REQUEST FOR PROPOSALS

Public Safety and Sustainable Transportation Education and Media Campaigns
PIN: 84109MBAD382

Addendum #2

Date: 3/19/09

This is ADDENDUM #2 for the above referenced Request for Proposals (RFP), of which you have obtained a copy.

I. **CHANGE IN PROPOSAL DUE DATE** as follows:

Date:	March 27, 2009
Time:	2:00 PM
Location:	NYCDOT Contract Management Unit 40 Worth Street – Room 824A New York, New York 10013

II. **SEE ATTACHED:** Sign-in sheet from 2/25/09 pre-proposal conference.

III. **REPLACE:** Section II, Summary of the Request for Proposals, pages 3-4, with replacement pages, as attached.

IV. **REPLACE:** Attachment G, Doing Business Data Form, with replacement form, as attached.

V. **ANSWERS TO QUESTIONS FROM PROSPECTIVE PROPOSERS:**

1. **QUESTION:** Have any of the three sample projects listed in Attachment D of the RFP been further defined? For example, have the exact specifications for the brochure, or the stock for the TV spot (film or video), been determined? Similarly, in Attachment E, page three, could you provide some guidance on the size and length of the brochure?
   ANSWER: Brochure – 8.5x11" tri-fold, 4/4, full-bleed, to be delivered in full to NYCDOT
   TV spot – to be delivered in broadcast-ready and Internet-ready formats to NYCDOT

2. **QUESTION:** Will NYCDOT consider a proposal that does not include cost estimates for all three sample projects, e.g., will a proposal that does not include an estimate for the TV spot production be considered acceptable?

ANSWER: No. Cost estimates must be provided for all three sample projects in order for the proposal to be considered responsive.

3. **QUESTION:** Are the cost estimates provided in Attachment D to be considered not-to-exceed rates, as stated on the top of page 10 of the RFP, or suggested rates, as was indicated at the pre-proposal conference?

   ANSWER: The costs in the Proposed Fee Schedule provided in Attachment E are to be considered the not-to exceed rate. The proposers shall base the prices set forth in Attachment D on the Proposed Price Schedule.

4. **QUESTION:** Does the budget include the cost of placing media such as TV airtime, billboards, etc.? Media: Given that the media budget isn't mentioned, do media dollars need to come out of the annual $1.8M budget? Additionally, it appears as if the media planning and buying functions are not required of the proposer. Please confirm.
   ANSWER: The budget given in the RFP is intended to be an estimate only. These numbers are subject to change depending on other demands on agency resources. NYCDOT anticipates having approximately $300,000 to $800,000 per year to spend on campaign development. The agency also plans on having approximately $1 million per year to spend on production costs. The City has several existing contracts for ad-buying, so firms will not necessarily be asked to handle media buys. Please note that the above are estimates and are subject to change.

5. **QUESTION:** Are there any requirements for sub-contracting?
   ANSWER: There is no requirement as to subcontracting. If the proposer intends to subcontract, such subcontractors must be proposed as part of its technical proposal, and shall be subject to the approval of DOT.

6. **QUESTION:** Attachment E refers to a "daily rate" that an agency charges. Should this or can this be adjusted to an hourly rate?
   ANSWER: The proposer should propose a daily rate based on an eight (8)-hour workday. During the course of the work, if the contractor works a partial day, it shall be paid a pro-rata share of the daily rate.

7. **QUESTION:** Production and talent costs in TV and print production traditionally require partial payment up front. May the selected proposer pre-bill to cover these expenses?
   ANSWER: Payment by the City in connection with production and talent costs shall be made upon the submission of paid invoices and for work performed. A determination as to whether to prepay

for services will be reviewed on a case-by-case basis, although prepayment generally will not be allowed.

8. **QUESTION:** For Attachment G, Doing Business Data Form, Is it a requirement to include Social Security numbers in Attachment G for the CEO, CFO, COO, Principal Owners, and Senior Contract Managers? Or can this information be provided during the negotiation process?
ANSWER: The most recent version of the form, as attached, should be used.

9. **QUESTION:** How much of a role do you anticipate Web-based or Internet marketing to play in the overall campaign?
ANSWER: Web-based and Internet marketing is likely to be an important part of all of the campaigns that NYCDOT designs.

10. **QUESTION:** If a proposing firm uses subcontractors instead of a joint venture arrangement, does that diminish the ranking of that firm's proposal, given that joint venture arrangements are viewed positively?
ANSWER: No, there is no inherent advantage to either business arrangement for rating purposes.

11. **QUESTION:** At the pre-proposal conference, NYCDOT indicated that a contract will most likely be awarded to only one company. In this event, how will this impact the protocol to be used in assigning specific projects? In Section IIA of the RFP, it's indicated that the Agency anticipates awarding up to three contracts. However, in Section VA, there's information detailing the selection of one firm with the lowest price per technical point. Please provide clarification. Also, does that indicate that several contracts will be awarded for the entire scope of work, or that the scope will be divided between three contracts?
ANSWER: This addendum clarifies the RFP language. Please see the attachment herein.

12. **QUESTION:** Per Section IV Instructions: Would it be acceptable to submit a proposal typed single-sided on paper that is made of 100% postconsumer material content?
ANSWER: Although proposals typed double-sided are preferred, single-sided is acceptable.

13. **QUESTION:** Per Section IV(A)(2a) of the RFP, may biographies be furnished in lieu of resumes?
ANSWER: Resumes are strongly preferred and may be rated accordingly.

14. **QUESTION:** Per Section V(B) of the RFP: How important is the relevant experience of the firm versus the relevant experience of the individual(s) who will be assigned to the business?
ANSWER: Both factors are important. In terms of the intellectual capacity to complete the work, the experience of the individual(s) weighs most heavily. In terms of financial stability and administrative and financial capability to handle a contract of this size, the experience of the firm is most relevant.

15. **QUESTION:** Per Attachment F, we have both senior and mid-level staff involved in creative development, with wide ranging daily rates based on level of experience. Is it acceptable to provide a "blended" rate which reflects our estimates of the proportion of time a senior person needs be involved in the high-level creative approach and the involvement of mid-level people who would execute?
ANSWER: An hourly rate is needed, but this can be an average of different staff costs/time. If the proposer wishes, it can also back up this average with details on hourly rates for each of the staff the firm envisions working on the project, along with percentages of their time. NYCDOT would find this additional information helpful.

16. **QUESTION:** We noticed that Attachment G, the Doing Business Data Form, along with the instructions, is the Fall 2007/Spring 2008 version. We recently furnished the data forms that were effective as of 5/6/08. As they are somewhat different, yet more current, may we submit these forms instead?
ANSWER: Please see answer to Question 8.

17. **QUESTION:** Will the contract be awarded based on the RFP only, or will you be inviting a few contenders for a "creative showdown"?
ANSWER: Per Section V(A) of the RFP, NYCDOT "reserves the right to…request that proposers make presentations and/or demonstrations." This would most likely be requested of the top three (3) shortlisted firms.

18. **QUESTION:** Does NYCDOT request that firms submit "spec creative" as part of their proposals, or are you more interested in seeing a sample of past work?
ANSWER: Firms are requested to provide details as to how they would approach campaigns put to them by NYCDOT. You may do this either in writing or via creative sketches. All firms are asked to provide visual samples of past work.

19. **QUESTION:** For the brochure and/or other components of the campaign(s), should firms assume the development of written content when devising time and cost estimates, or do you anticipate that said content will be provided by NYCDOT?

ANSWER: Content is likely to be created by NYCDOT and the selected vendor jointly. For some projects, NYCDOT staff will create the content in full, and for others the firm may be asked to write appropriate copy based on background materials supplied by the agency.

20. **QUESTION:** Who will be handling printing and related tasks?
ANSWER: Printing will be handled under a Department for Citywide Administrative Services (DCAS) requirements contract for this service. Proposing firms will have no direct involvement in this process.

21. **QUESTION:** What are the buyout terms for photography and TV models?
ANSWER: This question is not relevant to the price proposals requested for this RFP. Different campaigns will run for different lengths of time. It will be assumed that costs connected to any specific buyout terms would be submitted as part of a response to a particular project, and shall be paid only upon approval of the City. For purposes of Attachment D, any specific buyout terms should not be included.

22. **QUESTION:** Who is NYCDOT's current provider for the services detailed in this RFP?
ANSWER: There is no incumbent in this role.

23. **QUESTION:** Has NYCDOT established a desired timeline for execution of the program and, if so, could you please provide it?
ANSWER: There is no single timeline, as there will be multiple campaigns, each with its own timeline. For example, the Stop DWI Campaign is currently pegged to major national holidays and the Look Bicycle Safety Campaign currently runs once in the spring and once in the fall for four to six weeks.

24. **QUESTION:** Can a proposer provide different Proposed Fee Schedules for the three sample projects?
ANSWER: No. For comparison purposes, the same fee schedule must be used for all three sample projects.

25. **QUESTION:** Please provide your consideration criteria for Minority- and Women-Owned Business contractors.
ANSWER: Although the participation of Minority- and Women-Owned Business Enterprises (M/WBE) is welcomed, this solicitation is not subject to Local Law 129.

26. **QUESTION:** Is this RFP seeking one company to do all of the work, or could a proposer participate in Web site-related only? If this is allowed, will there be detailed information available for providing cost projections for these tasks?

ANSWER: This RFP is seeking firms that can provide a full range of services. NYCDOT recognizes that some firms may be stronger in certain categories than others. Please base your pricing on the scenarios described in the RFP.

This ADDENDUM is hereby made a part of the original RFP document.

NO FURTHER TEXT ON THIS PAGE

Office of the Agency Chief Contracting Officer
40 Worth Street
New York, N.Y. 10013
Tel: 212/839-2117
Fax: 212/442-7449

New York City Department of Transportation

Janette Sadik-Khan, Commissioner

Web: www.nyc.gov/dot

Subject: Advertising and Marketing RFP - Pre-Proposal Conference
Date: 2/25/09 PIN: 84109MBAD[redacted]382
Time: 2:00PM

Sign In Sheet

NAME	Company/ Dept.	PHONE #	E-MAIL ADDRESS ~~(Provide if only if Non- DOT Address)~~
Jeremy Halperin	NYCDOT-ACCO	(212) 442-7851	jhalperin@dot.nyc.gov
Kevin Breslin	BCT/	917 273 7472	KvnBreslin@aol.com
R LUCANELLI	BCT MEDIA	732 690 9285	BCIMEDIA - YAHOO.COM
Diana Glassman	INTEGRATION STRATEGY, INC.	917-837-2316	dg@integrationstrategy.com
MELISSA LEVINS	KIPANY PRODUCTIONS	212.883.8300	mlevins@kipany.com
HARRY ANESTA	HARdesign	516.785.5614	hardesign@optonline.net
Keith Darby	Darby Darby Creative	(646) 489-1256	KLD@DarbyDarbyCreative.com
SHEILA SPELLER	ORIELLE CREATIVE COMPANY	917.446.2646	sheila@OrielleCreativecompany.com
MICHAEL D. LEWIS	ON. MESSAGE INC.	6463269450	MICHAEL@OM-DIGITAL.COM
Marsha Granville	Marsha Granville Corporate Comm.	212 223-2914	marsha.granville@rcn.com
Lucia Stern	Lucia Stern Consulting & Associates	646-352-1122	luciastern@nyc.rr.com
Chuck Roberts	DUROBI	212.537.9063	Chuck.ROBERTS@DUROBI.COM
GORAN BILLINGSKOG	DUROBI	212 537 9063	GORAN@DUROBI.COM
Adam Schnitzler	S3	973-257-5533	aschnitzler@S3S3S3.com
Katherine O'Hara	S3	973 257 5533	Kmohara@S3S3S3.com
Alexandra Zetlen	Zetlen	212.798 8803	azetlin@zetlen.com
Colleen Burke	Zetlin	212 798 8803	cburke@zetlen.com

Office of the Agency Chief Contracting Officer
40 Worth Street
New York, N.Y. 10013
Tel: 212/839-2117
Fax: 212/442-7449

New York City Department of Transportation

Janette Sadik-Khan, Commissioner

Web: www.nyc.gov/dot

Subject: Advertising and Marketing RFP – Pre-Proposal Conference
Date: 2/25/09 PIN: 84109MBAD[redacted]382
Time: 2:00 P.M.

Sign In Sheet

NAME	Company/ Dept.	PHONE #	E-MAIL ADDRESS (Provide if only if Non- DOT Address)
Amy Singer	Seiden Advertising	646-253-7225	asinger@seidenadvertising.com
Lauren Vincelli	Gotham Research Group	908-902-6688	lvincelli@gothamresearchgroup.com
Laura Alpert	Pivotal Point Com	908-789-2448	lalpert@pivotalpointcom.com
David Ganz	Greater Than One	212-515-6003	dganz@greaterthanone.c
Peter DePasquale	ARENA PARTNERS	718 624 1166	peter@arenapartners.net
Sarah Miller	Quinn Fable	212-974-8700	sarah.miller@quinnfable.com
Molly Unterseher	Quinn Fable	212-974-8100	molly.unterseher@quinnfable.com
Susan Palombo	Ready 366	646 442 3416	spalombo@ready366.com
KEN MADSEN	READY 366/[illegible]	646·230·1902	KMADSEN@GSGNYC.COM
JOSE BANDUJO	Bandujo Adv+Design	212 332 4100	JBANDUJO@BANDUJO.COM
JACKY KO	Win By Win Development Inc.	718-268-4162	winbywin@verizon.net
Andy Lun	ToTo Group	212-602-9902	Alun@totogroup.com
Dexter Wimberly	August Bishop LLC	(917) 698 3946	dwimberly@augustbishop.com
Nimi Kumar	Crystal Advertising	646-541-3351	nimi@crystaladvertising.com
Sarah Hann	Two Twelve / 212/ Harakawa	212-254-6670	shann@twotwelve.com
Logan Schmid	LOVETT PRODUCTIONS	212.242.8999 x23	logan@lovettproductions.com
FRANK DEVITO	DEVITO FITTERMAN	212 924 7430	FRANK@DEVITOFITTERMAN.com

Office of the Agency Chief Contracting Officer
40 Worth Street
New York, N.Y. 10013
Tel: 212/839-2117
Fax: 212/442-7449

New York City Department of Transportation

Janette Sadik-Khan, Commissioner

Web: www.nyc.gov/dot

Subject: Advertising and Marketing RFP - Pre-Proposal Conference
Date: 2/25/09 PIN: 84109MBAD[redacted]382
Time: 2:00 PM

Sign In Sheet

NAME	Company/ Dept.	PHONE #	E-MAIL ADDRESS (Provide if only if Non- DOT Address)
ANTHONY DEVITO	DEVITOFITTERMAN	212 924 7430	ANTHONY@DEVITOFITTERMAN.COM
Awilda Charriez	The Vox Collective	646-367-3431	acharriez@thevoxcollective.com
Michelle Vasquez	"	646-367-3448	mvasquez@thevoxcollective
Mark Silber	Silberware	6467231412	mark@silberware.com
Nicola Williams	The Williams Agency	617-395-7680	nicola@thewilliamsagency
Debra Dixon	Light of Gold Public Relations	917-385-1079 and 646-278-5658	lightofgoldpr .net @gmail.com
Matt Cohen	Ember Media	(212) 695-1919 extension 16	matt@embermedia.com
SUSAN FARREN	DFJP	212 506-0753	SFarren@dfjp.com
Barbara Stubbs	Business Promotion Ideas	201 569-9777	bpi@buspromoideas.com
Monica Farrell	Get Started Inc	718 857-2052	monica Farrell@ imagesmfarrell.com
Ron Campbell	Campbell-Communications	718 671 6989	Ron@Campbell-communications.com
Angie Waller	Couchprojects	213-944-9704	angie@couchprojects.com
KEVIN KELLY	BIGBUZZ COMM	516-845-0702	Kevin@Bigbuzz.com
MARK VITEZNIK	WORK	646 395-5202	mark.viteznik@workcomms.com
LUDMILA PALASIN	RIVET - The Sloan Group	212 716 7959	lpalasin@sloangroup.com
James DeAngelo	DCF ADVERTISING	2126259484	jdeangelo@dcfadv.com
John Fortune	DCF ADVERTISING	2126259484	jfortune@dcfadv.com

NEW YORK CITY DOT

New York City Department of Transportation

Janette Sadik-Khan, Commissioner

Office of the Agency Chief Contracting Officer
40 Worth Street
New York, N.Y. 10013
Tel: 212/839-2117
Fax: 212/442-7449

Web: www.nyc.gov/dot

Subject: Advertising and Marketing RFP - Pre-Proposal Conference
Date: 2/25/09 PIN: 84109MBAD[redacted]382
Time: 2:00 PM

Sign In Sheet

NAME	Company/ Dept.	PHONE #	E-MAIL ADDRESS (Provide if only if Non- DOT Address)
Stephanie Parrilla	DCF Advertising	2126259484	sparrilla@dcfadvertism
Tim Quis	Sound Comm.	(212)489-1122	tim@scommunications.co
Fernando Barcelona	Better World Advertising	212-234-1500	fernandob@socialmarketing.com
CARLOS MORENO	BetterWorld Advertising	212-234-1500	CarlosM@SocialMarketing.com
JEFF GERLACH	ARCH ST. COMMUNICATIONS	646 278 0623	jgerlach@archstreetcommunications.com
GRACE M. CHAN	OFFSITE STUDIOS, LLC	646-707-1357	gc@offsitestodios.com
ROBERT OSBOURNE	OFFSITE STUDIOS, LLC	718-288-5414	ro@offsitestudios.com
Dani Simons	NYCDOT - Exec.	(212)442-8074	dsimons@dot.nyc.gov

Page 4 of 4

SECTION II – SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of RFP

The Agency seeks an appropriately qualified vendor to create and execute public education and media campaigns. The contractor 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 one contract from this solicitation.

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

1. The 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. The contractor must respond to each campaign request. The contractor 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. Failure of the contractor to respond to campaign requests may cause DOT to secure other contractors in accordance with Section 4-07 of the New York City Procurement Policy Board Rules, "Buy Against Procurements," and may cause that contractor to receive a less than "Satisfactory" performance evaluation.

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.

5. The Agency will enter into negotiations with the 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 vendor 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.

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

Doing Business Data Form

To be completed by the City Agency prior to distribution		
Agency: ______	Transaction ID: ______	
Check One:	**Transaction Type (check one):**	
☐ Proposal	☐ Concession ☐ Contract	☐ Economic Development Agreement
☐ Award	☐ Franchise ☐ Grant	☐ Pension Investment Contract

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.**

This Data Form requires information to be provided on 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 not related to the City's VENDEX requirements.**

Please return the completed Data Form to the City Agency that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

Section 1: Entity Information

Entity Name: ______

Entity EIN/TIN: ______

Entity Filing Status (select one):

☐ Entity has never completed a Doing Business 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 persons who no longer hold positions with the entity.*

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

Entity is a Non-Profit: ☐ Yes ☐ No

Entity Type: ☐ Corporation (any type) ☐ Joint Venture ☐ LLC ☐ Partnership (any type) ☐ Sole Proprietor ☐ Other (specify): ______

Address: ______

City: ______ State: ______ Zip: ______

Phone : ______ Fax : ______

E-mail: ______

Provide your e-mail address and/or fax number in order to receive notices regarding this form by e-mail or fax.

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." 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) or equivalent officer

☐ This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________ Home Phone #: ____________________

Home Address: ____________________

☐ This person replaced former CEO: ____________________ on date: __________

Chief Financial Officer (CFO) or equivalent officer

☐ This position does not exist

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

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________ Home Phone #: ____________________

Home Address: ____________________

☐ This person replaced former CFO: ____________________ on date: __________

Chief Operating Officer (COO) or equivalent officer

☐ This position does not exist

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

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________ Home Phone #: ____________________

Home Address: ____________________

☐ This person replaced former 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 entity**. If no individual owners exist, please check the appropriate box to indicate why and skip to the next page. If the entity 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 entity is filing a Change 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 individual owner holds 10% or more shares in the entity

☐ Other (explain): ____________________

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

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________________ Home Phone #: ____________________

Home Address: ____________________

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________________ Home Phone #: ____________________

Home Address: ____________________

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________________ Home Phone #: ____________________

Home Address: ____________________

Remove the following previously-reported Principal Owners:

Name: ____________________ Removal Date: ____________________

Name: ____________________ Removal Date: ____________________

Name: ____________________ Removal Date: ____________________

Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. **At least one senior manager must be listed, or the 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 entity is filing a Change Form, list 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 Managers:

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________________ Home Phone #: ____________________

Home Address: ____________________

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________________ Home Phone #: ____________________

Home Address: ____________________

First Name: ____________________ MI: _____ Last: ____________________

Office Title: ____________________

Employer (if not employed by entity): ____________________

Birth Date (mm/dd/yy): ____________________ Home Phone #: ____________________

Home Address: ____________________

Remove the following previously-reported Senior Managers:

Name: ____________________ Removal Date: ____________

Name: ____________________ Removal Date: ____________

Certification

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 entity being found non-responsible and therefore denied future City awards.

Name: ____________________

Signature: ____________________ Date: ____________________

Entity Name: ____________________

Title: ____________________ Work Phone #: ____________________

Return the completed Data Form to the agency that supplied it.

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

DOING BUSINESS ACCOUNTABILITY PROJECT

QUESTIONS AND ANSWERS ABOUT THE DOING BUSINESS DATA FORM

What is the purpose of this *Data Form*?

To collect accurate, up-to-date identification information about entities 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 these entities 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 entity 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, concession, grant or economic development agreement you are proposing on, applying for or have already been awarded is considered a business dealing with the City under LL 34. No proposal or application will be considered and no award will be made unless this *Data Form* is completed. Most transactions valued at more than $5,000 are considered business dealings and require completion of the *Data Form*. Exceptions include transactions awarded on an emergency basis or by publicly advertised, non-pre-qualified competitive sealed bid. Other types of transactions that are considered business dealings include real property and land use actions with the City.

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

Entities that hold $100,000 or more in grants, contracts for goods or services, franchises or concessions ($500,000 or more for construction contracts), along with entities that hold any economic development agreements or pension fund investment contracts, are considered to be doing business with the City for the purposes of LL 34 and will be included in the *Doing Business Database*. Because all of the business that an entity does or proposes to do with the City will be added together, the *Data Form* must be completed for all covered transactions even if an entity does not currently do enough business with the City to be listed in the *Database*.

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

The principal officers, owners and certain senior managers of entities 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* for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% of more of the entity. This includes stockholders, partners and anyone else with an ownership or controlling interest in the entity.
- **Senior Managers** include anyone who, either by job title or actual duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, concession, franchise, grant or economic development agreement with the City. At least one Senior Manager must be listed or the Data Form will be considered incomplete.

I provided some of this information on the VENDEX Questionnaire; do I have to provide 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.

My organization is proposing on a contract with another firm as a Joint Venture that does not exist yet; how should the Data Form be completed?

A joint venture that does not yet exist must submit Data Forms from each of its component firms. If the joint venture receives the award, it must then complete a form in the name of the joint venture.

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

The names and titles of the officers, owners and senior managers reported on the *Data Form* will be made available to the public, as will information about the entity itself. However, personal identifying information, such as home address, home phone and date of birth, will not be disclosed 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 entities are required to return this *Data Form* with complete and accurate information, regardless of the history or intention of the entity 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. An entity is required to submit a *Doing Business Data Form* each time it proposes on or enters a transaction considered business dealings with the City. However, the *Data Form* has both a No Change option, which only requires an entity to report its EIN and sign the last page, and a Change option, which allows an entity to only fill in applicable information that has changed since the previous completion of the *Data Form*. No entity should have to fill out the entire *Data Form* more than once.

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 submitting a Request for Removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manger of the entity, or the entity no longer being in business. Entities may also update their database information by submitting an update form. Both of these forms are available online at www.nyc.gov/mocs (once there, click MOCS Programs) or by calling 212-788-8104.

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

- **Contract, Concession and Economic Development Agreement holders**: generally for the term of the transaction, plus one year.
- **Franchise and Grant holders**: from the commencement or renewal of the transaction, plus one year.
- **Pension investment contracts**: from the time of presentation on an investment opportunity or the submission of a proposal, whichever is earlier, until the end of the contract, plus one year.
- **Line item and discretionary appropriations**: from the date of budget adoption until the end of the contract, plus one year.
- **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.

For information on other transaction types, contact the Doing Business Accountability Project.

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

Contributions to City Council candidates are limited to $250 per election cycle; $320 to Borough President candidates; and $400 to candidates for citywide office. Please contact the NYC Campaign Finance Board for more information at www.nyccfb.info, or 212-306-7100.

The *Data Form* is to be returned to the contracting agency.

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.