



Homes and Community Renewal

Andrew M. Cuomo, Governor

RuthAnne Visnauskas, Commissioner/CEO

Request for Proposals for Advertising Placements, Marketing and Consultant Services

Issuance Date:

July 13, 2017

Submission Deadline:

August 15, 2017, 12pm, EDT

STATE OF NEW YORK MORTGAGE AGENCY

641 LEXINGTON AVENUE • NEW YORK, NEW YORK 10022

www.nyshcr.org

Proposal Checklist

CHECKLIST FOR VARIOUS REQUIRED FORM RELATED ITEMS TO BE COMPLETED AND RETURNED:

- Tab I - Application Coversheet
- Tab I - Cover Letter
- Tab 2 – Technical Proposal
- Tab 3 – Cost Proposal Form (utilizing template in Attachment I of the RFP)
- Tab 4 - Administrative Proposal
- [Vendor Information Form](#)
- [Lobbying Reform Law Form 1](#)
- [Lobbying Reform Law Form 2](#)
- [Non-Collusive Bidding Certification Form](#)
- [Vendor Responsibility Questionnaire – For Profit Business Entity OR Non-Profit Entity;](#)
- [EEO Staffing Plan, PROC-1](#)
- [Utilization Plan, PROC-2](#)
- [MWBE & EEO Policy Statement, PROC-4](#)
- [Company Demographic Profile, PROC-7](#)
- [EEOC Statement, PROC-8](#)
- [Diversity Practices Questionnaire, PROC-9](#)
- Evidence of Insurance
- Conflict of Interest Statement
- Statement regarding Disclosure of Commission Findings
- 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: _____

GENERAL INFORMATION ON FIRM:

Legal Name of Firm:

Firm's Mailing Address:

Firm's Website:

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

Federal Tax ID Number:

FINRA and/or SEC Registration Number (if applicable):

MWBE Registration Number (if applicable):

Indicate name(s) of MWBE subcontractor(s) (if applicable):

Service-Disabled Veteran-Owned Business (SDVOB) Registration Number (if applicable):

Indicate name(s) of SDVOB subcontractor(s) (if applicable):

MAIN CONTACT INFORMATION FOR THIS PROPOSAL:

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

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

PRINCIPAL IN CHARGE:

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

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

ADDITIONAL CONTACTS (if applicable):

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

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State of New York Mortgage Agency

REQUEST FOR PROPOSALS FOR ADVERTISING PLACEMENTS, MARKETING AND CONSULTANT SERVICES

The Lobbying Law designated Contact Officer for this solicitation is:

Alejandro J. Valella, Vice President and Deputy Counsel
New York State Homes & Community Renewal
State of New York Mortgage Agency
641 Lexington Avenue, 4th Floor New York, New York 10022
Alex.Valella@nyshcr.org

1. 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 State of New York Mortgage Agency (“SONYMA” or “Agency”). HCR includes other agencies not involved in this request for proposals (“RFP”) process.

2. Purpose

The State of New York Mortgage Agency requests proposals and statements of qualification from qualified firms (referred to hereinafter as “Proposers” or “Respondents”) for the provision of advertising placements, marketing and consultant services (“Ad Services”). The purpose of this RFP is to pre-qualify firms as eligible to provide Ad Services to the Agency, from time to time, on an as-needed basis. Qualified firms will be eligible to enter into a contractual agreement with the Agency during the next five years. The general scope of services for Ad Services is more fully explained in the Scope of Services section of this RFP.

This solicitation seeks to replace, not supplement, the Agency’s contracts with vendors for the provision of Ad Services. Accordingly, vendors with any existing contracts with the Agency for Ad Services must respond to this RFP if they wish to continue to be eligible to provide Ad Services to the Agency.

3. Overview of the State of New York Mortgage Agency

The State of New York Mortgage Agency was created in 1970 to increase the affordability of homeownership for low- to moderate-income residents of New York State. The Agency is a corporate governmental agency constituting a public benefit corporation, created under the Public Authorities Law, Title 17, Section 2400 et. seq. We urge you to visit the Agency’s web site where comprehensive information on the Agency and its programs can be found. The Agency’ web site is www.nyshcr.org. The Agency funds its mortgage lending activities through the issuance of tax-exempt and taxable (primarily tax-exempt) bonds under two resolutions: the Homeowner Mortgage Revenue Bond (“**HMRB**”) Resolution and Mortgage Revenue Bond (“**MRB**”) Resolution. SONYMA has approximately \$2.608 billion of bonds outstanding under its HMRB and MRB Resolutions. The majority of the Agency’s recent bond transactions have been issued under its HMRB Resolution. The Agency is one of the nation’s largest issuers of single family housing bonds and the only issuer of such bonds in New York State. In 2016, the Agency issued over \$390 million in bonds and funded over 1,898 mortgages.

4. Assessment of Practices relating to Diversity and Service Disabled Veteran Owned Business Enterprises (“SDVOBs”)

The Agency has determined, pursuant to New York State Executive Law Article 15-a (“**Article 15-A**”), that the assessment of the diversity practices of Respondents to this RFP is practical, feasible, and appropriate. Accordingly, Respondents will be required to include the following items as part of their response to this RFP, as described more fully in Section 12 herein: (i) [EEO Staffing Plan, PROC-1](#); (ii) [Utilization Form, PROC-2](#); (iii) [MWBE/EEO Policy Statement, PROC-4](#) (iv) [Company Demographic Profile PROC-7](#); (v) [EEOC Statement, PROC-8](#), applicable to Respondents with 15 or more employees; and (vi) [Diversity Practice Questionnaire, PROC-9](#), all forms hyperlinked herein.

4.1 Minority and/or Women Owned Business Enterprise (“Diversity”) Participation

The Agency is committed to awarding contracts to firms that are dedicated to diversity and provide high-quality services. The Agency strongly encourages firms that are certified by the 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 MWBE firms submitting proposals to this RFP should be registered as such with NYS’s Empire State Development

(“ESD”). For MWBE firms that are not certified but have applied for certification, please provide evidence of filing, including the filing date.

The Agency is required to implement the provisions of 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 Agency strongly encourages joint ventures of MWBE firms with majority firms and MWBE firms with other MWBE firms. For assistance identifying MWBE partners, review the [list of certified State certified MWBEs](#) hyperlinked herein or contact Ms. Lisa G. Pagnozzi, Vice President of Contracts and Administration at Lisa.Pagnozzi@nyshcr.org .

For purposes of this solicitation, the Agency hereby establishes 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**”).

4.2 Service-Disabled Veteran-Owned Business Enterprise Participation

The Agency is committed to awarding contracts to service-disabled veteran-owned business enterprises (“**SDVOBs**”) that provide high-quality services. The Agency strongly encourages firms that are certified as SDVOBs, as well as firms that are not yet certified, but have applied for certification, to submit responses to this RFP. All SDVOB firms submitting proposals to this RFP should be certified with the State’s Office of General Services (“**OGS**”). For SDVOBs that are not certified but have applied for certification, please provide evidence of filing, including the filing date.

The Agency is required to implement the provisions of Article 17-B of the State’s Executive Law for all Agency contracts, as defined therein, with a value in excess of \$25,000. For assistance identifying SDVOB partners, review the [list of certified State SDVOBs](#) hyperlinked herein, visit the [State’s SDVOB webpage](#) also hyperlinked herein, or contact Ms. Pagnozzi at Lisa.Pagnozzi@nyshcr.org.

For purposes of this solicitation, the Agency hereby establishes a goal of 6% of total contract expenditures for SDVOB participation.

4.3 MWBE and SDVOB Partner/Subcontractor Interest

NYS certified MWBEs and SDVOBs may request that their firm’s contact information be included on a list of MWBE and SDVOB firms interested in serving as a partner or subcontractor for this RFP. The listing will be publicly posted on the Agency’s website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its NYS MWBE certification and/or NYS SDVOB certification to Lisa.Pagnozzi@nyshcr.org . Nothing prohibits an MWBE or a SDVOB firm from proposing as a prime contractor.

5. Calendar of Events and Milestones

It is anticipated that a prequalified panel of firms will be established, eligible for engagements, in response to this RFP based on the following schedule:

Event	Date
Issuance of RFP	July 13, 2017
Deadline for RFP Questions	August 2, 2017, 3PM EDT ("Eastern Daylight Time")
Deadline for Responses to RFP Questions	August 7, 2017
Deadline for Submission of Proposals	August 15, 2017, 12 PM EDT
Anticipated Selection Date*	October 12, 2017

*Subject to the approval of the Agency's Board of Directors ("Board").

The Agency reserves the right to modify this schedule at its discretion. Notification of changes in connection with this RFP will be made available to all interested parties via the Agency's web page at: <http://www.nyschr.org/AboutUs/Procurement/HCR-Procurement.htm> .

6. Scope of Services ("Scope of Work")

6.1 Background

The Agency is required under State law to **advertise** in newspapers of general circulation in the state to generate "**maximum participation by potential mortgagors**". Federal law requires that at least 20% of the lendable proceeds of every Agency tax-exempt bond issue must be made available (and applied with reasonable diligence) for owner-financing of residences in "targeted areas" (a federally defined term). Federal Regulations state that this requirement is satisfied if, in addition to making this 20% available, "the issuer attempts with **reasonable diligence** to place such proceeds in qualified mortgages". The Regulations go on to state that "**Reasonable diligence requires that the issuer and the loan originators use reasonable efforts in trying to place mortgages in targeted areas, such as by advertising that mortgage funds are available in targeted areas** (my emphasis).

In furtherance of the Agency's mission to increase the affordability of homeownership for low-to-moderate income residents of New York State, and in order to comply with the above noted legal requirements, the Agency rigorously promotes and advertises homeownership opportunities within

community newspapers to target specific demographic audiences within various counties of the State, in accordance with Housing and Urban Development (“**HUD**”) guidelines. Over the last decade, SONYMA has launched several reduced interest rate programs to increase homeownership opportunities among veterans and low-income homebuyers.

Widespread brand awareness of SONYMA and its programs throughout the State of New York is an indispensable component of carrying forward the Agency’s mission. In an effort to promote public awareness of affordable homeownership opportunities sponsored by SONYMA, exposure through strategic marketing programs and advertising across various media channels is necessary. SONYMA places print advertisements in newspaper publications and utilizes other marketing venues.

6.2 Respondent Requirements

The successful Respondents:

1. Will assist SONYMA in its efforts to maximize the effectiveness of SONYMA’s statewide advertising campaign to promote its mortgages and handle direct contract negotiations. The advertising placement and consultant services may include, but are not limited to:
 - a) Creating strategic media plans based on research and data;
 - b) Recommending advertising channels across print, digital, social, broadcast and radio, based on research and SONYMA criteria;
 - c) Negotiating fees with selected publications and media outlets;
 - d) Placing ads with media outlets;
 - e) Processing payments to media outlets;
 - f) Submitting a monthly report listing all ad and media outlet placements, including the cost for each placement; and
 - g) Other related Ad Services.
2. Must be able to place advertisements with community-based newspapers throughout the Metropolitan and Non-Metropolitan counties of the State.
3. Must be able to provide or have access to translation services and provide rates.

Major considerations in the selection of advertising vendors include vendor location and the demographics of the population served by a vendor. Utilizing this information, SONYMA strategically places advertisements where they will effectively promote SONYMA’s programs.

7. Administrative Information

7.1 Questions and Answers

Any questions or requests for clarification regarding this RFP must be submitted via email to Nyhomes.Proposal@nyshcr.org , citing the RFP page and section, no later than the date identified in the “*Calendar of Events and Milestones*” section of this RFP. The “Subject” line of the email should indicate “Ad Services.”

Questions will not be accepted orally and any question received after the deadline may not be answered. The list of questions/requests for clarifications and the official Agency responses will be posted in a timely manner on [HCR’s “Procurement Opportunities” webpage](#).

Proposers should note that all clarifications and exceptions are to be resolved prior to submission of the proposal.

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

7.2 Amendments and Addenda

The Agency reserves the right to modify any part of this RFP including, but not limited to, the date and time by which proposals must be submitted and received by the Agency, at any time prior to the Deadline for Submission of Proposals date listed in the “*Calendar of Events and Milestones*” section of this RFP. Modifications to this RFP will be made by issuance of amendments and/or addenda. Any amendment or addendum to this RFP will become part of this RFP.

Prior to the Deadline for Submission of Proposals’ date, any such clarifications or modifications as deemed necessary will be posted to [HCR’s website](#).

If the Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Proposer will immediately notify the Agency of such error in writing and request clarification or modification of the document.

There are no designated dates for release of addenda; therefore, interested Proposers should check the Agency’s website frequently through the Deadline for Submission of Proposals’ date. It is the sole responsibility of the Proposer to be knowledgeable of all addenda related to this RFP process.

7.3 Restriction of Communication

Pursuant to State Finance Law (“SFL”) §§139-j and 139-k, this RFP imposes certain restrictions on communications between the Agency and their Affiliates (New York State Housing Finance Agency, Housing Trust Fund Corporation, New York State Affordable Housing Corporation, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation and NYS Division of Housing and Community Renewal), and a potential Respondent during the RFP process. A Respondent is restricted from making contacts that a reasonable person may infer were intended to influence the selection of a firm or company to perform (or provide) the proposed professional services (or goods) in this RFP, from the date of publication of this RFP until the awarding of a contract(s) by the Agency (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 Agency, including any employees of any agency that constitutes HCR, are required to obtain certain information when contacted during the Restricted Period and make a determination of responsibility of the Respondent 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 Respondent will be debarred from obtaining governmental contracts.

For further 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
New York State Homes & Community Renewal
State of New York Mortgage Agency
641 Lexington Avenue, 4th Floor, New York, New York 10022
Alex.Valella@nyshcr.org

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

Lisa G. Pagnozzi, Vice President, Contracts and Administration
New York State Homes & Community Renewal
State of New York Mortgage Agency
641 Lexington Avenue, 4th Floor, New York, New York 10022
Lisa.Pagnozzi@nyshcr.org

Christopher Davis, Contract Management Specialist
New York State Homes and Community Renewal
State of New York Mortgage Agency
641 Lexington Avenue, 4th Floor, New York, New York 10022
Christopher.Davis@nyshcr.org

Berniesha Coleman, Assistant Contract Administrator
New York State Homes and Community Renewal
State of New York Mortgage Agency
641 Lexington Avenue, 4th Floor, New York, New York 10022
Berniesha.Coleman@nyshcr.org

Other than the four contact persons identified above, prospective Respondents shall not approach Agency 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.

7.4 Term of Contract

The contract term will be for up to a five year period, subject to approval by the Agency's Board. The Agency, at its discretion, may exercise its option to modify any provision in the contract, including but not limited to the scope of services and compensation, on an as needed basis, with the mutual written consent of the contracting parties. Any contract that exceeds a five year period will require the affirmative concurrence of the Agency's Board to extend the contract without undergoing a new solicitation process.

The successful Respondents will be required to execute a contract with the Agency that incorporates the Agency's [Standard Clauses for Contracts](#) and [MWBE Participation Requirements and Procedures for Contracts](#), hyperlinked herein as Appendices I and II respectively.

7.5 Affordable Care Act

It is the sole responsibility of the successful Respondents to provide and maintain all Affordable Care Act (“ACA”) requirements/benefits. The ACA mandates employers with 50 or more full-time equivalents to offer coverage to full-time employees and their dependents or pay taxes if an employee obtains Exchange coverage and a premium tax credit¹. Employees of the successful Respondents providing services to the Agency are employees of the successful Respondents and are not employed by any Agency nor the State of New York.

¹ Exchange coverage allows a firm to use the State's insurance exchange marketplace to obtain coverage from competing private health care providers.

8. Proposal Requirements

A complete proposal for this RFP is comprised of four (4) separate tabs: (i) Tab One: Application Cover Sheet and Cover Letter; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; and (iv) Tab Four: Administrative Proposal.

The Proposal must be complete and prepared in the format consistent with the instructions provided in this RFP. In all instances, the Agency's determination regarding a proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive at the Agency's 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.

8.1 Proposal Submission Requirements

Proposals must be delivered, by email, no later than the proposal due date and time indicated in the "*Calendar of Events and Milestones*" section of this RFP.

Proposals must be submitted by email to Nyhomes.proposal@nyshcr.org in searchable portable document format ("**PDF**") compatible with Adobe Reader XI. The Agency will not accept discs, flash drives, or FTP file references that require the Agency 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: Application Cover Sheet and Cover Letter; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; and (iv) Tab Four: Administrative Proposal. 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: "2017 Ad Services: 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 "2017 Ad Services: Tabs 3 and 4".

Any proposal delivered after the date and time designated as the proposal submission deadline listed in the "*Calendar of Events and Milestones*" 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 Agency reserves 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 Agency.

All submitted proposals shall become the property of the Agency.

9. Contents of Proposals

The Proposer must submit a proposal that clearly provides all the information required in this RFP. Emphasis should be made on conformance to the RFP instructions, responsiveness to the RFP requirements, and clarity of content. The Proposer is advised to thoroughly read and follow all instructions contained in this RFP. Proposals that do not comply with these instructions, or do not meet the full intent of all the requirements of this RFP may be subject to scoring reductions during the evaluation process or may be deemed non-responsive.

The Agency does not require, nor desire, any promotional material that does not specifically address the response requirements in this RFP.

Proposals should demonstrate that the Proposer is qualified to perform the Scope of Work based upon prior relevant professional experience. An Agency review committee will conduct a comprehensive review of each proposal.

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 Tab 2 must be limited to ten (10) letter-size pages (single or double spaced, minimum 12 point font, and at least one inch margins). The ten page limit in Tab 2 does not include resumes, references, organizational chart, etc.

The Proposer’s proposal must contain responses to the items listed below.

9.1 TAB 1: Cover Letter

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

1. The Proposer's name, address, telephone number, fax number, email address and web site address, if applicable;
2. 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;
3. A summary of the Proposer's organizational history and legal structure (e.g. corporation, evidence of MWBE and/or SDVOB certification status, etc.);
4. A statement affirming the number of years that the Proposer or its principals have provided similar services to those described in the Scope of Work;
5. The name(s) of the primary staff who will provide services to the Agency; and
6. 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.

9.2 TAB 2: Technical Proposal

This section of the RFP provides instructions to Proposers regarding information that is to be included in the Technical Proposal. Proposals must be complete, factual and as detailed as necessary to allow the Agency to adequately evaluate capabilities and experience.

The purpose of the Technical Proposal is to provide the Proposer an opportunity to demonstrate its qualifications, competence and capacity to undertake the Scope of Work described in Section 6 of this RFP, in a manner which complies with the requirements of this RFP. Proposals must specifically detail a Proposer's qualifications and experience in providing services sought by the Agency. Your response must include responses to the following items.

9.2.1 Overview and Experience

1. Provide a brief overview of your firm and regulatory authorities supervising the firm, if any. Include a summary of the structure and relevant management of your firm. Briefly describe any significant changes to the management and/or structure of your firm, including any mergers that occurred in the last three years or anticipated in the future.

2. Provide a brief overview of your organization's experience and qualifications with the placement of ads in publications and media outlets, including relationships established with publications and media outlets in New York State.
3. Discuss the overall ad placement and marketing services that your firm provides including, but not limited to, translation services.
4. List between three to five engagements within the last five years that your firm has provided similar Ad Services, with particular emphasis on engagements with firms in the real estate and banking institutions, if any. For each engagement, provide the following information:
 - a) The name and location of the client;
 - b) Type of entity (government, private, etc.);
 - c) Dates of engagement;
 - d) Description of the services provided under the engagement;
 - e) Describe any best practices or innovative techniques that were learned and/or applied under the engagement that may be useful in achieving outcomes listed in the Scope of Work for this RFP; and
 - f) Provide the name, title and contact information for the individual that can provide a reference for the client and speak with authority to the Proposer's performance in the engagement.
5. Why should the Agency select your firm? What can your firm do for the Agency that other firms cannot?

9.2.2 Capacity

1. Identify the location of your firm's main office. If there are other locations of your firm that will be involved in the Ad Services, identify these other location(s) and names/telephone numbers/email addresses of contact persons in these locations.
2. Identify key staff who will be engaged in the relationship between your firm and the Agency, and include location of key staff. For each staff member listed, provide the number of years of relevant experience, and attach a resume. Provide a flow chart describing how the work will be carried out among your staff.
3. Provide an organizational chart for you and subcontractors, if any.

9.2.3 Approach to Meeting the Functional and Technical Requirements

1. Identify your firm's approach and the common procedures that would be involved in executing the Scope of Work for this contract.
2. Discuss how the approach will meet the requirements in the Scope of Work and include the methodology (i.e., approach, project plan, etc.).
3. Discuss how your firm will ensure the security of any Agency information received by your firm resulting from working on this engagement.
4. Describe the availability and type of support to be provided to the Agency, if any.

9.3 TAB 3: Cost Proposal

Proposers must complete the Cost Proposal in the format outlined in Attachment 1 of this RFP. The Cost Proposal should include and assume all costs required to complete the Scope of Work and requirements in this RFP.

9.4 TAB 4: Administrative Proposal

Proposers are subject to the requirements in the [Agencies' Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Exhibit A. Such requirements include, but are not limited to, submission of the following information and forms of the Agency: (a) [Vendor Information FORM](#); (b) [Lobbying Procurement Law FORM 1](#) and [Lobbying Procurement Law FORM 2](#) ; (c) [Non-Collusive Bidding Certification FORM](#); and (d) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#); (e) [EEO Staffing Plan, PROC-1](#); (f) [Utilization Plan, 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; and (j) [Diversity Practices Questionnaire, PROC-9](#).

In addition to completion of the forms hyperlinked in the paragraph above, Proposers must provide all other information indicated in this Section 9.4 for Tab 4.

9.4.1 Insurance

- a. Workers' Compensation Documentation. If the Proposer is awarded a contract, the Contractor will be required to provide the Agency with written evidence of the workers' compensation insurance coverage utilizing ONE of the following forms:

- ✓ **Form C-105.2** – Certificate of Workers’ Compensation Insurance issued by private insurance carriers; **OR**
- ✓ **Form U-26.3** issued by the State Insurance Fund; **OR**
- ✓ **Form SI-124** – Certificate of Workers’ Compensation Self-Insurance; **OR**
- ✓ **Form GSI-105.2** - Certificate of Participation in Workers’ Compensation Group Self- Insurance; **OR**
- ✓ **CE-2006** – Certificate of Attestation of Exemption from NYS Workers’ Compensation and/or Disability Benefits Coverage.

b. Disability Benefits Documentation. If the Proposer is awarded a contract, the Contractor will be required to provide the Agency with written evidence of disability benefits insurance coverage utilizing ONE of the following forms:

- ✓ **Form DB-120.1** - Certificate of Disability Benefits Insurance; **OR**
- ✓ **Form DB-155** - Certificate of Disability Benefits Self-Insurance; **OR**
- ✓ **CE-200** – Certificate of Attestation of Exemption from New York State Workers’ Compensation and/or Disability Benefits Coverage.

For additional information regarding workers’ compensation and disability benefits requirements, please refer to www.wcb.ny.gov or call their Bureau of Compliance at (518) 486-6307 with any questions regarding the law and its requirements.

In the event any insurance coverage is cancelled, the Agency must be notified immediately.

9.4.2 Financial Capacity

Proposers must provide the last two years of your firm’s most recent tax returns, or if available audited financial statements.

9.4.3 Conflict of Interest

- Disclose any existing or contemplated relationship with any other person or entity, including relationships with any parent, subsidiary or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Proposer or former officers and employees of the Agency and its Affiliates, in connection with your rendering services enumerated in this RFP.
- If a conflict does or might exist, please describe how your company would eliminate or prevent it.
- Indicate what procedures will be followed to detect, notify the Agency of, and resolve any such conflicts.

9.4.4 Disclosure of Commission Findings

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.

9.4.5 Licenses, Certifications and other Credentials

The Proposer must respond affirmatively that it, and its subcontractors (if any), will have, prior to commencement of work under the Contract, all necessary licenses, certifications, approvals, and other needed credentials to perform the Scope of Work in the RFP, if applicable.

9.4.6 Practices relating to Diversity and SDVOBs

Proposers must provide the following information relating to MWBEs:

- (i) Please share any ideas you may have for joint venture partnerships which would meet the 30% overall MWBE participation requirement;
- (ii) If the Proposer is a NYS certified MWBE firm, provide documentation evidencing certification. For MWBE firms that are not certified but have applied for certification, provide documentation evidencing the application, including the filing date;
- (iii) If the Proposer is not certified as a MWBE firm by NYS, include 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
- (iv) A statement by the Proposer indicating its willingness to engage in MWBE partnering, subcontracting, 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.

Proposers must provide the following information relating to SDVOBs:

- (v) Please share any ideas you may have for joint venture partnerships which would meet the 6% SDVOB participation requirement;

- (vi) If the Proposer is a NYS certified SDVOB firm, provide documentation evidencing certification. For SDVOB firms that are not certified but have applied for certification, provide documentation evidencing the application, including the filing date;
- (vii) If the Proposer is not certified as a SDVOB firm by NYS, include descriptions of the instances, if any, in which the Proposer has worked with SDVOB 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
- (viii) A statement by the Proposer indicating its willingness to engage in SDVOB partnering, subcontracting, or mentoring arrangements with a SDVOB 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.

10. Evaluation of Proposals

10.1 Preliminary Review

The Agency reserves the right to reject all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Incomplete proposals may be rejected.

10.2 The Evaluation and Criteria for Selection

The evaluation 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 the requirements of this RFP; and (2) to identify the complying firm(s) that have the highest probability of satisfactorily performing the Scope of Work, described herein. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

Proposals will undergo an evaluation process conducted by a committee of the Agency (“**Committee**”). The Agency will evaluate proposals based on the qualifications of both the firm and its current personnel. The Committee will evaluate the proposals based upon the following criteria:

- Demonstrated experience and ability to provide the services in the Scope of Work;
- Demonstrated competence, knowledge and technical expertise and capacity to perform the services in the Scope of Work;
- Cost effectiveness;
- Presence of an office in the State of New York;

- Diversity and commitment to equal employment opportunity and MWBE and SDVOB programs;
- Avoidance of any potential conflict of interest or appearance of impropriety and policies designed to ensure the avoidance of such conflicts in the future;
- Financial stability;
- Review of insurance information;
- Overall completeness of all information provided in the proposal; and
- Interviews to clarify or expand on the RFP response (to be conducted at the discretion of the Agency).

10.3 Interviews

The Agency reserves the right to determine whether interviews will be necessary and the number of firms to be interviewed. If the Agency deems interviews necessary, selected firms will be notified. The Proposer's primary staff person who would be responsible for the Agency's relationship with the Proposer, as well as other key personnel proposed to provide services, including its subcontractor's primary staff person, must be present and participate in the interview. The purpose of the interview is to further document the Proposer's ability to provide the required services, and to impart to the Agency's Committee an understanding of how specific services will be furnished. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the Proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

The Agency reserves the right to negotiate or hold discussions with any Proposer.

10.4 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 Agency's determination via U.S. mail or email.

11. Pertinent Information Affecting Proposers

11.1 Proposal Requirements

A Proposer may withdraw a proposal any time prior to the final due date and time by written notification, signed by an authorized agent, to the contact person identified in Section 7 above. The proposal may thereafter be resubmitted, but not after the final due date and time.

By responding to this RFP, the Proposer indicates its acceptance of the provisions and conditions enumerated in this RFP. The Proposer warrants and affirms that the terms of this RFP, and any resultant agreement, do not violate any contracts or agreements to which it is a party, and that its

other contractual obligations will not adversely influence its capabilities to perform under the contract.

11.2 Agency Requirements

By submitting a proposal, the Proposer covenants that it will not make any claims or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.

The Agency shall not be obligated for any cost incurred by the Proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.

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12. Information relating to MWBEs, EEO, SDVOB and use of State Businesses

12.1 Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority-and Women-Owned Business Enterprises

12.1.1 New York State Law

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145, the Agency recognizes its 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 Agency establishes 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.

12.1.2 Business Participation Opportunities for MWBEs

For purposes of this solicitation, the Agency hereby establishes an overall goal of 30% for MWBE participation, 15% for NYS certified MBE participation and 15% for NYS certified 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, partners or suppliers in the performance of the Contract and the Contractor agrees that the Agency may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=3972> . For guidance on how the Agency 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 that the Contractor has 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 Agency 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 Proposer on the Contract (“**Proposer**” or “**Bidder**”) 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/frontend/diversityusers.asp> , provided, however, that a Proposer may arrange to provide such evidence via a non-electronic method by contacting Ms. Lisa G. Pagnozzi at Lisa.Pagnozzi@nyshcr.org and 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 Proposer’s MWBE requirements, please click on the following hyperlinked MWBE guidance, “[Your MWBE Utilization and Reporting Responsibilities Under Article 15-A.](#)”

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

- a. A 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 Agency.
- b. The Agency will review the submitted MWBE Utilization Plan and advise the Bidder of the Agency’s acceptance or issue a notice of deficiency within 30 days of receipt.
- c. 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 Agency at 641 Lexington Avenue, 4th Floor, New York, NY 10022, Fax number 917-274-0364, 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 Agency to be inadequate, the Agency 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 Agency may disqualify a Bidder as being non-responsive under the following circumstances:

- i) If a Bidder fails to submit a MWBE Utilization Plan;
- ii) If a Bidder fails to submit a written remedy to a notice of deficiency;
- iii) If a Bidder fails to submit a [request for waiver](#); or
- iv) If the Agency determines 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 Agency, 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 [Cumulative Payment Statement](#) to the Agency, by the 10th 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.

12.2 Contractor Requirements and Procedures for Equal Employment Opportunities (“EEO”) for Minority Group Members and Women

12.2.1 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 Agency 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 Utilization 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. Lisa G. Pagnozzi at Lisa.Pagnozzi@nyshcr.org.

Further, pursuant to Article 15 of the Executive Law (the “**Human Rights Law**”) and 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.

12.3 Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOB”), thereby further integrating such businesses into New York State’s economy. The Agency recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of Agency contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in NYS, Proposers/Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

12.3.1 Contract Goals

- A. The Agency hereby establishes a goal of 6% for SDVOB participation on the Contract(s) resulting from this solicitation process, based on the current availability of qualified SDVOBs. For purposes of providing meaningful participation by SDVOBs, the Bidder/Contractor should reference the directory of New York State Certified SDVOBs found at: <https://ogs.ny.gov/Core/SDVOBA.asp>. Questions regarding compliance with SDVOB participation goals should be directed to Ms. Lisa G. Pagnozzi at Lisa.Pagnozzi@nyshcr.org . Additionally, following Contract execution, Contractor is encouraged to contact the Office of General Services’ Division of Service-Disabled Veterans’ Business Development at 518-474-2015 or VeteransDevelopment@ogs.ny.gov to discuss additional methods of maximizing participation by SDVOBs on the Contract.

- B. Contractor must document “good faith efforts” to provide meaningful participation by SDVOBs as subcontractors or suppliers in the performance of the Contract (see subsection 12.3.4 below).

12.3.2 SDVOB Utilization Plan

- A. In accordance with 9 NYCRR § 252.2(i), Bidders are required to submit a completed SDVOB [Utilization Plan](#), hyperlinked herein, with their bid.
- B. The Utilization Plan shall list the SDVOBs that the Bidder intends to use to perform on the Contract, a description of the work that the Bidder intends the SDVOB to perform to meet the goals on the Contract, the estimated dollar amounts to be paid to an SDVOB, or, if not known, an estimate of the percentage of Contract work the SDVOB will perform. By signing the Utilization Plan, the Bidder acknowledges that making false representations or providing information that shows a lack of good faith as part of, or in conjunction with, the submission of a Utilization Plan, is prohibited by law and may result in penalties including, but not limited to, termination of a contract for cause, loss of eligibility to submit future bids, and/or withholding of payments. Any modifications or changes to the agreed participation by SDVOBs after the Contract award and during the term of the Contract must be reported on a revised SDVOB Utilization Plan and submitted to the Agency.
- C. The Agency will review the submitted SDVOB Utilization Plan and advise the Bidder/Contractor of the Agency’s acceptance or issue a notice of deficiency within 20 days of receipt.
- D. If a notice of deficiency is issued, Bidder/Contractor agrees that it shall respond to the notice of deficiency, within seven business days of receipt, by submitting to the Agency 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 Agency to be inadequate, the Agency shall notify the Bidder/Contractor and direct the Bidder/Contractor to submit, within five business days of notification by the Agency, a request for a partial or total waiver of SDVOB participation goals. Failure to file the waiver in a timely manner may be grounds for disqualification of the bid or proposal.
- E. The Agency may disqualify a Bidder’s bid or proposal as being non-responsive under the following circumstances:
 - (i) If a Bidder fails to submit an SDVOB Utilization Plan;
 - (ii) If a Bidder fails to submit a written remedy to a notice of deficiency;
 - (iii) If a Bidder fails to submit a request for waiver; or
 - (iv) If the Agency determines that the Bidder has failed to document good faith efforts.

- F. If awarded a Contract, Contractor certifies that it will follow the submitted SDVOB Utilization Plan for the performance of SDVOBs on the Contract pursuant to the prescribed SDVOB contract goal set forth above.
- G. Contractor further agrees that a failure to use SDVOBs as agreed in the Utilization Plan shall constitute a material breach of the terms of the Contract. Upon the occurrence of such a material breach, the Agency shall be entitled to any remedy provided herein, including but not limited to, a finding of Contractor non-responsibility.

12.3.3 Request for Waiver

- A. **Prior to submission of a request for a partial or total waiver, Bidder/Contractor shall speak to the Designated Contact(s) at the Agency for guidance.**
- B. In accordance with 9 NYCRR § 252.2(m), a Bidder/Contractor that is able to document good faith efforts to meet the goal requirements, as set forth in subsection 12.3.4 below, may submit a request for a partial or total waiver, accompanied by supporting documentation. A Bidder may submit the request for waiver at the same time it submits its SDVOB Utilization Plan. If a request for waiver is submitted with the SDVOB Utilization Plan and is not accepted by the Agency at that time, the provisions of subsection 12.3.2 (C), (D) and (E) will apply. If the documentation included with the Bidder's/Contractor's waiver request is complete, the Agency shall evaluate the request and issue a written notice of acceptance or denial within 20 days of receipt.
- C. Contractor shall attempt to utilize, in good faith, the SDVOBs identified within its SDVOB 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 Agency, but must be made no later than prior to the submission of a request for final payment on the Contract.
- D. If the Agency, upon review of the SDVOB Utilization Plan and Monthly SDVOB Compliance Report determines that Contractor is failing or refusing to comply with the contract goals and no waiver has been issued in regards to such non-compliance, the Agency may issue a notice of deficiency to the Contractor. The Contractor must respond to the notice of deficiency within seven business days of receipt. Such response may include a request for partial or total waiver of SDVOB contract goals.

Waiver requests should be sent to the Agency.

12.3.4 Required Good Faith Efforts

In accordance with 9 NYCRR § 252.2(n), Contractors must document their good faith efforts toward utilizing SDVOBs on the Contract. Evidence of required good faith efforts shall include, but not be limited to, the following:

- (i) Copies of solicitations to SDVOBs and any responses thereto;
- (ii) Explanation of the specific reasons each SDVOB that responded to Bidders/Contractors' solicitation was not selected;
- (iii) Dates of any pre-bid, pre-award or other meetings attended by Contractor, if any, scheduled by the Agency with certified SDVOBs whom the Agency determined were capable of fulfilling the SDVOB goal set in the Contract;
- (iv) Information describing the specific steps undertaken to reasonably structure the Contract scope of work for the purpose of subcontracting with, or obtaining supplies from, certified SDVOBs; and
- (v) Other information deemed relevant to the waiver request.

12.3.5 Monthly SDVOB Contractor Compliance Report

In accordance with 9 NYCRR § 252.2(q), Contractor is required to report Monthly SDVOB Contractor Compliance to the Agency during the term of the Contract for the preceding month's activity, documenting progress made towards achieving the Contract SDVOB goals. This information must be submitted using the form available on the [Agency website](#) and should be completed by the Contractor and submitted to the Agency, by the 10th day of each month during the term of the Contract, for the preceding month's activity to: Econ.Opportunity@nyshcr.org.

12.3.6 Breach of Contract and Damages

In accordance with 9 NYCRR §252.2(s), the Contractor acknowledges that if it is found that the Contractor has willfully and intentionally failed to comply with the SDVOB participation goal set forth in the Contract, such finding constitutes a breach of Contract and the Agency 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 the SDVOB had the Contractor achieved the contractual SDVOB goal; and (2) all sums actually paid to the SDVOB for work performed or materials supplied under the Contract.

12.4. The Use of New York State Businesses in Contract Performance

The Agency is 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 Agency 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, and service-disabled veteran 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 Agency therefore expects 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.

TAB 3: Cost Proposal Template

Firm's Name: _____

Type of Services	Fee*
Media Commission (Percentage of monthly gross cost of advertising and/or media placements)	
Translation Services (hourly rate)	
Additional Ad Services, if any, to be indicated below (indicate whether fee is based on an hourly rate, percentage basis, etc.):	

*The fee must remain the same for the first five years of the contract (2017 – 2022)