REQUEST FOR PROPOSALS

Public Safety and Sustainable Transportation Education and Media Campaigns

PROCUREMENT IDENTIFICATION NUMBER (PIN): 84109MBAD382

RELEASE DATE OF THE RFP: February 13, 2009

CONTRACT TERM: 1,095 Consecutive Calendar Days from the Date of the Notice to Proceed

AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact Person for all matters concerning this Request for Proposals is:

Dani Simons
Director of Strategic Communications
New York City Department of Transportation
40 Worth Street – Room 1002
New York, New York 10013
Telephone: (212) 442-8074
Fax: (212) 442-7104
E-mail:dsimons@dot.nyc.gov

Michael W. Bloomberg
Mayor

Janette Sadik-Khan
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REQUEST FOR PROPOSALS

TITLE: Public Safety and Sustainable Transportation Education and Media Campaigns

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AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact Person for all matters concerning this Request for Proposals is:

Name:	Dani Simons
Title:	Director of E-Media Initiatives
Mailing Address:	40 Worth Street – Room 1002 New York, New York 10013
Telephone:	(212) 442-8074
Fax:	(212) 442-7104
E-Mail Address:	dsimons@dot.nyc.gov

SECTION I – TIMETABLE

A. **<u>Release Date of this Request for Proposals</u>:** **February 13, 2009**

All questions and requests for additional information concerning this RFP should be directed to **Dani Simons**, the Authorized Agency Contact Person, at:

Telephone: **(212) 442-8074**
Fax: **(212) 442-7104**
E-Mail Address: **dsimons@dot.nyc.gov**

Proposers should submit questions no later than seven (7) days prior to the proposed due date as the Agency may be unable to respond to questions received after that date.

B. **<u>Pre-Proposal Conference</u>:**

Date: February 25, 2009
Time: 2:00 PM
Location: 40 Worth Street – Room 814, New York, New York 10013

Attendance by proposers is optional but recommended by the Agency.

C. **<u>Proposal Due Date and Time and Location:</u>**

Date: March 11, 2009
Time: 2:00 PM
Location: NYCDOT Contract Management Unit
40 Worth Street – Room 824A, New York, New York 10013

E-mailed or faxed proposals will <u>not</u> be accepted by the Agency.

<u>Proposals received at this Location after the Proposal Due Date and Time are late and shall not be accepted by the Agency, except as provided under New York City's Procurement Policy Board Rules.</u>

The Agency will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless the Agency issues a written addendum to this RFP that extends the Proposal Due Date and Time for all proposers, the Proposal Due Date and Time prescribed above shall remain in effect.

D. **<u>Anticipated Contract Start Date</u>:** **May 1, 2009**

SECTION II – SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of RFP

The Agency seeks appropriately qualified vendors to create and execute public education and media campaigns. The contractors will produce a variety of materials and media formats to target specific audiences within the population as necessary, depending on program requirements. The Agency anticipates awarding up to three contracts from this solicitation.

The following protocol will be used by the Agency to assign specific projects to the contractors:

1. Each contractor will be notified in writing of a proposed campaign. Such notice, or task order, will include a description of the campaign, the target audience, the required media and the anticipated date for completion.

2. Contractors must respond to each campaign request. Contractors shall submit a timetable, fee schedule, and approach for the particular project. The contractor will list and describe proposed performance-based payment components (i.e., specific performance-based outcome measures and related disincentives, unit payments tied to outcomes, milestone payments tied to outcomes, and/or liquidated damages tied to outcomes) for providing the proposed work.

3. The fee schedule for each task order shall not exceed the prices submitted by the contractor in its proposal.

4. Each campaign request will be considered in terms of the contractor's proposed approach in developing the campaign, its ability to meet the anticipated completion date, and the proposed fee schedule. The following evaluation criteria will be used: a) creative approach, i.e., proposed design images, leads and slogans (50 points); b) understanding of the Agency's needs (25 points); and c) price estimate for the project (25 points). Assignment will be made to the contractor that the Agency determines would provide a project in the best interests of the City.

5. The Agency will enter into negotiations with the assigned contractor. Such negotiation will result in a "task order" (i.e., memorandum of agreement) for each project specifying the agreed upon scope of services, timetable and fee for the particular project. The assigned contractor would not proceed with production without this agreement. Task Orders shall not exceed the term of the contract.

B. Anticipated Contract Term

It is anticipated that the term of the contract awarded from this RFP will be 1,095 Consecutive Calendar Days from the date of written Notice to Proceed.

C. Maximum Available Funding

The maximum available funding for the contract will be $4,600,000 over three (3) years. The maximum amount payable for a given year shall be $1,800,000. Under no circumstances shall the successful vendors construe the maximum contract amount as an expectation of future business. The proposers' price proposals are understood to be for the purposes of price comparison only. In addition, the Agency reserves the right to increase or decrease available funding at any time.

C. Anticipated Payment Structure

It is anticipated that the payment structure of the contract awarded from this RFP will be based on a combination of a fee schedule and performance-outcome measures (i.e. specific performance payment outcome measures and related financial incentives and/or disincentives, unit payments tied to outcomes, milestone payments tied to outcomes, and/or liquidated damages tied to outcomes). However, the Agency will consider proposals to structure payments in a different manner and reserves the right to select any payment structure that is in the City's best interest.

SECTION III – SCOPE OF SERVICES

A. Agency Goals and Objectives for this RFP

The Agency's goals and objectives for this RFP are to convey effective messages to the public through different media campaigns, which are intended to promote travel safety for motorists, cyclists and pedestrians and to promote the use of sustainable modes of transportation.

Anticipated campaigns during first year of the contract include:

- promotion of safety and awareness among motorists, pedestrians, and cyclists
- discouragement of driving while intoxicated
- promotion of the use of mass transit (especially buses)
- awareness of work zone safety
- encouragement of bicycle riding

Such campaigns will include television, print, radio and/or Web-based media.

B. Agency Assumptions Regarding Contractor Approach

The Agency's assumptions regarding the approach that will most likely achieve the goals and objectives set out above are:

1. The Contractor would:
    - Develop a public awareness strategy, including a plan for implementation by Agency staff within targeted communities (as specified by the Agency).
    - Create project themes, slogans and logos.
    - Conduct market research/surveys/focus groups in order to evaluate the effectiveness of media campaigns, assess attitudes and perceptions regarding education and media, and develop ways to improve the effectiveness of future media campaigns.
    - Utilize public health statistical data and information as well as market research to create, develop, and produce multi-media campaigns.
    - Design copy and art for printed materials, including flyers, brochures, posters, banners, decals, letterhead and envelopes.
    - Design copy and art for promotional items such as magnets, buttons, T-shirts, caps, mugs and pencils.
    - Design copy and art for online materials including Web sites and e-mail campaigns.
    - Produce print advertising for newspapers, magazines, transit systems (buses/subways), telephone kiosks, and billboard advertising.
    - Provide all creative services necessary for production, including typesetting, filming, dubbing, recording, editing, and photographic services.
    - Provide all campaign and other media in a variety of electronic formats (i.e. JPEG, PDA, GIF, TIF, video streams, etc.)

2. The Contractor would provide an account representative, subject to approval by the Agency, to serve as a single point of contact for all services. The account representative and other staff members would meet with the Agency's representatives as necessary to discuss creative, marketing, and planning strategy and objectives. The Contractor would provide advice, counsel and assistance to the Agency on all matters relating to the scope of work. If the Agency does not find the account representative to be satisfactory, the Agency may require the Contractor to replace this person.

3. The Contractor would provide a dedicated, experienced and creative staff whose workload would be consistent with the demands of the Agency. The assigned managerial and creative personnel would sufficiently understand the principles of advertising, writing, and graphic design, and consistently provide high-quality professional services.

4. The Contractor would complete all types/facets of campaign commercials at broadcast quality, including tapes or cassettes for commercials and camera-ready art for print.

5. The Contractor would be responsible for all production costs as well as talent fees for commercials.

6. The Contractor would receive approval from the Agency for each phase in the development of a campaign before moving to the next phase.

7. The Contractor would develop and execute pre-and post-campaign evaluation plans at the request of the Agency.

8. The Contractor would provide written reports, schedules and receipts prior to and during the course of each assignment. Summary reports will include a detailed breakdown of anticipated staff and required resources/costs necessary for each project. The Agency will approve, in advance and in writing, all work and expenditures. Budget estimates may also be required from the Contractor periodically or on a per-campaign basis.

9. The Contractor would provide ongoing reports with progress summaries for each assignment. The Contractor would maintain an up-to-date contract usage summary, including job titles, job numbers, costs and invoicing. This information would be supplied to the Agency upon request.

10. The Contractor would submit an itemized invoice upon completion of a project, setting forth the project title, tasks performed, number of hours each staff member worked on each task, any other costs incurred in performing each task, and the total amount to be paid by the City. Each project will be reviewed, itemized and subtotaled by the Agency. Amounts exceeding those specified in the original cost estimates will not be paid without prior written approval from the Agency. All invoices would be accompanied, if applicable, by proof of work/delivery, i.e. itemized invoices from subcontractors, copies of packing slips, insertion orders, tear sheets, etc. The Agency will remit payment, solely to the Contractor, for all goods and services rendered in accordance with the terms outlined herein. The Contractor would remit all fees directly to any sub-contractor or third party.

11. The Contractor would provide messenger service to the Agency and to other approved designated locations (e.g. printers, companies responsible for placement, CBOs, etc.) at no charge.

C. <u>Agency Assumptions Regarding Performance-Based Payment Structure</u>

The Agency will negotiate specific performance-based outcome measures and related incentives/disincentives with the selected proposers for each project in order to best assure that the selected proposers will perform the work under the contract awarded from this RFP in a manner that is cost-effective for the Agency and most likely to achieve the Agency's program goals and objectives as set forth above. Liquidated damages will be assessed if milestones are not completed within the negotiated timeframes.

F. <u>Compliance with Local Law 34 of 2007</u>

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, vendors responding to this solicitation are required to complete the attached Doing Business Data Form and return it with their proposal in a separate envelope. (If the responding vendor is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a vendor has failed to submit a Data Form or has submitted a Data Form that is not complete, the vendor will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the vendor has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL

Instructions: Proposers should provide all information required in the format below. The proposal should be typed on both sides of 8½" x 11" paper. The City of New York requests that all proposals be submitted on paper with no less than 30% postconsumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: http://www.epa.gov/cpg/products/printing.htm). Pages should be paginated. The proposal will be evaluated on the basis of its content, not length. Failure to comply with any of these instructions will not make the proposal non-responsive.

A. Proposal Format

1. Proposal Cover Letter

The Proposal Cover Letter form (Attachment A) transmits the proposer's Proposal Package to the Agency. It should be completed, signed and dated by an authorized representative of the proposer.

2. Program Proposal

The Program Proposal is a clear, concise narrative that addresses the following:

a. Experience

- Indicate the length of time that the proposing firm has been in business.
- Demonstrate the proposer's successful experience in creating effective media-delivering services within a target community.
- Attach a list of at least three (3) relevant references, including the name of the reference entity; a brief statement describing the relationship between the proposer or proposed sub-contractor, as applicable, and the reference entity; and the name, title, and telephone number of a contact person at the referenced entity.
- Attach a resume of the staff member identified to be the account representative. If the account representative is not currently a staff member of the organization and the position will be filled from outside the agency, attach a description of the qualifications that will be required of the individual.

b. Proposed Approach

Describe in detail how the proposer would provide the services described in Section III (Scope of Services) and demonstrate that the proposed approach will fulfill the Agency's goals and objectives. Specifically address the following:

- Provide a schedule for accomplishing each activity and demonstrate in the proposal narrative that the proposer has the capability to complete each task within the proposed timeframe.

- Include samples of the proposing firm's work including, but not limited to, brochures, fact sheets, posters, incentive items, television spots, etc. Samples may be provided on CD and DVD ROM.

The Agency's assumptions regarding contractor approach represent what the Agency believes to be most likely to achieve its goals and objectives. However, proposers are encouraged to propose an approach that they believe will most likely achieve these goals and objectives. Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability, or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section IV of this RFP.

c. Organizational Capability

Demonstrate the proposer's organizational (i.e., technical, managerial and financial) capability to perform the services described in Section III (B) Scope of Services of the RFP. Specifically address the following:

- Number of accounts anticipated in the upcoming year.
- Number of permanent staff members (in comparison to subcontractors and consultants).
- Number and variety of projects that the proposer has worked on in the past year.
- Ability to complete necessary reports, schedules, summaries, etc.

In addition:

- Attach a chart showing where, or an explanation of how, the proposed services will fit into the proposer's organization.
- Attach a copy of the proposer's latest audit report or certified financial statement, or a statement as to why no report or statement is available.

3. Price Proposal

Proposers are encouraged to propose innovative payment structures. The Agency reserves the right to select any payment structure that is in the City's best interest. For the purposes of comparison, proposers should submit a Price Proposal that meets the standards of Sections IV(3)(a) and IV(3)(b), below.

a. Proposed Pricing

The Price Proposal should include <u>each</u> of the following for providing the work described in Section III of this RFP:

- Proposed Time and Cost Estimates for Sample Projects (Attachment D).
- Proposed Fee Schedule (Attachment E). Provide your firm's customary fee or commission rate for each listed service.

The cost estimates proposed in Attachment D shall be based on the prices proposed in Attachment E.

Note: Actual prices proposed for a particular project will be submitted as part of the project assignment process described in Section II(A). The submitted prices shall not exceed the prices proposed as part of this RFP.

b. Performance-Based Payment Structure

List and describe proposed performance-based payment components (i.e., specific performance-based outcome measures and related financial incentives and/or disincentives, unit payments tied to outcomes, milestone payments tied to outcomes, and/or liquidated damages tied to outcomes) for providing the work to be performed by the proposer under the contract that could potentially be applied to the contract, in whole or part, as a reliable means for measuring and paying for success, as described in Section III of this RFP. The Agency's assumptions regarding performance-based payment structure represent what the Agency believes will most likely achieve its goals and objectives. However, proposers are encouraged to propose measures, incentives and disincentives that they believe will most likely achieve the Agency's goals and objectives in a cost-effective manner. Proposers may also propose more than one approach. While the proposer's proposed performance-based payment components may not be scored by the Agency's Evaluation Committee, they will be considered by the Agency in awarding the contract and structuring its payments to contractors.

4. Acknowledgment of Addenda

The Acknowledgment of Addenda form (Attachment B) serves as the proposer's acknowledgment of the receipt of addenda to this RFP, which may have been issued by the Agency prior to the Proposal Due Date and Time, as set forth in Section I (D), above. The proposer should complete this form as instructed on the form.

B. Proposal Package Contents (Checklist)

The Proposal Package should contain the following materials. Proposers should utilize this section as a checklist to assure completeness prior to submitting their proposal to the Agency.

1. A sealed inner envelope labeled "Program Proposal," containing one original set and five (5) duplicate sets of the documents listed below in the following order:
   - Proposal Cover Letter Form (Attachment A)
   - Program Proposal
     - oo Narrative (__)
     - oo References for the Proposer and, if applicable, each Sub-Contractor (__)
     - oo Resumes and/or Description of Qualifications for Key Staff Positions (__)
     - oo Organizational Chart (__)
     - oo Audit Report or Certified Financial Statement or a statement as to why no report or statement is available (__)
   - Acknowledgment of Addenda Form (Attachment B)
   - Affirmation Form (Attachment C)

[CONTINUED ON NEXT PAGE]

[CONTINUED FROM PREVIOUS PAGE]

2. A separate sealed inner envelope labeled “Price Proposal” containing one original set and four (5) duplicate sets of the Price Proposal.
   - Proposed Time and Cost Estimates for Sample Projects (Attachment D) (__)
   - Proposed Fee Schedule (Attachment E) (__)
   - Proposed Performance-Based Payment Structure (Attachment F) (__)

3. All proposals must contain a third sealed inner envelope labeled “Doing Business Data Form” containing an original, completed Doing Business Data Form (see Attachment G).

4. A sealed outer envelope, enclosing the three sealed inner envelopes. The sealed outer envelope should have two labels containing:
   - The proposer’s name and address, the Title and PIN of this RFP and the name and telephone number of the Proposer’s Contact Person.
   - The location for submittal of proposals:
     NYCDOT Contract Management Unit
     40 Worth Street – Room 824A, New York, New York 10013

SECTION V – PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures

All technical proposals accepted by the Agency will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Technical proposals that are determined by the Agency to be non-responsive will be rejected. The Agency's Evaluation Committee will evaluate and rate all remaining technical proposals based on the Evaluation Criteria prescribed below. The Agency reserves the right to conduct site visits and/or interviews and/or to request that proposers make presentations and/or demonstrations, as the Agency deems applicable and appropriate. The ratings by the Evaluation Committee will be added and averaged for each firm to establish the technical evaluation rankings. Based on these rankings, a shortlist of at least the top three (3) rated proposers and any other proposer whose rating is within five percent (5%) of the fourth-ranked proposer will be established.

Following analysis and evaluation of the responsive price proposals, a price per technical point value for each short-listed firm will be determined by dividing each proposed price by the corresponding technical evaluation rating. The proposer that offers the lowest price per technical point will be recommended for award and invited to contract negotiations.

Although discussions may be conducted with proposers submitting acceptable proposals, the Agency reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer's initial proposal should contain its best programmatic and price terms.

B. Evaluation Criteria

- Demonstrated quantity and quality of successful relevant experience. 50%
- Quality of proposed approach. 40%
- Demonstrated level of organizational capability. 10%

C. Basis for Contract Award

A contract will be awarded to the responsible proposer whose proposal is determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria which are set forth in this RFP. Contract award is subject to successful negotiation of contract terms with the apparent winner.

SECTION VI - GENERAL INFORMATION TO PROPOSERS

A. Complaints. The New York City Comptroller is charged with the audit of contracts in New York City. Any proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 835, New York, NY 10007; the telephone number is (212) 669-3000. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.

B. Applicable Laws. This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-7820.

C. General Contract Provisions. Contracts shall be subject to New York City's general contract provisions, in substantially the form that they appear in "Appendix A—General Provisions Governing Contracts for Consultants, Professional and Technical Services" or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency's general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.

D. Contract Award. Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.

E. Proposer Appeal Rights. Pursuant to New York City's Procurement Policy Board Rules, proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency's determination regarding the solicitation or award of a contract.

F. Multi-Year Contracts. Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor's performance is not satisfactory. The Agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.

G. Prompt Payment Policy. Pursuant to the New York City's Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.

H. Prices Irrevocable. Prices proposed by the proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.

I. Confidential, Proprietary Information or Trade Secrets. Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.

J. RFP Postponement/Cancellation. The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.

K. Proposer Costs. Proposers will not be reimbursed for any costs incurred to prepare proposals.

L. Charter Section 312(a) Certification.

The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not directly result in the displacement of any New York City employee.

___________________________________ ___________________

Agency Chief Contracting Officer Date

ATTACHMENT A

PROPOSAL COVER LETTER

RFP TITLE: Public Safety and Sustainable Transportation Education and Media Campaigns

PIN: 84109MBAD382

Proposer:

Name: ____

Address: ____

____

Tax Identification #: _____________________________

Proposer's Contact Person:

Name: ____

Title: ____

Telephone #: ______________________________

Proposer's Authorized Representative:

Name: ____

Title: ____

Signature: ____

Date: ___________________________________

Is the response printed on both sides, on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in the instructions to this solicitation?

☐ **Yes** ☐ **No**

ATTACHMENT B

ACKNOWLEDGMENT OF ADDENDA

RFP TITLE: Public Safety and Sustainable Transportation Education and Media Campaigns

PIN: 84109MBAD382

COMPLETE PART I OR PART II, WHICHEVER IS APPLICABLE.

PART I:

Listed below are the dates of issue for each addendum received in connection with this RFP.

Addendum #1Dated ______________________________________

Addendum #2 Dated ______________________________________

Addendum #3 Dated ______________________________________

Addendum #4 Dated ______________________________________

Addendum #5 Dated ______________________________________

Addendum #6 Dated ______________________________________

Addendum #7 Dated ______________________________________

Addendum #8 Dated ______________________________________

Addendum #9 Dated ______________________________________

Addendum #10 Dated _____________________________________

PART II:

__________ No addendum was received in connection with this RFP.

Proposer (Print) ____

Signature _________________________________ **Date:**________________

ATTACHMENT C

AFFIRMATION FORM

The undersigned proposer or bidder affirms and declares that said proposer or bidder is not in arrears to the City of New York upon debt, contract or taxes and is not a defaulter, as surety or otherwise, upon obligation to the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York, nor is there any proceeding pending relating to the responsibility or qualification of the proposer or bidder to receive public contracts

Except____

____
Full Name of Proposer or Bidder

____
Address

City	State	Zip Code
________________	________________	________________

Check below and include appropriate number:

____ Individual or Sole Proprietorship *
Social Security Number __ __ - __ __ __ - __ __ __ __

____ Partnership, Joint Venture or unincorporated company
Employer Identification Number __ __ - __ __ __ __ __ __ __

____ Corporation
Employer Identification Number __ __ - __ __ __ __ __ __ __

If a corporation, place seal here:

by Signature ____________________________________

Print Name ____________________________________

Title ____________________________________

Must be signed by an officer or duly authorized representative.

* Under the Federal Privacy Act the furnishing of Social Security Numbers by bidders on City contracts is voluntary. Failure to provide a Social Security Number will not result in a bidder's disqualification. Social Security Numbers will be used to identify bidders, proposers, or vendors to ensure their compliance with laws, to assist the City in enforcement of laws as well as to provide the City a means of identifying of businesses which seek City contracts.

ATTACHMENT D

PROPOSED TIME AND COST ESTIMATES FOR SAMPLE PROJECTS

RFP TITLE: Public Safety and Sustainable Transportation Education and Media Campaigns

PIN: 84109MBAD382

Examine each project based on the specifications listed below and give estimated time and cost for completion of the project. **For estimated cost, use fees provided in Attachment E – Proposed Fee Schedule.** If these specifications are missing something that you deem to be important, identify the missing component(s) and indicate its/their impact on the projects' overall timeframe and pricing.

1) Development and Design of ½ Brand Subway Car

- One-half brand cars include:
  - -6-9 squares (22 x 21) and 6-9 overhead cards (11 x 46), 2-3 overhead cards (11 x 70)
  - -concept and copy development
  - -art direction
  - -graphic design
  - -comprehensive layouts (7 creatives to be used across the three brand car formats: squares, 11 x 46 overhead cards, and 11 x 70 overhead cards)

Where the project will include:

- Photo shoot:
  - -photographer and assistant (if original photography)
  - -electronic high resolution scanning (6 scans)
  - -location scouting (3)
  - -photo shoot transportation
  - -film
  - -stock photo rights (7 photographs)
  - -retouching (3 photographs)
  - -engraving/separations
  - -duplication plates/materials

- Typesetting Mechanicals (7 creatives)
  - -disks (4)
  - -digital files (jpegs/gifs: 7 creatives)
  - -agency commission
  - -per diem
  - -shipping/postage

Time estimate: ____________________ Cost Estimate*: ____________________

***Note: Use fees provided in Attachment E – Proposed Fee Schedule.**

2) <u>Development and Production of TV Spot (30 seconds)</u>

- Pre-production/creative development, including:
  - -story board/script development
  - -casting (5 models)
  - -location scouting (3 locations)
  - -wardrobe
  - -props

- Production, including:
  - -director of photography
  - -camera operator
  - -sound technician
  - -electrician
  - -make-up
  - -film/videotape
  - -equipment rentals
  - -talent and releases/buyouts (5 models)

- Post-production, including:
  - -editing
  - -off-line editorial
  - -special effects
  - -music
  - -composition (if original)

- Production (if original) mixing and mastering, including:
  - -clearances and rights (performance and music licensing)
  - -video cassettes/duplication
  - -agency commission

Time estimate: ___________________ Cost Estimate*: ____________________

***<u>Note</u>: Use fees provided in Attachment E – Proposed Fee Schedule.**

3) **<u>Brochure</u>**

- Including:
  - -concept and copy development
  - -graphic design and layouts
  - -stock photo fees
  - -electronic scanning (if original photos – 3 photographs)
  - -retouching (if original photos – 3 photographs)
  - -typesetting/mechanical
  - -disk
  - -digital files (JPEGS/GIFS)
  - -shipping/postage
  - -agency commission
  - -per diem

Time estimate: ___________________ Cost Estimate*: ____________________

***<u>Note</u>: Use fees provided in Attachment E – Proposed Fee Schedule.**

PROPOSED FEE SCHEDULE

RFP TITLE: Public Safety and Sustainable Transportation Education and Media Campaigns

PIN: 84109MBAD382

Instructions to Proposers: Provide your fee for each category of service as follows:
Under Creative Development insert a daily dollar amount
Under Production insert your commission percentage
Under Research insert your commission percentage

Service	Fee
Creative Development during project activity, i.e. developing, creating, presenting, revising, and/or producing advertising or other marketing materials based on agreed-upon timetable	$_______ per day
Production: materials, services, talent (session and usage), art, photography, type, mechanicals, engravings, travel, audio or video tapes, copies, computer printouts and tapes needed by the media, and any other items purchased, rented, hired, or employed for use in Creative Development	Billed at cost (original receipts to be provided) plus _______%*
Research (competitive bidding by outside contractors)	Billed at cost plus _______%

*No commission on travel, postage and messengers

PERFORMANCE OUTCOME MEASURES AND RELATED FINANCIAL INCENTIVES AND/OR DISINCENTIVES

RFP TITLE: Public Safety and Sustainable Transportation Education and Media Campaigns

PIN: 84109MBAD382

Instructions: Provide the information requested for proposed performance outcome measures as described in Section IV(A)(3)(b).

	Performance Outcome (Target Goal)	Measure of Performance	Associated Financial Incentive/Disincentive, Etc.
1.			
2.			
3.			
4.			
5.			

ATTACHMENT G

DOING BUSINESS DATA FORM

The City of New York
Mayor's Office of Contract Services
Doing Business Accountability Project

PIN: ______________________

Fall 07 – Spring 08 version

Doing Business Data Form – Contract Proposers

A Doing Business Data Form is to be completed by any vendor that submits a proposal for this contract (see Q&A sheet for more information). Please type or print in black ink, sign the last page, and return the complete Data Form, in a separate envelope, to the contracting agency along with your proposal. **The submission of a Data Form that is not accurate and complete may result in appropriate sanctions.**

This Data Form requires information to be provided on your principal officers, owners and senior managers. The name, employer, and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. This Data Form is separate from the City's VENDEX requirements.

General Instructions for Sections 2, 3, and 4:

Title: The actual office title held by the officer, owner, or manager.
Employer (if not vendor): If the individual is not employed by the vendor, list his/her employer's name.

Certification:

Fill out the certification box on the last page completely, and return the completed Data Form, in a separate envelope, to the contracting agency along with your proposal. If you have questions, please contact the Doing Business Accountability Project at 212-788-8104 or DoingBusiness@cityhall.nyc.gov. Thank you for your cooperation.

NOTE: Under the Federal Privacy Act the furnishing of Social Security Numbers is voluntary. Failure to provide an SSN will not result in any vendor's disqualification. SSNs will not be disclosed to the public. SSNs will be used to: identify a vendor's officers, owners and managers; assist the City in enforcement of Local Law 34 by ensuring that it is applied only to those individuals intended to be covered; and provide the City a means of identifying individuals whose names are not required to be listed in the *Doing Business Database*.

Section 1: Vendor Information

Vendor Name: ____

Vendor EIN: ______________________

Vendor Filing Status (select one):

☐ New Vendor/Full Data Form. *Fill out the entire form.*

☐ Change from previous Data Form dated ___________. *Fill out only those sections that have changed, and indicate the name of the person(s) who no longer hold positions with the vendor.*

☐ No Change from previous Data Form dated ___________. *Skip to the bottom of the last page.*

Vendor Type: ☐ Corporation (any type) ☐ Partnership (any type) ☐ Sole Proprietor
☐ Other (specify): ____________________________________

Vendor Address: ____

Vendor Main Phone #: ____________________ Vendor is a Non-Profit: ☐ Yes ☐ No

Vendor Main E-mail: ____

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the vendor has no such officer or its equivalent, please check the "Position does not exist" box. If the vendor is filing a Change Data Form and the person listed is replacing someone who was previously disclosed, please check the "This person replaced" box and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO)

☐ This position does not exist

The highest ranking officer or manager, such as the CEO, President or Executive Director; or, if those positions do not exist, the Chairperson of the Board.

Name: ______________________________

Office Title: ______________________ SSN: ______________________

Employer (if not vendor): ______________________________

Birth date: ______________________ Home phone #: ______________________

Home address: ______________________________

☐ This person replaced CEO: ______________________ On date:______________

Chief Financial Officer (CFO)

☐ This position does not exist

The highest ranking financial officer, such as the CFO, Treasurer, Comptroller, Financial Director, or VP for Finance.

Name: ______________________________

Office Title: ______________________ SSN: ______________________

Employer (if not vendor): ______________________________

Birth date: ______________________ Home phone #: ______________________

Home address: ______________________________

☐ This person replaced CFO: ______________________ On date:______________

Chief Operating Officer (COO)

☐ This position does not exist

The highest ranking operational officer, such as the COO, Chief Planning Officer, Director of Operations, or VP for Operations

Name: ______________________________

Office Title: ______________________ SSN: ______________________

Employer (if not vendor): ______________________________

Birth date: ______________________ Home phone #: ______________________

Home address: ______________________________

☐ This person replaced COO: ______________________ On date:______________

Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means **own or control 10% or more of the vendor**. If no individual owners exist, please check the appropriate box below to indicate why, and skip to the next page. If the vendor is owned by other companies, those companies do not need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the vendor is filing a Change Data Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

☐ The entity is not-for-profit ☐ There are no individual owners ☐ No owner holds 10% or more shares in the entity

☐ Other (explain): ______________________________

Principal Owners (who own or control 10% or more of the vendor):

Name: ______________________ SSN: ______________________

Employer (if not vendor): ______________________

Office Title: ______________________ Birth date: ______________________

Home address: ______________________

Home phone #: ______________________

Name: ______________________ SSN: ______________________

Employer (if not vendor): ______________________

Office Title: ______________________ Birth date: ______________________

Home address: ______________________

Home phone #: ______________________

Name: ______________________ SSN: ______________________

Employer (if not vendor): ______________________

Office Title: ______________________ Birth date: ______________________

Home address: ______________________

Home phone #: ______________________

Remove the following previously-reported Principal Owners:

Name: ______________________ Removal date: ______________

Name: ______________________ Removal date: ______________

Name: ______________________ Removal date: ______________

To list more Principal Owners, please attach additional pages.

Section 4: Senior Contract Managers

Please fill in the required identification information for all senior managers who oversee any of the vendor's contracts with the City. Senior managers include anyone who, either by title or duties, has substantial discretion over the solicitation, letting, or administration of any contract with the City. You must list at least one Senior Manager or your Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the vendor is filing a Change Data Form, list any individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Contract Managers:

Name: ______________________ SSN: ______________________

Employer (if not vendor): ______________________

Office Title: ______________________ Birth date: ______________________

Home address: ______________________

Home phone #: ______________________

Name: ______________________ SSN: ______________________

Employer (if not vendor): ______________________

Office Title: ______________________ Birth date: ______________________

Home address: ______________________

Home phone #: ______________________

Name: ______________________ SSN: ______________________

Employer (if not vendor): ______________________

Office Title: ______________________ Birth date: ______________________

Home address: ______________________

Home phone #: ______________________

Remove the following previously-reported Senior Contract Managers:

Name: ______________________ Removal date: ______________

Name: ______________________ Removal date: ______________

Name: ______________________ Removal date: ______________

To list more Senior Contract Managers, please attach additional pages.

I certify that the information submitted on these four pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the vendor being found non-responsible and therefore denied future City awards.

Name: ______________________

Signature: ______________________ Date: ______________________

Vendor name: ______________________

Title: ______________________ Work phone #: ______________________

Return the completed Data Form, in a separate envelope, to the contracting agency along with your proposal.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

Doing Business Accountability Project
Contract, Franchise and Concession Proposers
Fall 07 – Spring 08

Q & A: The *Doing Business Data Form* and the *Doing Business Database*

What is the purpose of this Data Form?

To collect accurate, up-to-date identification information about vendors that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), the recently passed campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of City vendors and mandates the creation of a *Doing Business Database* to allow the City to enforce the law. The information requested in this Data Form must be provided, regardless of whether the vendor or the people associated with it make or intend to make campaign contributions. No sensitive personal information collected will be disclosed to the public.

Why have I received this Data Form?

The contract, franchise or concession for which you are proposing is considered a business dealing with the City under LL 34. Most types of contracts, franchises and concessions valued at more then $5,000 are considered business dealings. Exceptions include transactions awarded on an emergency basis or by non-pre-qualified competitive sealed bid. Later in 2008, the types of transactions considered business dealings will be expanded to include grants, economic development agreements, pension fund investments and real property and land use transactions with the City.

What vendors will be included in the *Doing Business Database*?

Vendors that hold contracts for goods or services, or franchises or concessions, valued at more than $100,000, or contracts for construction valued at more than $500,000, are considered to be doing business with the City for the purposes of this law and will be included in the *Doing Business Database*. As noted above, later in 2008 other types of transactions will also result in vendor inclusion in the database.

What individuals will be included in the *Doing Business Database*?

The principal officers, owners and certain senior managers of vendors listed in the *Doing Business Database* are themselves considered to be doing business with the City and will also be included in the database.

- **Principal officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer (COO), or their functional equivalents. See the Data Form instructions for examples of titles that apply.
- **Owners** are individuals who own or control 10% of more of the vendor. This includes stockholders, partners and anyone else with an ownership or controlling interest in the vendor.
- **Senior managers** include anyone who, either by job title or actual duties, has substantial discretion over the solicitation, letting or administration of any contract, franchise or concession with the City. If the vendor holds any City contracts, franchises or concessions, you must list at least one Senior Manger, or your Data Form will be considered incomplete. Later in 2008, senior managers responsible for the additional types of transactions indicated above will also be included in the *Doing Business Database*.

I provided some of this information on the VENDEX Questionnaire. Why do I have to do it again?

Although the *Doing Business Data Form* and the VENDEX Questionnaire request some of the same information, they serve entirely different purposes. In addition, the Data Form requests information concerning senior managers, which is not part of the VENDEX Questionnaire

What happens if I don't submit a complete and accurate Data Form?

Vendors are required to supply information of this type upon request of the City. The submission of a Data Form that is not accurate and complete may result in appropriate sanctions.

Will the information on this Data Form be available to the public?

Campaign contributions will continue to be public information, as they have been in the past. Similarly, the names of vendors' top officers and owners, which have previously been made public through the VENDEX database, will continue to be public, as will the additional names (senior managers) now required by this Data Form. Each person's employer and title will be made public. However, no sensitive personal identifying information will be made available to the public, and home address and phone number information will not be used for communication purposes.

No one in my organization plans to contribute to a candidate; do I have to fill out this Data Form?

Yes. All vendors are required to return this Data Form with complete and accurate information, regardless of the history or intention of the vendor or its officers, owners or senior managers to make campaign contributions. The *Doing Business Database* must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

I have already completed a Doing Business Data Form. Do I have to submit another one?

Yes. A vendor is required to submit a Doing Business Data Form each time it proposes for, or enters, a transaction considered business dealings with the City. However, the Form has both a No Change option, which only requires a vendor to report its EIN and sign the last page, and a Change option, which allows a vendor to only fill in applicable information that has changed since the previous completion of the Doing Business Data Form.

How does a person remove him/herself from the *Doing Business Database*?

Any person who believes that s/he should not be listed may apply for removal from the database by contacting the Doing Business Accountability Project of the Mayor's Office of Contract Services. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manger of the vendor. Vendors may also contact the DBA Project to add or remove such individuals. Removal and update forms will be available on-line at nyc.gov\mocs, or by contacting the Doing Business Accountability Project at 212-788-8104.

How long will a vendor and its officers, owners and senior managers remain listed on the *Doing Business Database*?

- **Contract proposers**: for one year from the proposal date or date of public advertisement of the solicitation, whichever is later.
- **Franchise and Concession proposers**: for one year from the proposal submission date.
- **Contract and Concession holders**: generally for the term of the contract or concession, plus one year.
- **Franchise holders**: from the commencement or renewal of the franchise, plus one year.
- **Line item and discretionary appropriations**: from the date of budget adoption until the end of the contract, plus one year.

For information on other types of transactions, contact the Doing Business Accountability Project at 212-788-8104.

What are the new campaign contribution limits for people doing business with the City?

Please contact the NYC Campaign Finance Board for information on contribution limits, at **www.nyccfb.info**, or 212-306-7100.

The Data Form is to be returned, in a separate envelope, to the contracting agency along with your proposal.

If you have any questions about the Data Form please contact the Doing Business Accountability Project at 212-788-8104 or DoingBusiness@cityhall.nyc.gov.