



NEW YORK
STATE OF
OPPORTUNITY™

**Empire State
Development**

**Request for Proposals
New York State MWBE Forum
Event Planning, Development, and Management**

Solicitation Issue Date: **January 4th, 2016**

Proposal Due Date: **No Later than 2:00PM EST, February 18th, 2016**

Issued by:

Empire State Development

633 Third Avenue
New York, NY 10017
MWBEForum@esd.ny.gov

Table of Contents

I.	INVITATION TO SUBMIT PROPOSALS.....	2
II.	INTRODUCTION.....	2
III.	OVERVIEW.....	2
IV.	SCOPE OF WORK.....	3
	a. Venue Search.....	3
	b. Program Development.....	4
	c. Opportunities Book.....	4
	d. Sponsorship.....	4
	e. Event Marketing.....	4
	f. Event Management.....	5
	g. Registration.....	5
	h. Follow Up.....	5
V.	SELECTION PROCESS.....	6
	a. Skills Required.....	6
	b. Selection Criteria.....	6
	c. Proposal Requirements.....	7
VI.	PROJECT SCHEDULE.....	9
VII.	SUBMISSION OF PROPOSALS.....	10
VIII.	QUESTIONS.....	10
IX.	GENERAL PROVISIONS.....	11
X.	PROCUREMENT FORMS AND REQUIREMENTS.....	11
XI.	ATTACHMENTS.....	18
	<i>Attachment A</i>	19
	<i>Attachment B</i>	20
	<i>Attachment C</i>	24

I. INVITATION TO SUBMIT PROPOSALS

The New York State Urban Development Corporation d/b/a Empire State Development (ESD) is seeking proposals from well qualified programming and events management companies (or teams of companies) to provide program development and event management services for the annual New York State Minority and Women-owned Business Enterprises (MWBE) Forum (NYS MWBE Forum). The selected vendor will provide services to develop and deliver the NYS MWBE Forum for the 2016 calendar year with the potential option to extend the contract for two (2) one (1) year terms for the 2017 and 2018 calendar years.

II. INTRODUCTION

The mission of Empire State Development is to promote a vigorous and growing state economy, encourage business investment and job creation, and support diverse, prosperous local economies across New York State through the efficient use of loans, grants, tax credits, real estate development, marketing and other forms of assistance.

The Division of Minority and Women's Business Development (DMWBD) will serve as the primary coordinating entity for the NYS MWBE Forum. The mission of DMWBD is to promote equality of economic opportunities for MWBEs and to eliminate barriers to their participation in state contracts. DMWBD supplements New York State's economic leadership with information and resources that increase access to information and opportunities for minority and women-owned businesses throughout the State.

DMWBD's key objectives are:

- To assist state agencies that are engaged in contracting activities to award state contracts to MWBEs in keeping with the Governor's stated MWBE utilization goals.
- To review applications by businesses seeking certification as an MWBE and to maintain a directory of certified MWBEs.
- To promote the business development of MWBEs through education and outreach to MWBEs, prime contractors and contracting agencies.

III. OVERVIEW

The NYS MWBE Forum is a two-day event held the first week of October at a venue within New York State. It is the largest statewide business opportunities event for MWBEs, drawing in an average of 2,000 attendees and over 200 exhibitors each year. The NYS MWBE Forum is designed to help MWBE's from all industries learn about contract opportunities with the state agencies and authorities in New York State, and meet New York's leading public and private sector leaders and procurement decision makers. Attendees include NYS Agencies and Authorities (<https://www.ny.gov/agencies>), statewide elected officials, MWBEs, NYS Prime Contractors, Subcontractors, and the general public.

The NYS MWBE Forum includes both panel presentations on key initiatives and educational programs related to MWBEs as well as large scale exhibitions. Exhibitors include New York State's 96 Agencies and Authorities, for-profit and non-profit businesses and other NYS government entities. **For more information about last year's New York State MWBE Forum refer to the website www.nysmwbeforum.org.**

Empire State Development's (ESD) goal for the NYS MWBE Forum is to increase opportunities for MWBEs by facilitating new professional connections and educating them on how to become more competitive through the attainment of contracts in NYS. ESD is soliciting for program development and events management services to plan, develop, and manage the Annual NYS MWBE Forum.

Interested vendors must be able to provide all of the following services:

- **Venue Search:** Identification of appropriate New York State venue conducive to the logistical needs of the event.
- **Program Development:** Coordination with ESD staff in the development of programming, including the creation of topics, identification of panelists, confirmation of participation and structure of program delivery.
- **Opportunities Book:** Development of an interactive, online opportunities book for electronic distribution to all Forum participants.
- **Sponsorship:** The vendor will be expected to identify, solicit and confirm event sponsorships to cover all event expenditures.
- **Event Marketing:** Development of marketing materials to promote the event, including web, press, e-blasts, and social media as well as the development of event collateral such as signage and brochures. Coordination with ESD's marketing team to ensure consistent branding and synergy with ESD marketing activities.
- **Event Management:** Coordination of logistics during set-up, day of the event and post-event break-down to ensure seamless delivery of NYS MWBE Forum activities.
- **Registration:** Pre-event maintenance and management of database of registrants, day of registration coordination, registrant check-in and post-event attendance list.
- **Follow Up:** Acknowledgements and notifications to all participants, close out meetings with ESD and Senior Management, follow up items as required.

IV. SCOPE OF WORK

The 6th Annual NYS MWBE Forum has been tentatively scheduled to take place October 6th, 2016 and October 7th, 2016 at a venue to-be-determined within the State of New York.

a. Venue Search

The selected vendor will conduct a search of potential venue options to host the NYS MWBE Forum. The list of potential venue options will include the following information for each locale: maximum attendance and parking capacity, menu of layout options, audio/visual capability analysis, and pricing.

b. Program Development

The selected vendor will provide guidance and support for the development of the New York State MWBE Forum programming. The selected vendor will work with the Governor's Executive Chamber and ESD's DMWBD to produce an impactful, purposeful, content-rich conference and ensure that all programmatic elements meet the needs of the MWBE community. The selected vendor will make recommendations and coordinate outreach to prospective speakers of the utmost quality and relevance to determine availability and secure attendance. This will include, but is not limited to; conducting market research of similar events, event program development, coordination, preparation of event speakers, and conducting an event satisfaction survey.

c. Opportunities Book

The selected vendor will create the 2016 edition of the *New York State Contract Opportunities* electronic book ("eBook"). The eBook will include a comprehensive listing of all New York State Agencies and Authorities, key contacts, and upcoming procurement opportunities relevant to the MWBE community. The vendor will coordinate to compile this information, design, and develop the eBook and ensure dissemination amongst all Forum participants. The 2015 eBook can be accessed via: <http://www.nysmwbeforum.org/opportunities/>

d. Sponsorship

All costs for the NYS MWBE Forum are funded via sales of exhibition space, attendance registration fees and larger sponsorship packages. The selected vendor will identify, with the guidance and support of ESD, public and private sponsors to cover all NYS MWBE Forum expenditures, including fees to be charged for event planning and management. The successful vendor will be able to develop, promote and deliver a sponsorship package that not only covers event costs but provides modest revenue to ESD to support future MWBE events.

e. Event Marketing

The selected vendor will create marketing materials to promote the event which will include pre-event outreach information about the program, venue and registration. A successful event will exceed the average participant (2,000) and exhibitor (200) attendance through targeted and effective marketing of the event. The selected vendor will create and/or secure:

- A NYS MWBE Forum Website to drive registration and increase participation across the State.
- Photographic and video record of the day's event – including candid images of attendees, exhibits and panel presentations.
- Marketing materials including, but not limited to:
 - Signage, including for exhibit tables and name tags for all registrants;
 - Promotional e-blasts;
 - Program booklet;

- Social media blasts, including event hashtag promotions; and,
- A Speaker package.
- A post-event e-newsletter with NYS MWBE Forum highlights, photo galleries and any additional materials needed to guide and further assist MWBE firms.

f. Event Management

The selected vendor must have a proven track record of successfully managing professional business events with more than 2,000 attendees. The selected vendor will manage outreach to prospective exhibitors and attendees and will handle all aspects of coordination, pre-event, on-site, and post-event. ESD anticipates more than 200 exhibitors for the purpose of maximizing value to MWBE firms. Event management tasks may include, but are not limited to:

- The coordination of space planning with site staff for workshops, seminars and plenary sessions;
- Securing audio/visual, Wi-Fi, and other equipment needs;
- Conducting research and making recommendations regarding NYS MWBE Forum catering for light breakfast and lunch, securing, and hiring vendors, service providers, and external sponsors if feasible and appropriate;
- Room set-up and disassembly;
- Managing session delivery needs;
- Assisting with lodging and transportation arrangements and all other logistics; and,
- Recommendations and coordinated outreach to prospective speakers of the utmost quality and relevance to determine availability and secure attendance.

g. Registration

The selected vendor will facilitate all components of pre-event and on-site registration management. The vendor will coordinate an internet-based registration system, which can accommodate customized functionality, and general attendee online registration. The selected vendor will print and distribute all registration materials including name tags, pamphlets, and any other pertinent materials to attendees and vendors. The selected vendor will ensure the on-site conference registration area is properly set-up and equipped to manage participant numbers efficiently during the registration process and speed networking sessions. The selected vendor will provide the necessary equipment to execute on-site registration including (but not limited to): on-site registration kiosks, printers and an on-site registration database.

h. Follow Up

The selected vendor will conduct all post-event follow up tasks including but not limited to:

- Developing, implementing, and analyzing a post-event participant satisfaction and suggestions survey;
- Developing and managing post-event outreach, including but not limited to:
 - Thank you notes & letters,
 - Post-event NYS MWBE Forum website updates; and,
- Post-event assessment including areas of improvement for future NYS MWBE Forum planning and implementation.

V. SELECTION PROCESS

a. Skills Required

ESD requires a vendor with a proven track record of coordinating and producing a wide variety of large scale activities and events. It is the goal of ESD to encourage participation by qualified certified MWBEs. The successful respondent will possess and be able to demonstrate:

- Extensive experience (minimum of 5 years) in large scale event management/ production.
- An articulated and thorough understanding of ESD's vision and the State's MWBE priorities to ensure they are fully incorporated in the proposed management and development of programming for the NYS MWBE Forum.
- Capacity to multitask and manage competing priorities.
- A successful communications management history with stakeholders at all organizational levels that will enable the respondent to communicate effectively with senior state officials, elected officials, the general public, and ESD staff members.
- Clear and thorough communication protocols in place to ensure that all relevant information is distributed to all necessary parties as quickly as possible.
- High standards for the quality of management and personnel.
- Discretion with all confidential information and communications relevant to the planning, development, and execution of the event.
- Capacity to promptly correct any deficiencies (i.e. imposition to public access, failure to maintain cleanliness of site, proper security measures, responsiveness to event attendees) highlighted by assigned ESD staff.

b. Selection Criteria

Selection of the Vendor will be made on the basis of best-value in accordance with the following evaluation criteria (and associated percentages of overall proposal score):

- **Proposed technical approach** of the company (or companies) to deliver the services, including but not limited to its overall approach to programming management, its staffing plan, and its communications plan. (40%)

- **Experience/qualifications of the company (or companies) and staff** to undertake the specific requirements of the Scope of Services. In particular, the Vendor will be evaluated based on demonstrated experience of the company (or companies) with working in teams and with partners to coordinate operations with programming and events. (35%)
- **Cost Proposal** *reflecting* the total cost to perform all of the services described herein. Respondents shall submit their Cost Proposals via the attached Budget [Attachment A]. (15%)
- **Diversity Practices** of the response, as demonstrated by respondents' completed Diversity Practices Questionnaire. The NYS Diversity Practices Scoring Matrix has also been included in this document to provide respondent's additional clarity on how they will be assessed [Attachment B]. (10%)

Final selection will be based on the above factors, as assessed based on the proposal as well as interview performance. ESD reserves the right, in its sole discretion, to:

- Seek clarification and revisions of proposals;
- Seek a final and best offer from those firms short-listed;
- Negotiate terms with one or more respondents prior to making a final determination;
- Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring full and complete understanding of an offeror's proposal and/or to determine an offeror's compliance with the requirements for the solicitation;
- Make an award under the RFP in whole or in part, or make no award and/or discontinue the selection process for any reason or no reason; and/or,
- Make revisions to the scope of work after contract award to ensure that the project goals are met.

c. Proposal Requirements

Respondents are required to submit one (1) signed original, five (5) hardcopies, and one (1) electronic copy on a CD or USB storage device of the proposal to the contact noted below no later than **2:00PM February 18th, 2016**. Proposal information should be in the same order in which it is requested. Proposals should include all of the required components below for the 2016 NYS MWBE Forum as well as the 2017 and 2018 NYS MWBE Forum projections. When including the 2017 and 2018 projections, make sure to highlight any year-to-year changes in costs and/or services. Responses will be evaluated on all components for the 2016, 2017, and 2018 NYS MWBE Forums.

Each proposal must include the following required components:

- Cover Page** - Provide a cover page that includes the firm name, address, telephone number, fax number and email address, along with the name, title, telephone number,

fax number and email address of the individual within the firm who will be ESD's primary contact concerning this submission.

- ii. **Abstract** - Submit a company capabilities profile that is no longer than two (2) pages. Include whether you are applying as an individual, non-profit, or for-profit company, and/or whether you will be teaming with another firm. Abstract should also include whether you are a New York State-certified Minority-owned Business Enterprise (MBE) and/or Women-owned Business Enterprise (WBE).
- iii. **Project Narrative** - Describe the services you will provide and explain how these services will be implemented. Explain if anyone else will assist you in providing each service and identify how the provision of this mix will support and facilitate service delivery. Provide examples and specific strategies that you have implemented in the past that describe your experience planning large conferences/meetings. Provide a timeline for the implementation of your proposal showing key activities and milestones.
- iv. **Relevant Experience** - Clearly convey your readiness to implement the component(s) of the Annual NYS MWBE Forum. Describe current and/or previous experience and how this experience is relevant to the implementation. Describe the resources you currently have available for the implementation. Include a list of references.
- v. **References** - Include a list of at least three (3) business references, including the name, title, and contact information for persons providing such references. Respondents may provide an alternate contact for each reference if desired. ESD is not responsible for the lack of responsiveness of the references listed by Respondents, and the State is not required to alert Respondents of a reference's unresponsiveness during the proposal evaluation period. Inability to contact a reference will not be looked upon favorably.
- vi. **Organizational Snapshot** - Provide a list of staff who will participate in the implementation showing the role of each and their level of experience in this type event and relevant qualifications. Include staff biographies, descriptions and samples of prior work (which may include videos, website links and/or CDs or DVDs), contact information of former employers and/or any other relevant references.
- vii. **Strategic Event Plan** - Provide a detailed event plan that includes a proposal and examples for each of the "Scope of Work" components addressed in section IV above. In addition to the "Scope of Work" components, ESD has a number of priority initiatives that are expected to be highlighted as major agenda themes throughout the 2016 NYS MWBE Forum. Include a proposal for how you intend to engage attendees in each of these initiatives through the NYS MWBE Forum programming and/or theme. Activities can include but are not limited to, workshops, marketing, theme, etc. Respondents should note that ESD's priority initiatives may change from year-to-year. Therefore, the selected vendor will be expected to address these changes as they arise. The 2016 NYS MWBE Forum initiatives will include:

- a. New York State Top Projects
- b. Supply & Demand Opportunities for Real MWBE Growth Initiative
- c. Diversity Practices Program
- d. Mentor Protégé Program

See “Attachment C” for more information on each of these initiatives.

- viii. **Cost Proposal** - Submit a cost proposal signed by the authorized representative of the company with a total Not-To-Exceed (NTE) amount for the actual cost of the total project, including: the estimated time and materials needed to complete the project; any hourly rates, if applicable; any additional services, if applicable; a detailed line-item breakdown of costs for the project and the cost of all expenses including travel, computers, communications, etc. Must include information organizational snapshot, cost proposal, and scope of work for all proposed subcontractors. Optional items should be priced separately.
- ix. **Sponsorship Strategy** - The proposal must include a proposed sponsorship strategy which clearly outlines the vendor’s process for sponsorship development and solicitation. The strategy must include anticipated sponsor contacts and examples of recent successful campaigns similar in scope and reach to the NYS MWBE Forum.
- x. **Certificates of Insurance** - The selected vendor will be required to carry full NYS Workers Compensation and NYS Disability. Upon notification of selection and prior to beginning work and/or award of a contract the vendor may also be required to carry Commercial General Liability, Professional Liability and/or Cyber Liability, and to name ESD as an additional insured party on a primary and noncontributory basis.
- xi. **Procurement Forms** – Each respondent must complete and return the procurement forms described in Section X.

VI. PROJECT SCHEDULE

RFP Advertised	January 4 th , 2016
Deadline for Submission of Questions	January 15 th , 2016
Responses to Questions Posted	January 27 th , 2016
Proposals Due	No later than 2:00PM February 18 th , 2016
Interviews (if necessary)	Week of February 29 th , 2016
ESD Board Approval	March 24 th , 2016
Announcement of Successful Bidder	March 25 th , 2016
Anticipated Contract Start Date	May 2 nd , 2016 (or 1st Monday following Contract signature)

VII. SUBMISSION OF PROPOSALS

Respondents will not receive compensation or reimbursement of any expenses associated with preparing and/or submitting the proposal.

Respondents are required to submit one (1) original, five (5) hard copies, and one (1) electronic copy on a CD or USB storage device of their submittal by no later than 2:00PM February 18th, 2016. Responses shall be firmly sealed in an envelope or box, and contain the Respondent's name and return address.

Please be advised that under no circumstances will ESD obligate itself to consider a response which is received after the deadline or does not include the basic items described above. Responses shall be delivered to:

Edgar Camacho
Empire State Development, Procurements Unit
Attn: NYS MWBE RFP
633 Third Avenue, 35th Floor
New York, NY 10017

ESD reserves the right to reject a submittal if any document or item listed in this RFP is incomplete, improperly executed, indefinite, ambiguous, and/or is missing. Additionally, factors such as, but not limited to the following may also disqualify a respondent without further consideration:

- Evidence of collusion among Respondents,
- Any attempt to improperly influence any member of the evaluation panel or Committees,
- Discovery that a Respondent purposely misled or knowingly provided false or inaccurate information in a submittal,
- A Respondent's default under any type of agreement, which resulted in the termination of that agreement,
- Existence of any unresolved litigation or legal disputes.

ESD reserves the right to reject any and all submittals and to waive any informalities or irregularities in procedure.

VIII. QUESTIONS

All questions or requests for additional information or documents will be accepted **no later than close of business on January 15th, 2016** and must be submitted only by email at mwbeforum@esd.ny.gov. ESD will post all of its responses to substantive questions only on ESD's website (<http://esd.ny.gov/CorporateInformation/RFPs.html>) by January 27, 2016. Additional information may become available and, substantive questions and document requests may be made available at any point during this process. ESD will post on its website (<http://esd.ny.gov/CorporateInformation/RFPs.html>) the electronic version of this RFP and all

changes, additions, or deletions thereto. Firms should frequently check ESD's website regarding this RFP.

IX. GENERAL PROVISIONS

The issuance of this RFP and the submission of a response by a firm or the acceptance of such a response by ESD does not obligate ESD in any manner. ESD reserves the right to:

1. amend, modify or withdraw this RFP;
2. revise any requirement of this RFP;
3. require supplemental statements or information from any responsible party;
4. accept or reject any or all responses hereto;
5. extend the deadline for submission of responses hereto;
6. negotiate potential contract terms with any respondent to this RFP;
7. discussions with any respondent to this RFP to correct and/or clarify responses which do not conform to the instructions contained herein;
8. cancel, or reissue in whole or in part, this RFP, if ESD determines in its sole discretion that it is its best interest to do so; and/or,
9. extend the term of any agreement on terms consistent with this RFP.

ESD may exercise the foregoing rights at any time without notice and without liability to any responding firm or any other party for its expenses incurred in preparation of responses hereto or otherwise. All costs associated with responding to this RFP will be at the sole cost and expense of the responding firm.

All information submitted in response to this RFP is subject to the Freedom of Information Law (FOIL), which generally mandates the disclosure of documents in the possession of ESD upon the request of any person unless the content of the document falls under a specific exemption to disclosure. In addition, all Proposals may be discussed at meetings of the ESD Directors, which meetings are subject to the Open Meetings Law.

X. PROCUREMENT FORMS AND REQUIREMENTS

Additional requirements for this RFP are described below. Relevant forms, where required to be submitted, must be executed and included in the submission in the same order as listed below:

1. State Finance Law §§139-j and 139-k forms
2. Vendor Responsibility Questionnaire
3. Iran Divestment Act Statement
4. Non-Discrimination and Contractor & Supplier Diversity Requirements
5. Encouraging the Use of NYS Businesses in Contract Performance Form
6. Certification under State Tax Law Section 5-a
7. Schedule A (for review only—no separate form requirement)
8. Project Sunlight (for review only—no separate form requirement)

9. Insurance Requirements

1. State Finance Law Sections 139-j and 139-k forms

State Finance Law Sections 139-j and 139-k (collectively, the “Procurement Requirements”) apply to this RFP. These Procurement Requirements: (1) govern permissible communications between potential respondents and ESD or other involved governmental entities with respect to this RFP; (2) provide for increased disclosure in the public procurement process through identification of persons or organizations whose function is to influence procurement contracts, public works agreements and real property transactions; and (3) establish sanctions for knowing and willful violations of the provisions of the Procurement Requirements, including disqualification from eligibility for an award of any contract pursuant to this RFP. Compliance with the Procurement Requirements requires that all communications regarding this RFP, from the time of its issuance through final award and execution of any resulting contract (the “Restricted Period”), be conducted only with the designated contact persons listed below; the completion by Respondents of the Offeror Disclosure of Prior Non-Responsibility Determinations, and the Offeror’s Affirmation of Understanding and Agreement pursuant to State Finance Law (each form is accessible at the Required Forms for Vendors link at the ESDC web site under “RFPs/RFQs”); and periodic updating of such forms during the term of any contract resulting from this RFP.

Respondents must submit the Offeror Disclosure of Prior Non-Responsibility Determinations, and the Offeror’s Affirmation of Understanding and Agreement pursuant to State Finance Law as part of their submittal. Copies of these forms are available at:

http://www.empire.state.ny.us/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf

The Procurement Requirements also require ESD staff to obtain and report certain information when contacted by prospective respondents during the Restricted Period, make a determination of the responsibility of Respondents and make all such information publicly available in accordance with applicable law. If a prospective respondent is found to have knowingly and willfully violated the State Finance Law provisions, that prospective respondent and its subsidiaries, related or successor entities will be determined to be a non-responsible Respondent and will not be awarded any contract issued pursuant to this solicitation. In addition, two such findings of non-responsibility within a four-year period can result in debarment from obtaining any New York State governmental procurement contract. The designated contact account for this solicitation is mwbeforum@esd.ny.gov.

This is not a complete presentation of the provisions of the Procurement Requirements. A copy of State Finance Law Sections 139-j and 139-k can be found at:

http://esd.ny.gov/CorporateInformation/Data/RFPs/RequiredForms/PermissibleContactsPolicy_Jan2007.pdf. All potential Respondents are solely responsible for full compliance with the Procurement Requirements. Both the prime contractor and any sub-contractors complete the forms required above.

2. Vendor Responsibility Questionnaire

All Respondents to this RFP must be “responsible,” which in this context means that they must have the requisite financial ability, organizational capacity and legal authority to carry out its obligations under this RFP, and in addition must demonstrate that both the Respondent and its principals have and will maintain the level of integrity needed to contract with New York State entities such as ESD. Further, the Respondent must show satisfactory performance of all prior government contracts. Accordingly, the contract to be entered into between ESD and the Respondent, if any, shall include clauses providing that the Respondent remain “responsible” throughout the term of the contract, that ESD may suspend the contract if information is discovered that calls into question the responsibility of the contracting party, and that ESD may terminate the contract based on a determination that the contracting party is non-responsible. On request, model language to this effect will be provided to any Respondent to this RFP.

To assist in the determination of responsibility, ESD requires that all respondents to this RFP register in the State's Vendor Responsibility System (“Vend-Rep System”). The Vend-Rep System allows business entities to enter and maintain their Vendor Responsibility Questionnaire information in a secure, centralized database. New York State Procurement Law requires that state agencies award contracts only to responsible vendors. Respondents are to file the required Vendor Responsibility Questionnaire online via the Vend-Rep System or may choose to complete and submit a paper questionnaire. Please include a copy of your Vend-Rep submission receipt or paper questionnaire with your proposal.

To enroll in and use the Vend-Rep System, see the System Instructions available at www.osc.state.ny.us/vendrep or go directly to the Vend-Rep system online at <https://portal.osc.state.ny.us>. For direct Vend-Rep System user assistance, the Office of the State Comptroller’s Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at helpdesk@osc.state.ny.us.

Respondents opting to file a paper questionnaire can obtain the appropriate questionnaire from the Vend-Rep website (http://www.osc.state.ny.us/vendrep/forms_vendor.htm) and execute accordingly pertaining to the company’s trade industry. Per the website, respondents are to “Select the questionnaire which best matches the business type (either For-Profit or Not-For-Profit) and business activity (Construction or Other).”

3. Iran Divestment Act

Every Proposal made to ESD pursuant to a competitive solicitation must contain the following statement, signed by the Respondent on company letterhead and affirmed as true under penalty of perjury:

"By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law."

The list in question is maintained by the Office of General Services. For further information and to view this list please go to: <http://www.ogs.ny.gov/about/regs/ida.asp>

4. Non-Discrimination and Contractor & Supplier Diversity Requirements

It is the policy of the State of New York and Empire State Development (ESD) to comply with all federal, State and local laws, policies, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action in working with contracting parties to ensure that Minority and Women-owned Business Enterprises (MWBEs), Minority Group Members and Women share in the economic opportunities generated by ESD's participation in projects or initiatives, and/or the use of ESD funds. MWBE firms currently certified by New York State's Department of Economic Development are encouraged to respond to this RFP.

ESD's Non-Discrimination and Contractor & Supplier Diversity policy will apply to this initiative. The Respondent shall be required to solicit and utilize MWBEs for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8, see attached exhibit OCSD-4) to achieve **an overall MWBE Participation Goal of 30%** related to the total value of ESD's funding. The aforementioned goal shall include Minority-Owned Business Enterprise ("MBE") participation and Women-Owned Business Enterprise ("WBE") participation totaling 15% and 15%, respectively.

A copy of each Respondent's Equal Employment Opportunity Policy Statement (Form OCSD-1), Staffing Plan (Form OCSD-2) of the anticipated workforce to be utilized and MWBE Utilization Goal Plan (Form OCSD-3) proposing specific certified firms to be utilized or industries where MWBE firms shall be in sought are to be included as part of the response to any RFP.

The forms referenced herein can be found at the following URLs:

Form OCSD-1

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_1MWBEEOPolicyStatement.pdf

Form OCSD-2

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_2StaffingPlan.pdf

Form OCSD-3

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_3MWBEUtilizationPlan.pdf

Form OCSD-4

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_4GoodFaithEfforts.pdf

In the event that the above links are unavailable or inactive, the forms may also be requested from the Office of Contractor & Supplier Diversity at OCSD@ESD.NY.GOV.

For purposes of providing meaningful participation by MWBEs on the project and achieving the project goals established herein, Respondent should reference the directory of New York State Certified MWBEs found at the following internet address:

<https://ny.newnycontracts.com/>

Only the Respondent to the RFP shall complete these forms. In the Utilization Goal Plan (Form OCSD-3) the Respondent must list all of the sub-contractors and sub-contractors it proposes to use in achieving the MWBE goal requirement or propose the types of sub-contractors that the Respondent intends to solicit to achieve the aforementioned MWBE goal requirement. The Respondent may use the aforementioned directory of Certified MWBEs to identify firms that it proposes to utilize. OCSD is also available to assist you in identifying New York State certified MWBEs that can provide goods and services in connection with this contract. If you require listings of certified MWBE firms or have other questions relating to the requirements herein, please contact OCSD with your inquiries and comments. Be sure to include all relevant contact information for your company and details pertaining to this RFP.

Service-Disabled Veteran-Owned Business Provisions:

Article 17-B of the Executive Law enacted in 2014 acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economies of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at:

http://ogs.ny.gov/Core/docs/CertifiedNYS_SDVOB.pdf

Bidders/Proposers need to be aware that all authorized users of this contract will be strongly encouraged to the maximum extent practical and consistent with legal requirements of the State Finance Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State law.

A copy of each Bidders/Proposers SDVOB Contract Performance Use form proposing specific certified firms to be utilized or industries where SDVOB firms shall be sought is to be included as part of the response to this RFP.

A copy of the form referenced herein can be found at the following URL:

<http://esd.ny.gov/CorporateInformation/Data/RFPs/SDVOBContractPerformanceUse.pdf>

General inquiries or questions relating to aforementioned policies, MWBE and SDVOB participation and the goals specified herein may be addressed to OCSD at OCSD@ESD.NY.GOV.

5. Encouraging the Use of NYS Businesses in Contract Performance Form

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this ESD contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. In order for ESD to assess the use of New York State businesses in each Proposal, ESD requests that each Respondent complete the Encouraging Use of New York State Businesses in Contract Performance form, accessible here:

<http://esd.ny.gov/CorporateInformation/Data/ENCOURAGINGUSEOFNEWYORKSTATEBUSINESSESINCONTRACTPERFORMANCE.pdf>

6. Certification under State Tax Law Section 5-a

Any contract resulting from this solicitation is also subject to the requirements of State Tax Law Section 5-a ("STL 5-a"). STL 5-a prohibits ESD from approving any such contract with any entity if that entity or any of its affiliates, subcontractors or affiliates of any subcontractor makes sales within New York State of tangible personal property or taxable services having a value over \$300,000 and is not registered for sales and compensating use tax purposes. To comply with STL 5-a, all Respondents to this solicitation must include in their Proposals a properly completed Form ST-220-CA (http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf), or an affidavit (http://esd.ny.gov/CorporateInformation/Data/RFPs/RequiredForms/STL_5A_Affidavit.pdf) that the Respondent is not required to be registered with the State Department of Taxation and Finance. Also in accordance with the requirements of STL 5-a, any contract resulting from this solicitation will require periodic updating of the certifications contained in Form ST-220-CA.

Solicitation responses that do not include a properly completed ST-220-CA will be considered incomplete and non-responsive and will not be considered for contract award. Only the prime contractor completes Form ST 220-CA, but Schedule A to Form ST 220-CA requires detailed information from the sub-contractors, such as tax ID number, etc., if applicable. Moreover, if applicable, certificates of authority must be attached by the prime contractor and all the sub-contractors.

7. Schedule A

Following final selection of a Respondent, ESD will prepare a contract defining all project terms and conditions and the Respondent's responsibilities in conformance with "Schedule A," which can be found at:

http://esd.ny.gov/CorporateInformation/Data/ScheduleA_ConditionsApplicabletoCorporationAgreementsForMaterialServices_RevisedAug2014.pdf

Please note Respondents do not need to complete the entire Schedule A with the submission of their Proposal. However, Respondents should still review these terms, which are standard in all ESD contracts, and raise any concerns present prior to submission of their Proposal, as Respondents will need to accept these terms prior to contract execution.

8. Project Sunlight

This procurement is subject to the Public Integrity Reform Act of 2011. Under the Public Integrity Reform Act of 2011, "appearances" (broadly defined and including any substantive interaction that is meant to have an impact on the decision-making process of a state entity) before a public benefit corporation such as ESD by a person (also broadly defined) for the purposes of procuring a state contract for real property (as contemplated in this RFP) must be reported by ESD to a database maintained by the State Office of General Services that is available to members of the public. If in doubt as to the applicability of Project Sunlight, Respondents and their advisors should consult the Laws of 2011, Ch. 399 for guidance.

9. Insurance Requirements

The selected contractor must show evidence of the following insurance requirements (at a minimum and to the extent applicable):

- Commercial General Liability insurance - \$1 million per occurrence / \$2 million aggregate.
- Auto Liability insurance - \$1 million per occurrence / \$1 million aggregate
- Worker's Compensation & Employer's Liability insurance at State statutory limits.
- Disability insurance coverage at State statutory limits.

Urban Development Corporation d/b/a Empire State Development must be named as an additional insured on a primary and non-contributory basis on all of the following policies: Commercial General Liability and Auto Liability. All policies above should include a waiver of subrogation in favor of Urban Development Corporation d/b/a Empire State Development.

XI. ATTACHMENTS

Attachment A
BUDGET

Do not change the format of this Budget. If additional pages are required, follow the format of this page.

PERSONNEL (Please list specific titles)			
<u>Title</u>	<u>Hourly Rate</u>	<u>Number of Hours</u>	<u>Total Item</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
Total Personnel Costs			\$ _____
ADMINISTRATIVE (i.e. Supplies, Travel, IT Services, Telecommunications Etc.) Please list			
_____			\$ _____
_____			\$ _____
_____			\$ _____
_____			\$ _____
_____			\$ _____
_____			\$ _____
_____			\$ _____
_____			\$ _____
Total Administrative Expenses			\$ _____
OTHER EXPENSES (i.e. subcontract)			
_____			\$ _____
_____			\$ _____
_____			\$ _____
Total Other Expenses			\$ _____
TOTAL COST			\$ _____



Attachment B

DIVERSITY PRACTICES QUESTIONNAIRE

I, _____, as _____ (title) of _____ firm or company (hereafter referred to as the company), swear and/or affirm under penalty of perjury that the answers submitted to the following questions are complete and accurate to the best of my knowledge:

1. Does your company have a Chief Diversity Officer or other individual who is tasked with supplier diversity initiatives? Yes or No

If Yes, provide the name, title, description of duties, and evidence of initiatives performed by this individual or individuals.

2. What percentage of your company's gross revenues (from your prior fiscal year) was paid to New York State certified minority and/or women-owned business enterprises as subcontractors, suppliers, joint-venturers, partners or other similar arrangement for the provision of goods or services to your company's clients or customers?
3. What percentage of your company's overhead (i.e. those expenditures that are not directly related to the provision of goods or services to your company's clients or customers) or non-contract-related expenses (from your prior fiscal year) was paid to New York State certified minority- and women-owned business enterprises as suppliers/contractors?¹
4. Does your company provide technical training² to minority- and women-owned business enterprises? Yes or No

¹ Do not include onsite project overhead.

² Technical training is the process of teaching employees how to more accurately and thoroughly perform the technical components of their jobs. Training can include technology applications, products, sales and service tactics, and more. Technical skills are job-specific as opposed to soft skills, which are transferable.



If Yes, provide a description of such training which should include, but not be limited to, the date the program was initiated, the names and the number of minority- and women-owned business enterprises participating in such training, the number of years such training has been offered and the number of hours per year for which such training occurs.

5. Is your company participating in a government approved minority- and women-owned business enterprise mentor-protégé program?

If Yes, identify the governmental mentoring program in which your company participates and provide evidence demonstrating the extent of your company's commitment to the governmental mentoring program.

6. Does your company include specific quantitative goals for the utilization of minority- and women-owned business enterprises in its non-government procurements? Yes or No

If Yes, provide a description of such non-government procurements (including time period, goal, scope and dollar amount) and indicate the percentage of the goals that were attained.

7. Does your company have a formal minority- and women-owned business enterprise supplier diversity program? Yes or No

If Yes, provide documentation of program activities and a copy of policy or program materials.

8. Does your company plan to enter into partnering or subcontracting agreements with New York State certified minority- and women-owned business enterprises if selected as the successful respondent? Yes or No



If Yes, complete the attached Utilization Plan

All information provided in connection with the questionnaire is subject to audit and any fraudulent statements are subject to criminal prosecution and debarment.

Signature of Owner/Official _____

Printed Name of Signatory _____

Title _____

Name of Business _____

Address _____

City, State, Zip _____

STATE OF _____
COUNTY OF _____) ss:

On the _____ day of _____, 201_, before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this certification and said person executed this instrument.

Notary Public

Provided as a reference. No Action Required

New York State Diversity Practices Scoring Matrix

Q1 - CDO or other person tasked with function					Yes	No	Total
					5 pts	0 pts	
Q2 - Percentage of prior yr. revenues that involved M/WBEs as subs or JVs/partners	20%+	15-19%	10-14%	5-9%	1-4%	0%	
	20 pts	14 pts	10 pts	6 pts	2 pts	0pts	
Q3 - Percentage of overhead expenses paid to M/WBEs	20%+	15-19%	10-14%	5-9%	1-4%	0%	
	16 pts	10 pts	7 pts	4 pts	1 pts	0pts	
Q4 - M/WBE Training			Robust	Moderate	Minimum	None	
			16 pts	8 pts	4 pts	0 pts	
Q5 - M/WBE Mentoring			Robust	Moderate	Minimum	None	
			12 pts	8 pts	4 pts	0 pts	
Q6 - Written M/WBE goals included in the Company's procurements			Robust	Moderate	Minimum	No	
			20 pts	12 pts	6 pts	0 pts	
Q7 - Formal Supplier Diversity Program			Robust	Moderate	Minimum	No	
			6 pts	4 pts	2 pts	0 pts	
Q8 - Utilization Plan			Robust	Moderate	Minimum	No	
			5 pts	3 pts	1 pts	0 pts	

Total Diversity Score (Max 100 pts)

Weighted Score

Attachment C

New York State Top Projects

Over the next five years, New York State's Fiscal Year 2016 Capital Program and Financing Plan projects capital spending to exceed \$54 billion through a number of significant capital, infrastructure and service initiatives. Last year's forum sessions provided an overview on the State's capital budget, shared information on where there was significant State spending and substantial demands for qualified MWBEs to perform on State contracts. The key projects below were highlighted as the New York State's 2015 Top Projects.

- LaGuardia Airport Redevelopment Program
- New Casinos
- MTA Capital Plan
- NYS Office of General Services Emergency Project and NY HIRE (Hazardous Incident Response Equipment) Contracts
- NYS Information Technology Transformation

Supply & Demand Utilization (SDU)

Over the past year, the Division of Minority and Women's Business Development (Division) has analyzed new and existing New York State contracts for Minority and Women Owned Business Enterprise (MWBE) vendors. This analysis aimed to identify meaningful opportunities in industries that have low rates of MWBE utilization.

The Division used the Directory of Frequently Purchased Commodities and Services by New York State Agencies published by the New York State Office of the State Comptroller (FY 2012-13) and data collected by the Division in this analysis. The Division reviewed state purchases (services and commodities) across multiple industries and their sub industries.

Over the next year, the Division will launch a series of recruitment and business development activities. These activities will inform MWBEs about state contract opportunities within the industries and sub industries that have low rates of MWBE utilization.

For more information on the SDU Initiative, please go to:
<http://esd.ny.gov/MWBE/BusinessDevelopment.html#Supply>

Diversity Practices

Diversity practices are the efforts of vendors to include New York State-certified Minority and Women-owned Business Enterprises ("MWBEs") in their business practices. Diversity practices may include past, present, or future actions and policies, and include activities of vendors on contracts with private entities and governmental units other than the State of New York.

Assessing the diversity practices of vendors enables vendors to engage in meaningful, capacity-building collaborations with MWBEs.

New York State Mentor Protégé Program

The NYS Mentor-Protégé Program (MPP) measures the efforts of vendors to include New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) in their procurements in areas where there is availability but limited capacity. Successful implementation of the MPP will require the review and assessment of the procurement to determine which of the tools developed to increase MWBE capacity and utilization (i.e. quantitative factor, diversity practices or mentor-protégé) is most appropriate for facilitating increased MWBE utilization on the NYS procurements. The goal of this initiative is to build capacity in industries where availability of MWBEs exists, but with MWBEs that have limited capacity to perform on state contracts due to technical or scalability challenges.

Agencies scoring MPP must design procurements that consider the barriers and past performance of MWBEs as well as waivers submitted for projects similar in scope and factor that into how they structure the procurements. The aspiration of this effort is that MWBEs will be selected by primes in areas where there is low MWBE capacity to perform on more sophisticated procurements. In addition, agencies will have to evaluate their traditional terms and conditions (e.g., insurance requirements) to determine if the way they have historically structured the procurements creates artificial barriers to MWBE engagement.

END OF RFP