statement for review and signoff prior to the physical production of such official statement.

6. The Printer must be able to efficiently and effectively deliver numerous proofs and final copies via first class mail, email, facsimile and/or messenger service:
  - a. within the Borough of Manhattan, New York City;
  - b. within New York State; and
  - c. anywhere in the United States.
7. The Printer must be able to receive electronic transmission of the draft official statement in parts:
  - a. as one or more documents in Word format or PDF files; and/or
  - b. as large (potentially in excess of 150 pages) camera ready exhibits in PDF files.

In certain instances, both (a) and (b) above would be combined (without any typesetting) to comprise the full final official statement text.

8. The Printer may also be required to make author's alterations in connection with the official statement which may include the initial typesetting of the cover page and make any subsequent submitted changes to the cover. Also, the Printer may be required to paginate (or repaginate) any of the files described in (7) above.
9. In fulfilling its duties and obligations, the Printer will be required to maintain a high quality of service, particularly in the areas of proofing and blacklining changes to documents and the services used to deliver documents.
10. The Printer will coordinate, if applicable, with the Agencies, bond underwriters, counsels and others in connection with the mailing of documents and official statements.
11. On the day of the mailing of an official statement, the Printer must provide the Agencies with a detailed compilation of the number of copies and delivery method (for example, UPS or hand delivery) as per the underwriting labels and instructions submitted to the Printer. The Agencies will review the compilation of the number of copies and delivery method prior to the mailing of the official statement.
12. The Printer may be required to host or e-mail certain marketing materials in addition to offering documents.
13. The Printer must possess the facilities necessary to electronically transmit the preliminary official statement and final official statement through (a) providing access to the official statement via email to a web site, link access or (b) transmitting the official statement directly to a recipient, both of which will also include insertion of a disclaimer from text supplied from counsel (as well as meet the hard copy delivery requirements set forth in (6) above).

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In connection with the above paragraph, the Printer will also be required to execute a certificate as to the receipt of electronic files from counsel and others used to create the preliminary official statement and/or official statement.

14. Invoices submitted by the Printer should clearly itemize all expenditures incurred in connection with the printing and delivery of the Agencies' official statements. Such listed expenditures will include the information categories set forth below (and more detailed in Exhibit A, attached hereto) and what costs were incurred in a summary fashion (with backup material to the Agencies, if necessary, for each date of work done):
- a. quick turn around or premium time;
  - b. number of lines changed;
  - c. number of pages changed;
  - d. number of lines blacklined;
  - e. number of pages blacklined;
  - f. number of pages and lines changed from runover text;
  - g. addition of page numbers to camera ready text;
  - h. number of page proofs;
  - i. number of pages faxed, emailed or hand delivered; and
  - j. electronic transmission related charges: scanning of pages, electronic posting, "bookmarking" of the table of contents, any email costs and the basis of determining the same.

Also, all packaging, shipping and delivery charges must be supported by documentation showing how the total charges were calculated. This includes providing the Agencies with a list of names and addresses for each related delivery made and a postal receipt for each related delivery.

The invoices submitted by the Printer must also reflect any written instructions from the Agencies indicating which costs will be charged to the Agencies and which costs will be charged to other parties and must be billed to such other parties by the Printer separately.

Please note that with respect to deliveries, the Agencies will provide the Printer with the account number of the Agencies to use for overnight or two-day deliveries so that no other overnight or two-day delivery charges will be allowed.

15. The Printer will be required to answer any questions pursuant to an audit of the Agencies' invoices with respect to the basis of any charges as well as the verification of such charges.

## **X. PROPOSAL SUBMISSION REQUIREMENTS**

Proposals must be complete and prepared in a format consistent with the instructions provided in this RFP. In all instances, the Agencies' determination regarding a proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive at the Agencies' sole discretion. Proposers should not refer to

other parts of the proposal, to information that may be publicly available elsewhere, or to the Proposer's or other websites in lieu of answering a specific question.

### Submission Instructions

Proposals must be delivered by email no later than 3:00 pm (EDT) on the Proposal Submission Deadline indicated in the Key Events/Dates section of this RFP.

Proposals must be submitted by email to [Nyhomes.proposal@nyshcr.org](mailto:Nyhomes.proposal@nyshcr.org) in searchable portable document format ("PDF") compatible with Adobe Reader XI. The Agencies will not accept discs, flash drives, or FTP file references that require the Agencies to download information from the Proposer's or a third party's site. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable) and "1 of X", "2 of X", etc., and the last email as "X of X – Final" for each additional email.

The proposal must be bookmarked and divided into four parts: (i) Tab One: Cover Letter; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; and (iv) Tab Four: Required Forms and Documentation. Proposals must be sent in two emails and labeled as follows: (a) one email to include Tabs One and Two and the subject line of the email must be labeled: "2015 Financial Printing Services RFP: Tabs 1 and 2"; and (b) the other email must include Tabs Three and Four and the subject line of the email must be labeled "2015 Financial Printing Services RFP: Tabs 3 and 4".

Any proposal delivered after the date and time designated as the proposal submission deadline listed in the Key Events & Dates section of this RFP may be deemed ineligible. It is the Proposer's sole responsibility to ensure that all emails and attachments are delivered on time in a legible format. Proposers assume all risk for proposal delivery.

A proposal may be deemed to be non-responsive because it is materially incomplete. The Agencies reserve the right to seek clarification or request additional information.

The determination of whether any proposal is complete or was received on time is at the sole discretion of the Agencies.

All submitted proposals shall become the property of the Agencies.

## **XI. CONTENT OF PROPOSAL SUBMISSION**

Proposals should demonstrate that the Proposer is qualified to perform the Scope of Work and Printer Requirements outlined in Section IX based upon prior relevant professional experience, proposed work plan, methodology, timeline, staffing plan, MWBE participation, and proposed fees. An Agency Review Committee will conduct a comprehensive review of each proposal to determine which Proposer will provide the "best value" by optimizing quality, cost, and efficiency.

Each Proposer is required to submit the information and documentation listed below in the order in which it is requested. A proposal that does not include all required information and completed forms may be subject to rejection.

The completed proposal will include Tabs One through Four, as described in the Proposal Submission Requirements section of this RFP. Each Tab must be electronically bookmarked as “Tab 1,” “Tab 2,” Tab 3,” and “Tab 4” and must be presented in the exact order requested in this RFP. The content in Tabs 1 through 3 must be limited to ten (10) letter-size pages (single or double spaced, minimum 12 point font, and at least one inch margins). The 10 page limit does not include the Cover Letter, resumes, references, organizational chart, insurance certificate(s) and attachments required in Tab 4.

The Proposer’s proposal should contain the following:

### **TAB 1: COVER LETTER**

The Proposer’s cover letter must not exceed three (3) pages and should include:

1. A summary of the Proposer’s organizational history and legal structure (e.g. individual practitioner, partnership, LLC, corporation, non-profit organization, MWBE certification status, etc.)
2. A statement affirming the Proposer’s number of years of experience in the financial printing industry;
3. The Proposer’s name, address, telephone number, fax number, email address and web site address, if applicable;
4. The name, title, telephone number, fax number and email address of the individual within the Proposer’s organization who will be the Agency’s primary contact concerning the proposal;
5. The names of the primary staff who will provide services to the Agencies;
6. The contact name, telephone number, fax number and email address for the firm(s), if any, with which the Proposer intends to partner in undertaking this audit engagement; and
7. A written certification confirming that the information contained in the proposal is true and accurate and that the person signing the cover letter is authorized to submit the proposal on behalf of the Proposer.

### **TAB 2: TECHNICAL PROPOSAL**

The contents in Tab 2 must address the following items:

1. A brief history of the Proposer’s experience in the printing of municipal bond official statements and related documents;

2. A list of ten (10) recent municipal bond financings, particularly for New York State issuers, for which the Proposer printed the official statement.

**Representative samples of this work should be included in Tab 2 (please submit no more than three (3) samples of your work). Please indicate the issuer, name and telephone number of individuals who may be contacted as references for your work on these matters;**

3. A brief description as to how the Agencies can be assured that the Proposer will be able to fulfill the responsibilities enumerated under the “Scope of Work and Printer Requirements” section herein;
4. Describe the unique capabilities, if any, of your firm/company;
5. Explain why your firm/company should be selected;
6. The Agencies are committed to increasing the utilization of MWBE firms. Please share any ideas you may have for joint venture partnerships which would meet the Agencies’ MWBE requirement;
7. If the Proposer is a State-certified MWBE firm, provide documentation evidencing registration. For MWBE firms that are not certified but have applied for certification, provide documentation evidencing the application with the Empire State Development Corporation, including the filing date;
8. If the Proposer is not a State certified MWBE firm, descriptions of the instances, if any, in which the Proposer has worked with MWBE firms on previous transactions by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated; and
9. A statement by the Proposer indicating its willingness to engage in MWBE partnering or mentoring arrangements with an MWBE firm selected by the Proposer. Such statement should include an explanation of how the Proposer would suggest structuring such an arrangement and allocating services and fees between the firms.

### **TAB 3: COST PROPOSAL**

The Proposer must submit “Specifications and Bid Proposal Form,” hereto as Exhibit A, as its Cost Proposal in its Proposal Submission.

### **TAB 4: REQUIRED FORMS AND DOCUMENTATION**

Proposers are subject to the requirements described in the [Agencies’ Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Appendix I. Such requirements include, but are not limited to, submission of the following information and forms of the Agencies:

- 
- (a) [Lobbying Procurement Law FORM 1](#) and [Lobbying Procurement Law FORM 2](#);
  - (b) [Non-Collusive Bidding Certification FORM](#);
  - (c) [Contractor and Vendor Information FORM](#);
  - (d) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#) OR [Vendor Responsibility Questionnaire for Non-Profit Entity](#);
  - (e) [EEO Staffing Plan, PROC-1](#);
  - (f) [MWBE Utilization Form, PROC-2](#);
  - (g) [MWBE & EEO Policy Statement, PROC-4](#)
  - (h) [Company Demographic Profile PROC-7](#);
  - (i) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees;
  - (j) [Diversity Practices Questionnaire, PROC-9](#)
  - (k) [Conflict Of Interest Statement](#) indicating whether performing services for the Agencies would create any potential conflict of interest, or appearance of impropriety, relating to other clients/customers of the Proposer or former officers and employees of any of the Agencies. Indicate what procedures will be followed to detect, notify the Agencies of, and resolve any such conflicts.

The Proposer must disclose whether its entity, or any of its members discussed in the above paragraph, has been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission"), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

- (l) [Insurance Requirements](#): The Printer must carry errors and omissions insurance coverage with a minimum limit of liability in the amount of \$1,000,000 per occurrence. Additionally, the Printer must carry and maintain workers compensation in the amount of \$1,000,000 per occurrence for the entire time work is being performed as required by the provisions of the Workers' Compensation Law.

Provide current certificate(s) of insurance to evidence the insurance requirements in the above paragraph, including contact person(s) for each insurance.

- (m) Proposer must prove financial viability by including its most recent two years of financial statements or federal tax returns.

## **XII. PERFORMANCE AND SELECTION CRITERIA**

### **1. The Selection Process**

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of the evaluation is two-fold: (1) to examine the responses for compliance with this RFP, and (2) to identify the Firm with the highest probability of satisfactorily performing the scope of services. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

### **2. Preliminary Review**

All proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Proposals that do not meet minimum requirements will not be reviewed. Incomplete proposals may be rejected.

## **XIII. SELECTION AND NOTIFICATION PROCESS**

The selected Proposer will be notified via U.S. mail or email. Proposers who are not selected will be notified of the Agencies' determination via U.S. mail or email.

## **XIV. ADMINISTRATIVE INFORMATION**

### **1. Permissible Contacts During the Restricted Period**

Pursuant to State Finance Law ("SFL") §§139-j and 139-k, this RFP imposes certain restrictions on communications between the Agencies, including its Affiliates (any agency constituting HCR), and a potential Proposer during the procurement process. A Proposer is restricted from making contacts that a reasonable person may infer were intended to influence the selection of a firm to perform the proposed professional services in this RFP, from the date of publication of this RFP until the awarding of a contract(s) by the Agencies (the "Restricted Period") with any person other than the designated staff member named below, unless it is a contact that is included among certain statutory exceptions set forth in SFL §139-j(3)(a). Employees of the Agencies, including any employees of the agencies that constitute HCR, are required to obtain certain information when contacted during the Restricted Period and make a determination of responsibility of the Proposer under the SFL. Findings of non-responsibility can result in rejection for contract award and in the event of two (2) findings within a four (4)-year period, the Proposer will be debarred from obtaining governmental contracts.

For more information, please refer to the following website:  
<http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/Faq.htm>.

For all Lobbying Law Contacts, please contact:

Alejandro J. Valella, Vice President and Deputy Counsel



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HFA. SONYMA. MBBA. TSFC  
641 Lexington Avenue, 4<sup>th</sup> Floor  
New York, New York 10022  
[Alejandro.Valella@nyshcr.org](mailto:Alejandro.Valella@nyshcr.org)

If you have inquiries regarding this RFP or would like to contact the Agencies regarding issues not relating to Lobbying Law Contacts, please contact:

Berniesha Coleman, Assistant Contract Administrator  
HFA. SONYMA. MBBA. TSFC  
641 Lexington Avenue, 4<sup>th</sup> Floor  
New York, New York 10022  
[Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org)

Other than the two contact persons identified above, prospective Proposers shall not approach the Agencies' employees, or any employees of the agencies that constitute HCR, during the Restricted Period about any matters related to the RFP or any proposal(s) submitted pursuant thereto.

## **2. Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority-and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women**

### **a. NEW YORK STATE LAW**

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145, the Agencies recognize their obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of Agency contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether MWBEs had a full and fair opportunity to participate in State contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of MWBEs in State procurement contracting versus the number of MWBEs that were ready, willing and able to participate in State procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the State-wide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that the Agencies establish goals for maximum feasible participation of New York State certified MWBEs and the employment of minority groups members and women in the performance of New York State contracts.

b. BUSINESS PARTICIPATION OPPORTUNITIES FOR MWBEs

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% for MWBE participation, 15% for New York State certified minority-owned business enterprise (“MBE”) participation and 15% for New York State certified women-owned business enterprise (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and the Contractor agrees that the Agencies may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how the Agencies will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and the Agencies may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a proposal, a bidder on the Contract (“Bidder” or “Proposer”) agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a Bidder may arrange to provide such evidence via a non-electronic method by contacting Ms. Berniesha Coleman at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org). Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. For additional information on the use of the NYSCS to meet Bidder’s MWBE requirements, please click on the following hyperlinked MWBE guidance, “[\*Your MWBE Utilization and Reporting Responsibilities Under Article 15-A.\*](#)”

Additionally, a Bidder will be required to submit the following documents and information as evidence of compliance with the foregoing:

- (i) An [MWBE Utilization Plan](#) with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to the Agencies.

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- (ii) The Agencies will review the submitted MWBE Utilization Plan and advise the Bidder of the Agencies' acceptance or issue a notice of deficiency within 30 days of receipt.
  - (iii) If a notice of deficiency is issued, the Bidder will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the Agencies at 641 Lexington Avenue, 4th Floor, New York, NY 10022, Fax number 917-274-0393, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Agencies to be inadequate, the Agencies shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

The Agencies may disqualify a Bidder as being non-responsive under the following circumstances:

- (a) If a Bidder fails to submit a MWBE Utilization Plan;
- (b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- (c) If a Bidder fails to submit a request for waiver; or
- (d) If the Agencies determine that the Bidder has failed to document good faith efforts.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the Agencies, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a [Contractor's Quarterly M/WBE Contractor Compliance & Payment Report](#) to the Agencies, by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

#### c. EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of [Appendix I – Standard Clauses for All New York State Contracts including Clause 7 - Equal Employment Opportunities for Minorities and Women](#).

The Bidder will be required to submit a [Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, PROC-4 Form](#) to the Agencies with their bid or proposal.

To ensure compliance with this Section, the Bidder will be required to submit with the bid or proposal an [Equal Employment Opportunity Staffing Plan PROC-1 Form](#),

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identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit an [Equal Employment Opportunity Workforce Employment Utilization Compliance Report](#) identifying the workforce actually utilized on the Contract, if known, through the New York State Contract System; provided, however, that a Bidder may arrange to provide such report via a non-electronic method by contacting Ms. Berniesha Coleman at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org).

Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

**Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.**

d. THE USE OF NEW YORK STATE BUSINESSES IN CONTRACT PERFORMANCE

The Agencies are committed to awarding a contract to a firm that will provide high-quality services at a reasonable and competitive cost and will substantially perform the Scope of Work, as described in this RFP, from an office(s) or location(s) within New York State.

New York State businesses have a substantial presence in State contracts and strongly contribute to the economics of the State and the nation. In recognition of their economic activity and leadership in doing business in New York State, Proposers for this procurement are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the Agency awarded contract. Such partnering may be as subcontractors, suppliers, protégés, providers of office and work space, and/or other supporting roles.

Proposers need to be aware that all authorized users of the awarded contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, Proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in Agency contracts will help create more private sector jobs, rebuild New York’s infrastructure, and maximize economic

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activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract award, thereby benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The Agencies therefore expect the successful Proposer to provide maximum assistance to New York businesses in its use of the awarded contract. The potential participation of all kinds of New York businesses will deliver great value to the State and its taxpayers.

**-REMAINDER OF PAGE LEFT BLANK INTENTIONALLY-**

**2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM**

**SPECIFICATIONS:** Lockup, press run, paper (40 lb. stock) and perfect binding of the Preliminary Official Statements, printed with red on cover page, at the pages and quantities requested by the Agencies. Lock up, press run, paper and perfect binding of Final Official Statements, all as above except without red on cover page. The Agencies anticipate printing the Preliminary Official Statement and the Official Statement within 18 Hours. Both Preliminary Official Statement and Final Official Statement are to be distributed as per instructions of the Agencies.

**Item 1. Preliminary Official Statement and Official Statement Charges ("POS and OS Charges") for a 2015 Financing**

**LEGAL NAME OF PROPOSER:** \_\_\_\_\_

**INSTRUCTIONS: ENTER THE PRODUCTION COST TO THE AGENCIES' IN THE RANGE OF BOXES BELOW BASED ON QUANTITY OF STATEMENTS AND NUMBER OF PAGES SPECIFIED:**

PAGES	QUANTITY OF STATEMENTS																				
	25	50	75	100	125	150	175	200	225	250	275	300	325	350	375	400	425	450	475	500	
72	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
76	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
80	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
84	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
88	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
92	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
96	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
100	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
104	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
108	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
112	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
116	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
120	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
124	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
128	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
132	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
136	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
140	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
144	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
148	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
152	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
156	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
160	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
164	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
168	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
172	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
176	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
180	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
184	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

**2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM**

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192	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
196	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
200	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
204	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
208	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
212	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
216	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
220	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

**PROPOSERS SHALL INDICATE BELOW ANY VOLUME-BASED DISCOUNTS OFFERED TO THE AGENCIES OR ANY CREDIT ADJUSTMENTS IN THE EVENT THAT PRINTING SERVICES REQUIRED FALL BELOW THE SPECIFIED MINIMUM(S) OR EXCEED THE MAXIMUM(S) NOTED ABOVE. ADDITIONAL CHARGES MUST BE NOTED IN ITEM 3.**

A. VOLUME BASED DISCOUNTS:

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B. CREDIT ADJUSTMENTS:

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2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM

**Item 2. Packing, Shipping and Delivery**

LEGAL NAME OF PROPOSER: \_\_\_\_\_

**1. When delivery is via United States Postal Service**

- a. Charge for inserting and addressing, per envelope \$ \_\_\_\_\_
- b. Charge for packing and addressing, per carton \$ \_\_\_\_\_
- c. Postage charge \$ see note below

**2. When delivery is via Courier Service (Agency will pay only charges billed by courier service for c, d and e below)**

- a. Charge for inserting and addressing, per envelope \$ \_\_\_\_\_
- b. Charge for packing and addressing, per carton \$ \_\_\_\_\_
- c. Charge for midtown deliveries: range from \$ \_\_\_\_\_ to \$ \_\_\_\_\_
- d. Charge for downtown deliveries: range from \$ \_\_\_\_\_ to \$ \_\_\_\_\_
- e. Charge for out-of-town deliveries: range from \$ \_\_\_\_\_ to \$ \_\_\_\_\_

**3. When delivery is via United Parcel Service (“UPS”) using the Agency’s account number (Agency will pay only charges billed to the Agency’s account number; all other UPS charges will be disallowed)**

- a. Charge for inserting and addressing, per envelope \$ \_\_\_\_\_
- b. Charge for packing and addressing, per carton \$ \_\_\_\_\_

**NOTE: WHEN BILLING THE AGENCIES, ALL PACKAGING, SHIPPING AND DELIVERY CHARGES MUST BE SUPPORTED BY DOCUMENTATION SHOWING HOW THE TOTAL CHARGES WERE CALCULATED. IN ADDITION, THE AGENCY MUST BE PROVIDED WITH A LIST OF NAMES AND ADDRESSES FOR EACH DELIVERY IN SUB-ITEMS 2 AND 3 AND A POSTAL RECEIPT FOR EACH DELIVERY IN SUB-ITEM 1c ABOVE.**



**2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM**

**Item 3. Other**

**LEGAL NAME OF PROPOSER:** \_\_\_\_\_

A. Creation of Preliminary Official Statement in PDF Format:

1. Scanning charge (please list basis of calculation): \_\_\_\_\_

2. Electronic posting (on-line website): \_\_\_\_\_

3. "Bookmarking" of the Table of Contents \_\_\_\_\_

4. Overtime Charge and the basis of such calculation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Other charges: \_\_\_\_\_

\_\_\_\_\_

B. Email distribution of link to website where the Preliminary Official Statement or Final Official Statement is posted:

Cost of email transmission/per address: \_\_\_\_\_

\_\_\_\_\_

C. Creation of Official Statement in PDF format and email transmission to the Agency:

\_\_\_\_\_

D. Hosting / transmitting investor roadshow presentations with and without audio.

Cost with Audio: \_\_\_\_\_

Cost without Audio: \_\_\_\_\_

E. List any other charges and the basis of calculation:

\_\_\_\_\_  
\_\_\_\_\_

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**NOTE:**

In the event the basis of calculation varies from that stated in Item 1(B) and Item 3(E), the charge for such item must be adjusted on a pro-rated basis from the original quotation as set forth in Item 1(B) and/or Item 3(E).

Any work to be performed and billed on the above items which will result in extra charges for weekend time, premium time, overtime or shift time or any other such charge must have the Agencies' prior approval in order to be paid and must be specifically stated as an item charge on this Specifications and Bid Proposal Form in order to be paid.

Kindly note that as part of their internal auditing process, the Agencies may require verification of each of the charges listed on the invoice. Submission of this bid serves as your acceptance of this condition.

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**LEGAL NAME OF PROPOSER**

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**AUTHORIZED SIGNATURE**

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**DATE**



# Homes and Community Renewal

Andrew M. Cuomo, Governor    Darryl C. Towns, Commissioner/CEO

# Request for Proposals for Financial Printing Services, amended as of April 29, 2015

**Proposal Issuance Date:**                      **April 20, 2015**  
**Proposal Submission Deadline:**            **May 12, 2015, 3PM EDT**

**NEW YORK STATE HOUSING FINANCE AGENCY  
STATE OF NEW YORK MORTGAGE AGENCY  
STATE OF NEW YORK MUNICIPAL BOND BANK AGENCY  
TOBACCO SETTLEMENT FINANCING CORPORATION  
641 LEXINGTON AVENUE • NEW YORK, NEW YORK 10022  
[www.nyshcr.org](http://www.nyshcr.org)**

# Checklist

## CHECKLIST OF ITEMS TO BE COMPLETED AND RETURNED:

- Tab I - Application Coversheet
- Tab I - Cover Letter
  
- Tab 2 – Company Background (qualifications and capacity)
- Tab 2 – Experience and Performance
  
- Tab 3 - Specifications and Bid Proposal Form, Exhibit A

Tab 4:

- [Lobbying Reform Law Form 1](#)
- [Lobbying Reform Law Form 2](#)
- [Non-Collusive Bidding Certification Form](#)
- [Contractor and/or Vendor Information Form](#)
- [Vendor Responsibility Questionnaire – For Profit Business Entity OR Non-Profit Entity;](#)
- [EEO Staffing Plan, PROC-1](#)
- [MWBE Utilization Form, PROC-2](#)
- [MWBE & EEO Policy Statement, PROC-4](#)
- [Company Demographic Profile, PROC-7](#)
- [EEOC Statement, PROC-8](#)
- [Diversity Practices Questionnaire, PROC-9](#)
- Conflict Of Interest Statement (refer to Page 15)
- Proof of Errors & Omissions Insurance & additional Insurance Requirements (refer to Page 15)
- Proposer's most recent two years of financial statements or federal tax returns

# *Application Coversheet*

*Attach this form to the top of your proposal.*

**DATE OF APPLICATION:**

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**GENERAL INFORMATION ON FIRM:**

Legal Name of Firm:

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Firm's Mailing Address:

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Firm's Website:

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Firm's Main Telephone Number (including area code):

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Federal Tax ID Number:

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SEC Registration Number (if applicable):

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MWBE Registration Number (if applicable):

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**MAIN CONTACT INFORMATION FOR THIS PROPOSAL:**

Please list the individual that will be the main contact *regarding this proposal*:

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

---

Contact Facsimile Number (including area code):

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**PRINCIPAL IN CHARGE:**

Please list the primary staff person(s) who will provide services relating to the Agencies. Attach additional sheets if necessary.

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**ADDITIONAL CONTACTS (if applicable):**

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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Contact Name:

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Contact Telephone Number (including area code):

---

Contact E-mail Address:

---

Contact Facsimile Number (including area code):

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**New York State Housing Finance Agency  
State of New York Mortgage Agency  
State of New York Municipal Bond Bank Agency  
Tobacco Settlement Financing Corporation**

**REQUEST FOR PROPOSALS**

**FOR**

**FINANCIAL PRINTING SERVICES**

**The Procurement Lobbying Law designated Contact Officer for this procurement is:**

Alejandro J. Valella, Vice President and Deputy Counsel  
HFA. SONYMA. MBBA. TSFC  
641 Lexington Avenue, 4<sup>th</sup> Floor  
New York, New York 10022  
Alex.Valella@nyshcr.org

**I. INTRODUCTION**

New York State Homes and Community Renewal (“HCR”) consists of all the major housing and community renewal agencies of the State of New York (“State”), including the New York State Housing Finance Agency (“HFA”), State of New York Mortgage Agency (“SONYMA”), State of New York Municipal Bond Bank Agency (“MBBA”) and the Tobacco Settlement Financing Corporation (“TSFC”) (individually, “Agency” and collectively, the “Agencies”).

**II. OVERVIEW OF THE AGENCIES**

The Agencies are public benefit corporations, co-located and co-administered from their New York City (“NYC”) office.

**New York State Housing Finance Agency**

HFA’s core mission is to promote the production and preservation of affordable rental housing opportunities for low- to moderate-income citizens of the State. To accomplish this mission, HFA issues bonds and notes and uses the proceeds as capital to fund mortgage loans for multi-family rental developments. In 2014, HFA issued over \$1.6 billion of bonds to finance over 6,106 affordable units.

### **State of New York Mortgage Agency**

SONYMA's mission is to provide single-family homeownership opportunities for low and moderate income New Yorkers. The Agency funds its mortgage lending activities through the issuance of taxable and tax-exempt bonds. In fiscal year 2014, the Agency issued over \$419 million in bonds. Together with HFA, the two agencies combined to be the largest housing issuer in the nation last year.

### **State of New York Municipal Bond Bank Agency**

MBBA's mission is to facilitate access to the capital markets for municipalities across the State. In its 40 year history, MBBA has issued bonds for various projects and purposes consistent with its mission.

### **Tobacco Settlement Financing Corporation**

TSFC, a subsidiary of MBBA, monetizes the State's Tobacco Settlement Revenues. Pursuant to the Tobacco Settlement Financing Corporation Act, TSFC was authorized to issue bonds in an aggregate principal amount not to exceed \$4,200,000,000 (excluding costs of issuance and refunding bonds). TSFC's authority to issue bonds, other than refunding bonds, expired on June 30, 2004. TSFC used its total new money bond authority through bond issuances in 2003. Since then, it has issued refunding bonds in 2008, 2011, and 2013.

## **III. PURPOSE**

The Agencies seek qualified competitive proposals from financial printing firms ("Proposers") with experience in municipal bond finance offerings for printing and electronically transmitting both preliminary and official statements and performing related duties (collectively, the "Printing Services") as further described in Section IX ("Scope of Work and Printer Requirements") of this RFP for the Agencies' various bond issues.

The successful Proposer (also referred to herein as "Financial Printer" or "Printer") shall provide Printing Services to the Agencies on an "as needed" basis at the rates indicated in the Proposer's Specifications and Bid Proposal Form, attached hereto as **Exhibit A**, for the Agencies' various bond issues throughout the contract term.

The Agencies currently anticipate an aggregate total of approximately 10-15 separate municipal bond issues which will require Printing Services in a single year. However, the Agencies cannot guarantee a minimum amount of work to be assigned to the Printer during a single year or during the term of the contract.

The Agencies intend to award a contract to the responsive and responsible Proposer demonstrating qualifications that meet or exceed the requirements of this RFP. The Agencies' selection of a Printer will be based on the Agencies' overall assessment of the Proposer's qualifications, which will provide, in the Agencies' opinion, the most cost-effective method (which will include an assessment of any past performance with respect to Printing Services and turnaround time) of providing the Printing Services, including



demonstrated compliance with all State-mandated requirements with respect to such Printing Services, as further described herein.

#### **IV. MINORITY AND/OR WOMEN OWNED BUSINESS ENTERPRISE PARTICIPATION**

The Agencies are committed to awarding contracts to firms that are dedicated to diversity and provide high-quality services. The Agencies strongly encourage firms that are certified by New York State as minority and/or women-owned business enterprises (“MWBEs”), as well as firms that are not yet certified, but have applied for certification, to submit responses to this RFP. All certified MWBE firms submitting proposals to this RFP should be registered as such with the State’s Empire State Development. For MWBE firms that are not certified but have applied for certification, please provide evidence of filing, including the filing date.

The Agencies are required to implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 (“MWBE Regulations”) for all Agency contracts, as defined therein, with a value in excess of \$25,000. The Agencies strongly encourage joint ventures of MWBE firms with majority firms and MWBE firms with other MWBE firms. For assistance identifying MWBE partners, contact Ms. Berniesha Coleman, Assistant Contract Administrator, at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org).

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% of total contract expenditures for MWBE participation, 15% for minority-owned business enterprises (“MBEs”) and 15% for women-owned business enterprises (“WBEs”).

#### **V. ASSESSMENT OF DIVERSITY PRACTICES**

The Agencies have determined, pursuant to New York State Executive Law Article 15-A, that an assessment of the diversity practices of respondents to this RFP is practical, feasible, and appropriate. Accordingly, Proposers shall be required to include as part of their proposal to this RFP, as described in Section XIV herein, (i) [EEO Staffing Plan, PROC-1](#); (ii) [MWBE Utilization Form, PROC-2](#); (iii) [MWBE/EEO Policy Statement, PROC-4](#); (iv) [Company Demographic Profile PROC-7](#); (v) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees; and (vi) [Diversity Practice Questionnaire, PROC-9](#), all forms hyperlinked herein.

## VI. KEY EVENTS & DATES

EVENTS	DATES
Issuance of RFP	April 20, 2015
Deadline for RFP Questions	May 1, 2015, 12:00 PM EDT
Deadline for Responses to RFQ Questions	May 5, 2015
Proposal Submission Deadline	May 12, 2015, 3:00 PM EDT
Anticipated Selection Date	June 11, 2015
Anticipated Date of Contract Execution	June 30, 2015

The Agencies reserve the right to modify this schedule at their discretion. The Agencies reserve the right to conduct interviews with Proposers for purposes of expanding or clarifying responses. Notification of changes in connection with this RFP will be made available to all interested parties via the Agencies' web page: <http://www.nyshcr.org/AboutUs/Procurement/DHCRindex.htm>.

## VII. QUESTIONS FROM PROPOSERS & UPDATES TO THE RFP

Proposers may submit questions regarding this RFP by email to Ms. Berniesha Coleman at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org) no later than the deadline for questions set forth in the "KEY EVENTS/DATES" section of this RFP. The "Subject" line of the email should indicate "2015 Financial Printing Services RFP Questions." The email must cite the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions are to be resolved prior to the submission of a Proposal.

Answers to all substantive questions will be posted in a timely manner on the [NYSHCR website "Procurement Opportunities" page](#). Questions submitted after the deadline will not receive a response.

The timeline and target dates for this RFP are subject to change. Proposers should check the [NYSHCR website "Procurement Opportunities" page](#) for updates to the RFP timeline and other important information.

An electronic version of this RFP will be posted on the [NYSHCR website](#) in addition to any subsequent changes, additions or deletions to the RFP. **Proposers are encouraged to check the NYSHCR website frequently for notices of any clarifications, changes, additions, or deletions to the RFP.**

## VIII. TERM OF CONTRACT(S)

The term of the financial printing services contract(s) is anticipated to be for a period of three (3) years with the option to extend the contract(s) for an additional two (2) years, subject to approval by the Agencies' Boards and/or Governance Committees. The Agencies, at their discretion, may exercise their option to extend the term of the engagement and revise any provision of the engagement, on an as needed basis, with the mutual written consent of contracting parties. Any contract that exceeds a five year period will require the affirmative concurrence of the Agencies' Boards and/or Governance Committees to extend the contract(s) without undergoing a new solicitation process.

The successful Proposer will be required to execute a contract(s) with the Agencies that incorporates Appendix I [Standard Clauses for Contracts](#) (hyperlinked herein) and Appendix II relating to requirements and procedures for [Participation by Minority Group Members and Women](#) (also hyperlinked herein).

## IX. SCOPE OF WORK AND PRINTER REQUIREMENTS

1. The Printer will handle all the printing requirements and related duties of each of the Agencies' bond issues as further set forth in this section and pursuant to the specifications of the Agencies' "Specifications and Bid Proposal Form," attached hereto as Exhibit A, and supplemented from time to time by written instructions from the Agencies.
2. The Printer must possess the facilities necessary for typesetting, printing and binding, which will include the ability to do "perfect binding" if the official statement is in excess of the typical number of pages used to print an official statement "on the web."
3. The Printer must maintain adequate staff on each shift to handle the printing requirements on the time schedule provided by the Agencies for a bond issue. One or more individuals must be available at all times to answer questions or respond to requests of the Agencies. The Agencies must be informed in a timely manner of any changes in contact personnel.
4. In addition to the "regular" staff requirements set forth in (3) above, the Printer must also maintain sufficient technical staff available in a timely fashion to support the Agencies' schedule of electronic transmission of preliminary and final official statements which will include being available to "troubleshoot" any difficulties with preparing the official statements for such transmission or with the actual receipt and "opening" of any such electronic transmissions by email recipients (particularly with respect to the "file size" of an official statement if it contains a large number of text pages and camera ready exhibits).
5. The Printer must identify if the Printer offers accommodations for day and/or night conferences. This will also include the ability to electronically transmit the final draft

version of the official statement for review and signoff prior to the physical production of such official statement.

6. The Printer must be able to efficiently and effectively deliver numerous proofs and final copies via first class mail, email, facsimile and/or messenger service:
  - a. within the Borough of Manhattan, New York City;
  - b. within New York State; and
  - c. anywhere in the United States.
7. The Printer must be able to receive electronic transmission of the draft official statement in parts:
  - a. as one or more documents in Word format or PDF files; and/or
  - b. as large (potentially in excess of 150 pages) camera ready exhibits in PDF files.

In certain instances, both (a) and (b) above would be combined (without any typesetting) to comprise the full final official statement text.

8. The Printer may also be required to make author's alterations in connection with the official statement which may include the initial typesetting of the cover page and make any subsequent submitted changes to the cover. Also, the Printer may be required to paginate (or repaginate) any of the files described in (7) above.
9. In fulfilling its duties and obligations, the Printer will be required to maintain a high quality of service, particularly in the areas of proofing and blacklining changes to documents and the services used to deliver documents.
10. The Printer will coordinate, if applicable, with the Agencies, bond underwriters, counsels and others in connection with the mailing of documents and official statements.
11. On the day of the mailing of an official statement, the Printer must provide the Agencies with a detailed compilation of the number of copies and delivery method (for example, UPS or hand delivery) as per the underwriting labels and instructions submitted to the Printer. The Agencies will review the compilation of the number of copies and delivery method prior to the mailing of the official statement.
12. The Printer may be required to host or e-mail certain marketing materials in addition to offering documents.
13. The Printer must possess the facilities necessary to electronically transmit the preliminary official statement and final official statement through (a) providing access to the official statement via email to a web site, link access or (b) transmitting the official statement directly to a recipient, both of which will also include insertion of a disclaimer from text supplied from counsel (as well as meet the hard copy delivery requirements set forth in (6) above).

In connection with the above paragraph, the Printer will also be required to execute a certificate as to the receipt of electronic files from counsel and others used to create the preliminary official statement and/or official statement.

14. Invoices submitted by the Printer should clearly itemize all expenditures incurred in connection with the printing and delivery of the Agencies' official statements. Such listed expenditures will include the information categories set forth below (and more detailed in Exhibit A, attached hereto) and what costs were incurred in a summary fashion (with backup material to the Agencies, if necessary, for each date of work done):
  - a. quick turn around or premium time;
  - b. number of lines changed;
  - c. number of pages changed;
  - d. number of lines blacklined;
  - e. number of pages blacklined;
  - f. number of pages and lines changed from runover text;
  - g. addition of page numbers to camera ready text;
  - h. number of page proofs;
  - i. number of pages faxed, emailed or hand delivered; and
  - j. electronic transmission related charges: scanning of pages, electronic posting, "bookmarking" of the table of contents, any email costs and the basis of determining the same.

Also, all packaging, shipping and delivery charges must be supported by documentation showing how the total charges were calculated. This includes providing the Agencies with a list of names and addresses for each related delivery made and a postal receipt for each related delivery.

The invoices submitted by the Printer must also reflect any written instructions from the Agencies indicating which costs will be charged to the Agencies and which costs will be charged to other parties and must be billed to such other parties by the Printer separately.

Please note that with respect to deliveries, the Agencies will provide the Printer with the account number of the Agencies to use for overnight or two-day deliveries so that no other overnight or two-day delivery charges will be allowed.

15. The Printer will be required to answer any questions pursuant to an audit of the Agencies' invoices with respect to the basis of any charges as well as the verification of such charges.

## **X. PROPOSAL SUBMISSION REQUIREMENTS**

Proposals must be complete and prepared in a format consistent with the instructions provided in this RFP. In all instances, the Agencies' determination regarding a proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive at the Agencies' sole discretion. Proposers should not refer to

other parts of the proposal, to information that may be publicly available elsewhere, or to the Proposer's or other websites in lieu of answering a specific question.

### Submission Instructions

Proposals must be delivered by email no later than 3:00 pm (EDT) on the Proposal Submission Deadline indicated in the Key Events/Dates section of this RFP.

Proposals must be submitted by email to [Nyhomes.proposal@nyshcr.org](mailto:Nyhomes.proposal@nyshcr.org) in searchable portable document format ("PDF") compatible with Adobe Reader XI. The Agencies will not accept discs, flash drives, or FTP file references that require the Agencies to download information from the Proposer's or a third party's site. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable) and "1 of X", "2 of X", etc., and the last email as "X of X – Final" for each additional email.

The proposal must be bookmarked and divided into four parts: (i) Tab One: Cover Letter; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; and (iv) Tab Four: Required Forms and Documentation. Proposals must be sent in two emails and labeled as follows: (a) one email to include Tabs One and Two and the subject line of the email must be labeled: "2015 Financial Printing Services RFP: Tabs 1 and 2"; and (b) the other email must include Tabs Three and Four and the subject line of the email must be labeled "2015 Financial Printing Services RFP: Tabs 3 and 4".

Any proposal delivered after the date and time designated as the proposal submission deadline listed in the Key Events & Dates section of this RFP may be deemed ineligible. It is the Proposer's sole responsibility to ensure that all emails and attachments are delivered on time in a legible format. Proposers assume all risk for proposal delivery.

A proposal may be deemed to be non-responsive because it is materially incomplete. The Agencies reserve the right to seek clarification or request additional information.

The determination of whether any proposal is complete or was received on time is at the sole discretion of the Agencies.

All submitted proposals shall become the property of the Agencies.

## **XI. CONTENT OF PROPOSAL SUBMISSION**

Proposals should demonstrate that the Proposer is qualified to perform the Scope of Work and Printer Requirements outlined in Section IX based upon prior relevant professional experience, proposed work plan, methodology, timeline, staffing plan, MWBE participation, and proposed fees. An Agency Review Committee will conduct a comprehensive review of each proposal to determine which Proposer will provide the "best value" by optimizing quality, cost, and efficiency.

Each Proposer is required to submit the information and documentation listed below in the order in which it is requested. A proposal that does not include all required information and completed forms may be subject to rejection.

The completed proposal will include Tabs One through Four, as described in the Proposal Submission Requirements section of this RFP. Each Tab must be electronically bookmarked as “Tab 1,” “Tab 2,” Tab 3,” and “Tab 4” and must be presented in the exact order requested in this RFP. The content in Tabs 1 through 3 must be limited to ten (10) letter-size pages (single or double spaced, minimum 12 point font, and at least one inch margins). The 10 page limit does not include the Cover Letter, resumes, references, organizational chart, insurance certificate(s) and attachments required in Tab 4.

The Proposer’s proposal should contain the following:

**TAB 1: COVER LETTER**

The Proposer’s cover letter must not exceed three (3) pages and should include:

1. A summary of the Proposer’s organizational history and legal structure (e.g. individual practitioner, partnership, LLC, corporation, non-profit organization, MWBE certification status, etc.)
2. A statement affirming the Proposer’s number of years of experience in the financial printing industry;
3. The Proposer’s name, address, telephone number, fax number, email address and web site address, if applicable;
4. The name, title, telephone number, fax number and email address of the individual within the Proposer’s organization who will be the Agency’s primary contact concerning the proposal;
5. The names of the primary staff who will provide services to the Agencies;
6. The contact name, telephone number, fax number and email address for the firm(s), if any, with which the Proposer intends to partner in undertaking this audit engagement; and
7. A written certification confirming that the information contained in the proposal is true and accurate and that the person signing the cover letter is authorized to submit the proposal on behalf of the Proposer.

**TAB 2: TECHNICAL PROPOSAL**

The contents in Tab 2 must address the following items:

1. A brief history of the Proposer’s experience in the printing of municipal bond official statements and related documents;

2. A list of ten (10) recent municipal bond financings, particularly for New York State issuers, for which the Proposer printed the official statement.

**Representative samples of this work should be included in Tab 2 (please submit no more than three (3) samples of your work). Please indicate the issuer, name and telephone number of individuals who may be contacted as references for your work on these matters;**

3. A brief description as to how the Agencies can be assured that the Proposer will be able to fulfill the responsibilities enumerated under the “Scope of Work and Printer Requirements” section herein;
4. Describe the unique capabilities, if any, of your firm/company;
5. Explain why your firm/company should be selected;
6. The Agencies are committed to increasing the utilization of MWBE firms. Please share any ideas you may have for joint venture partnerships which would meet the Agencies’ MWBE requirement;
7. If the Proposer is a State-certified MWBE firm, provide documentation evidencing registration. For MWBE firms that are not certified but have applied for certification, provide documentation evidencing the application with the Empire State Development Corporation, including the filing date;
8. If the Proposer is not a State certified MWBE firm, descriptions of the instances, if any, in which the Proposer has worked with MWBE firms on previous transactions by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated; and
9. A statement by the Proposer indicating its willingness to engage in MWBE partnering or mentoring arrangements with an MWBE firm selected by the Proposer. Such statement should include an explanation of how the Proposer would suggest structuring such an arrangement and allocating services and fees between the firms.

### **TAB 3: COST PROPOSAL**

The Proposer must submit “Specifications and Bid Proposal Form,” hereto as Exhibit A, as its Cost Proposal in its Proposal Submission.

### **TAB 4: REQUIRED FORMS AND DOCUMENTATION**

Proposers are subject to the requirements described in the [Agencies’ Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Appendix I. Such requirements include, but are not limited to, submission of the following information and forms of the Agencies:



- (a) [Lobbying Procurement Law FORM 1](#) and [Lobbying Procurement Law FORM 2](#);
- (b) [Non-Collusive Bidding Certification FORM](#);
- (c) [Contractor and Vendor Information FORM](#);
- (d) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#) OR [Vendor Responsibility Questionnaire for Non-Profit Entity](#);
- (e) [EEO Staffing Plan, PROC-1](#);
- (f) [MWBE Utilization Form, PROC-2](#);
- (g) [MWBE & EEO Policy Statement, PROC-4](#)
- (h) [Company Demographic Profile PROC-7](#);
- (i) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees;
- (j) [Diversity Practices Questionnaire, PROC-9](#)
- (k) Conflict Of Interest Statement indicating whether performing services for the Agencies would create any potential conflict of interest, or appearance of impropriety, relating to other clients/customers of the Proposer or former officers and employees of any of the Agencies. Indicate what procedures will be followed to detect, notify the Agencies of, and resolve any such conflicts.

The Proposer must disclose whether its entity, or any of its members discussed in the above paragraph, has been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission"), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

- (l) Insurance Requirements: The Printer must carry errors and omissions insurance coverage with a minimum limit of liability in the amount of \$1,000,000 per occurrence. Additionally, the Printer must carry and maintain workers compensation in the amount of \$1,000,000 per occurrence for the entire time work is being performed as required by the provisions of the Workers' Compensation Law.

Provide current certificate(s) of insurance to evidence the insurance requirements in the above paragraph, including contact person(s) for each insurance.

- (m) Proposer must prove financial viability by including its most recent two years of financial statements or federal tax returns.

## **XII. PERFORMANCE AND SELECTION CRITERIA**

### **1. The Selection Process**

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of the evaluation is two-fold: (1) to examine the responses for compliance with this RFP, and (2) to identify the Firm with the highest probability of satisfactorily performing the scope of services. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

### **2. Preliminary Review**

All proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Proposals that do not meet minimum requirements will not be reviewed. Incomplete proposals may be rejected.

## **XIII. SELECTION AND NOTIFICATION PROCESS**

The selected Proposer will be notified via U.S. mail or email. Proposers who are not selected will be notified of the Agencies' determination via U.S. mail or email.

## **XIV. ADMINISTRATIVE INFORMATION**

### **1. Permissible Contacts During the Restricted Period**

Pursuant to State Finance Law ("SFL") §§139-j and 139-k, this RFP imposes certain restrictions on communications between the Agencies, including its Affiliates (any agency constituting HCR), and a potential Proposer during the procurement process. A Proposer is restricted from making contacts that a reasonable person may infer were intended to influence the selection of a firm to perform the proposed professional services in this RFP, from the date of publication of this RFP until the awarding of a contract(s) by the Agencies (the "Restricted Period") with any person other than the designated staff member named below, unless it is a contact that is included among certain statutory exceptions set forth in SFL §139-j(3)(a). Employees of the Agencies, including any employees of the agencies that constitute HCR, are required to obtain certain information when contacted during the Restricted Period and make a determination of responsibility of the Proposer under the SFL. Findings of non-responsibility can result in rejection for contract award and in the event of two (2) findings within a four (4)-year period, the Proposer will be debarred from obtaining governmental contracts.

For more information, please refer to the following website:  
<http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/Faq.htm>.

For all Lobbying Law Contacts, please contact:

Alejandro J. Valella, Vice President and Deputy Counsel

HFA. SONYMA. MBBA. TSFC  
641 Lexington Avenue, 4<sup>th</sup> Floor  
New York, New York 10022  
[Alejandro.Valella@nyshcr.org](mailto:Alejandro.Valella@nyshcr.org)

If you have inquiries regarding this RFP or would like to contact the Agencies regarding issues not relating to Lobbying Law Contacts, please contact:

Berniesha Coleman, Assistant Contract Administrator  
HFA. SONYMA. MBBA. TSFC  
641 Lexington Avenue, 4<sup>th</sup> Floor  
New York, New York 10022  
[Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org)

Other than the two contact persons identified above, prospective Proposers shall not approach the Agencies' employees, or any employees of the agencies that constitute HCR, during the Restricted Period about any matters related to the RFP or any proposal(s) submitted pursuant thereto.

## **2. Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority-and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women**

### **a. NEW YORK STATE LAW**

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145, the Agencies recognize their obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of Agency contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether MWBEs had a full and fair opportunity to participate in State contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of MWBEs in State procurement contracting versus the number of MWBEs that were ready, willing and able to participate in State procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the State-wide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that the Agencies establish goals for maximum feasible participation of New York State certified MWBEs and the employment of minority groups members and women in the performance of New York State contracts.

b. BUSINESS PARTICIPATION OPPORTUNITIES FOR MWBEs

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% for MWBE participation, 15% for New York State certified minority-owned business enterprise (“MBE”) participation and 15% for New York State certified women-owned business enterprise (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and the Contractor agrees that the Agencies may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how the Agencies will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and the Agencies may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a proposal, a bidder on the Contract (“Bidder” or “Proposer”) agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a Bidder may arrange to provide such evidence via a non-electronic method by contacting Ms. Berniesha Coleman at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org). Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. For additional information on the use of the NYSCS to meet Bidder’s MWBE requirements, please click on the following hyperlinked MWBE guidance, “[Your MWBE Utilization and Reporting Responsibilities Under Article 15-A.](#)”

Additionally, a Bidder will be required to submit the following documents and information as evidence of compliance with the foregoing:

- (i) An [MWBE Utilization Plan](#) with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to the Agencies.

- (ii) The Agencies will review the submitted MWBE Utilization Plan and advise the Bidder of the Agencies' acceptance or issue a notice of deficiency within 30 days of receipt.
- (iii) If a notice of deficiency is issued, the Bidder will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the Agencies at 641 Lexington Avenue, 4th Floor, New York, NY 10022, Fax number 917-274-0393, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Agencies to be inadequate, the Agencies shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

The Agencies may disqualify a Bidder as being non-responsive under the following circumstances:

- (a) If a Bidder fails to submit a MWBE Utilization Plan;
- (b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- (c) If a Bidder fails to submit a request for waiver; or
- (d) If the Agencies determine that the Bidder has failed to document good faith efforts.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the Agencies, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a [Contractor's Quarterly M/WBE Contractor Compliance & Payment Report](#) to the Agencies, by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

#### c. EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of [Appendix I – Standard Clauses for All New York State Contracts including Clause 7 - Equal Employment Opportunities for Minorities and Women](#).

The Bidder will be required to submit a [Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, PROC-4 Form](#) to the Agencies with their bid or proposal.

To ensure compliance with this Section, the Bidder will be required to submit with the bid or proposal an [Equal Employment Opportunity Staffing Plan PROC-1 Form](#),

identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit an [Equal Employment Opportunity Workforce Employment Utilization Compliance Report](#) identifying the workforce actually utilized on the Contract, if known, through the New York State Contract System; provided, however, that a Bidder may arrange to provide such report via a non-electronic method by contacting Ms. Berniesha Coleman at [Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) and [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org).

Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

**Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.**

d. THE USE OF NEW YORK STATE BUSINESSES IN CONTRACT PERFORMANCE

The Agencies are committed to awarding a contract to a firm that will provide high-quality services at a reasonable and competitive cost and will substantially perform the Scope of Work, as described in this RFP, from an office(s) or location(s) within New York State.

New York State businesses have a substantial presence in State contracts and strongly contribute to the economics of the State and the nation. In recognition of their economic activity and leadership in doing business in New York State, Proposers for this procurement are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the Agency awarded contract. Such partnering may be as subcontractors, suppliers, protégés, providers of office and work space, and/or other supporting roles.

Proposers need to be aware that all authorized users of the awarded contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, Proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in Agency contracts will help create more private sector jobs, rebuild New York’s infrastructure, and maximize economic

activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract award, thereby benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The Agencies therefore expect the successful Proposer to provide maximum assistance to New York businesses in its use of the awarded contract. The potential participation of all kinds of New York businesses will deliver great value to the State and its taxpayers.

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**2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM**

**SPECIFICATIONS:** Lockup, press run, paper (40 lb. stock) and perfect binding of the Preliminary Official Statements, printed with red on cover page, at the pages and quantities requested by the Agencies. Lock up, press run, paper and perfect binding of Final Official Statements, all as above except without red on cover page. The Agencies anticipate printing the Preliminary Official Statement and the Official Statement within 18 Hours. Both Preliminary Official Statement and Final Official Statement are to be distributed as per instructions of the Agencies.

**Item 1. Preliminary Official Statement and Official Statement Charges ("POS and OS Charges") for a 2015 Financing**

**LEGAL NAME OF PROPOSER:** \_\_\_\_\_

**INSTRUCTIONS: ENTER THE PRODUCTION COST TO THE AGENCIES' IN THE RANGE OF BOXES BELOW BASED ON QUANTITY OF STATEMENTS AND NUMBER OF PAGES SPECIFIED:**

PAGES	QUANTITY OF STATEMENTS																				
	25	50	75	100	125	150	175	200	225	250	275	300	325	350	375	400	425	450	475	500	
72	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
76	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
80	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
84	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
88	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
92	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
96	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
100	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
104	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
108	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
112	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
116	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
120	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
124	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
128	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
132	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
136	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
140	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
144	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
148	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
152	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
156	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
160	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
164	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
168	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
172	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
176	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
180	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
184	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$



**2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM**

**SPECIFICATIONS:** Lockup, press run, paper (40 lb. stock) and perfect binding of the Preliminary Official Statements, printed with red on cover page, at the pages and quantities requested by the Agencies. Lock up, press run, paper and perfect binding of Final Official Statements, all as above except without red on cover page. The Agencies anticipate printing the Preliminary Official Statement and the Official Statement within 18 Hours. Both Preliminary Official Statement and Final Official Statement are to be distributed as per instructions of the Agencies.

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192	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
196	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
200	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
204	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
208	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
212	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
216	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
220	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

**PROPOSERS SHALL INDICATE BELOW ANY VOLUME-BASED DISCOUNTS OFFERED TO THE AGENCIES OR ANY CREDIT ADJUSTMENTS IN THE EVENT THAT PRINTING SERVICES REQUIRED FALL BELOW THE SPECIFIED MINIMUM(S) OR EXCEED THE MAXIMUM(S) NOTED ABOVE. ADDITIONAL CHARGES MUST BE NOTED IN ITEM 3.**

A. VOLUME BASED DISCOUNTS:

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B. CREDIT ADJUSTMENTS:

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2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM

**Item 2. Packing, Shipping and Delivery**

LEGAL NAME OF PROPOSER: \_\_\_\_\_

**1. When delivery is via United States Postal Service**

- a. Charge for inserting and addressing, per envelope \$\_\_\_\_\_
- b. Charge for packing and addressing, per carton \$\_\_\_\_\_
- c. Postage charge \$ see note below

**2. When delivery is via Courier Service (Agency will pay only charges billed by courier service for c, d and e below)**

- a. Charge for inserting and addressing, per envelope \$\_\_\_\_\_
- b. Charge for packing and addressing, per carton \$\_\_\_\_\_
- c. Charge for midtown deliveries: range from \$\_\_\_\_\_ to \$\_\_\_\_\_
- d. Charge for downtown deliveries: range from \$\_\_\_\_\_ to \$\_\_\_\_\_
- e. Charge for out-of-town deliveries: range from \$\_\_\_\_\_ to \$\_\_\_\_\_

**3. When delivery is via United Parcel Service (“UPS”) using the Agency’s account number (Agency will pay only charges billed to the Agency’s account number; all other UPS charges will be disallowed)**

- a. Charge for inserting and addressing, per envelope \$\_\_\_\_\_
- b. Charge for packing and addressing, per carton \$\_\_\_\_\_

**NOTE: WHEN BILLING THE AGENCIES, ALL PACKAGING, SHIPPING AND DELIVERY CHARGES MUST BE SUPPORTED BY DOCUMENTATION SHOWING HOW THE TOTAL CHARGES WERE CALCULATED. IN ADDITION, THE AGENCY MUST BE PROVIDED WITH A LIST OF NAMES AND ADDRESSES FOR EACH DELIVERY IN SUB-ITEMS 2 AND 3 AND A POSTAL RECEIPT FOR EACH DELIVERY IN SUB-ITEM 1c ABOVE.**

2015 FINANCIAL PRINTING SERVICES RFP  
SPECIFICATIONS AND BID PROPOSAL FORM

**Item 3. Other**

**LEGAL NAME OF PROPOSER:** \_\_\_\_\_

A. Creation of Preliminary Official Statement in PDF Format:

1. Scanning charge (please list basis of calculation): \_\_\_\_\_

2. Electronic posting (on-line website): \_\_\_\_\_

3. "Bookmarking" of the Table of Contents \_\_\_\_\_

4. Overtime Charge and the basis of such calculation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Other charges: \_\_\_\_\_

\_\_\_\_\_

B. Email distribution of link to website where the Preliminary Official Statement or Final Official Statement is posted:

Cost of email transmission/per address: \_\_\_\_\_

\_\_\_\_\_

C. Creation of Official Statement in PDF format and email transmission to the Agency:

\_\_\_\_\_

D. Hosting / transmitting investor roadshow presentations with and without audio.

Cost with Audio: \_\_\_\_\_

Cost without Audio: \_\_\_\_\_

E. List any other charges and the basis of calculation:

\_\_\_\_\_  
\_\_\_\_\_

**NOTE:**

In the event the basis of calculation varies from that stated in Item 1(B) and Item 3(E), the charge for such item must be adjusted on a pro-rated basis from the original quotation as set forth in Item 1(B) and/or Item 3(E).

Any work to be performed and billed on the above items which will result in extra charges for weekend time, premium time, overtime or shift time or any other such charge must have the Agencies' prior approval in order to be paid and must be specifically stated as an item charge on this Specifications and Bid Proposal Form in order to be paid.

Kindly note that as part of their internal auditing process, the Agencies may require verification of each of the charges listed on the invoice. Submission of this bid serves as your acceptance of this condition.

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**LEGAL NAME OF PROPOSER**

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**AUTHORIZED SIGNATURE**

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**DATE**