

BATTERY PARK CITY PARKS CONSERVANCY CORPORATION

REQUEST FOR PROPOSALS

FOR

PRINTING SERVICES

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I. SUMMARY

The Battery Park City Parks Conservancy Corporation (“BPCPC”) requests proposals (each individually, a “Proposal” or collectively, the “Proposals”) from printers (each individually, a “Proposer” or collectively, the “Proposers”) to provide comprehensive printing services to BPCPC. Such services shall include, but not be limited to, comprehensive printing, mailing and shipping of event calendars, postcards, newsletters, brochures and note cards of the highest quality using 100% recycled paper, low VOC vegetable inks and a chemical-free CTP (computer to plate) production process.

Minority-Owned Business Enterprises (“MBE”) and Women-Owned Business Enterprises (“WBE”) are encouraged to submit Proposals.

This request for proposals, the attachments and any additional information submitted herewith, (collectively, the “RFP”) does not obligate BPCPC to complete the selection and contract award process. BPCPC reserves the right: 1) to accept or reject any and all Proposals; 2) to request additional information from any or all Proposers to assist BPCPC in its evaluation process; 3) to amend or withdraw this RFP prior to the announcement of the selected firm; and 4) to award the proposed services, in whole or in part, to one or more firms. In case of an amendment to the RFP, all Proposers will be provided with a copy of any such amendment(s) and will be afforded the opportunity to revise their Proposals in response to the RFP amendment.

II. DESCRIPTION OF BPCPC

BPCPC is a non-profit organization whose main purpose is to manage, operate, repair, maintain and program the parks and open spaces in and around Battery Park City’s residential and commercial areas. These responsibilities have been delegated to BPCPC by Battery Park City Authority d/b/a Hugh L. Carey Battery Park City Authority (“BPCA”) through a written Management Agreement.

Created in 1988, BPCPC has a mandate to maintain and operate the parks in a first class manner. BPCPC carries out its mission by maintaining 36 acres of parks, playgrounds and open spaces, including a mile-long waterfront esplanade, in Battery Park City. BPCPC has used sustainable management practices for both its soft and hardscape areas. All BPCPC tasks, from horticultural practices to graffiti removal, are accomplished without the use of toxic chemicals.

BPCPC develops programs and manages public events. BPCA owns and has built out a commercial condominium unit in a residential building in Battery Park City, which serves as the BPCPC headquarters. BPCPC is organized into several different departments including horticulture, maintenance, parks programming and administration.

BPCA is a public benefit corporation created in 1968 under the laws of the State of New York for the purpose of financing, developing, constructing, maintaining, and operating a planned community development of the Battery Park City site as a mixed commercial and residential community.

To obtain a copy of BPCPC/BPCA’s most recently completed audited financial statements, please visit BPCA’s official website at www.batteryparkcity.org. The audited financial statements and related reports found on BPCA’s website will provide you with an overview of the operations for which BPCPC is responsible and the areas of expertise in which the selected Proposer must be proficient. For an overview of BPCPC’s operations, please visit its website at www.bpcparks.org.

III. SERVICES REQUIRED

A. The selected Proposer will be responsible for performance of all the services set forth in Exhibit A (the “Scope of Work”), attached hereto.

B. All work to be performed by the selected Proposer shall be performed under the supervision of a Principal/Owner of the firm or a Production Manager in charge of this engagement (the “Lead Manager/Owner”), who must ensure that the work completed for BPCPC is performed competently and in a timely manner.

IV. KEY DATES, CONTRACT TERM AND MINIMUM QUALIFICATIONS

A. Key Dates

The following is a list of key dates, up to and including the date Proposals are due to be submitted, which is subject to change at BPCPC’s discretion:

■ Request for Proposals issued: **Tuesday, February 18, 2014**

■ Deadline to submit questions to BPCPC: **Monday, March 3, 2014** by 4:00 p.m. (by email only)

All questions regarding this RFP should be submitted in writing via email to the “Designated Contact”: Evonne Marche, Office Manager, Battery Park City Parks Conservancy, at emarche@bpcparks.org.

■ Deadline for BPCPC’s response to substantive questions: **Thursday, March 6, 2014** (by email)

■ **DUE DATE FOR RESPONSES TO RFP: Tuesday, March 11, 2014 by 3:00 p.m. (the “Due Date”)**

■ Selection and notification of successful Proposer: To be determined.

■ Contract start date: To be determined.

B. Anticipated Contract Term

It is anticipated that the term of the contract awarded pursuant to this RFP (the “Contract”) will be for a period of three (3) years. BPCPC reserves the right to terminate the Contract at any time, with or without cause, upon thirty (30) days written notice.

C. Minimum Qualification Requirements

The following are the Minimum Qualification Requirements for this RFP. **Proposals that fail to comply with these requirements will be rejected.**

- 1) The firm must have an office in New York State (a New York City office is preferred); and
- 2) The firm must be licensed to do business in the State of New York.

V. GENERAL REQUIREMENTS

A. Questions regarding MBE/WBE participation, joint ventures and sub-contracting goals

Please see **Exhibit B** (attached) for contractor requirements and procedures for business participation opportunities for New York State certified MBEs/WBEs and equal employment opportunities for minority group members and women.

For questions relating to MBE/WBE participation, joint ventures and sub-contracting goals ONLY, please contact “MBE/WBE Designated Contact” Mr. Anthony Peterson at 212.417.2337.

B. Restricted Period

Applicants are restricted from making contact with anyone other than the Designated Contact or MBE/WBE Designated Contact specified above during the period from the date of publication of the notice of this RFP in the New York State Contract Reporter through approval of the Contract by BPCPC (the “Restricted Period”). Employees of BPCPC are required to record certain contacts during the Restricted Period, including, but not limited to, any oral, written or electronic communication with a governmental entity under circumstances where a reasonable person would infer that the communication was intended to influence BPCPC’s conduct or decision regarding the governmental procurement, and to make a determination of responsibility based, in part, upon any such contact. Failure to abide by this process may result in a finding that the firm is a non-responsive Proposer.

C. Submission of Proposals

Proposals are due no later than 3:00 p.m. on Tuesday, March 11, 2014

Proposers must submit ten (10) paper copies of their Proposals and one (1) electronic CD-Rom copy in a sealed package clearly marked “**Proposal Enclosed - Printing Services**” to the Designated Contact **by messenger, overnight courier or certified mail** to the following address:

Evonne Marche

Battery Park City Parks Conservancy
75 Battery Place
New York, NY 10280

BPCPC is not responsible for any internal or external delivery delays which may cause any Proposal to arrive beyond the stated Due Date. To be considered, Proposals must arrive at the time and place specified herein and be time stamped by BPCPC’s time stamp prior to the Due Date. Please leave ample time for building security, as late Proposals will not be accepted. Proposals submitted by fax or electronic transmission will NOT be accepted. A Proposer may, after submitting a Proposal, amend its Proposal by submitting a second, amended Proposal, clearly labeled “**Amended Proposal Enclosed - Printing Services**,” as long as the amended Proposal is submitted by the Due Date.

Public access to Proposals shall be governed by the relevant provisions of the Freedom of Information Law, Article 6 of the New York State Public Officers Law, and regulations adopted pursuant thereto.

D. Mandatory Forms

Proposers must complete and include with their Proposal all “Mandatory Forms,” which can be found at the following URL address: http://www.batteryparkcity.org/pdf_n/Mandatory_Forms_Packet.pdf, by the Due Date.

These Mandatory Forms include the following:

1) NYS Standard Vendor Responsibility Questionnaire – **Submit with the Cost Proposal (as described below), one (1) original unbound set of a completed NYS Standard Vendor Responsibility Questionnaire with original ink signatures. Do not include the Standard Vendor Responsibility Questionnaire in the bound copies of the Cost Proposal.** The NYS Standard Vendor Responsibility Questionnaire must be notarized and signed by the individual(s) authorized to bind the firm contractually. Indicate the title or position that the signer holds within the firm.

2) State Finance Law § 139 Form 1 – **one original unbound completed SFL 139 Form 1: Professional's Certifications Pursuant to SFL § 139-j and § 139-k with original signature.** State Finance Law § 139 Forms 1 must be signed by the individual(s) authorized to bind the firm contractually.

3) W-9 form.

4) Statement of Non-Collusion.

5) Diversity Forms.

VI. PROPOSAL FORMAT AND CONTENTS

A. Proposal Format

The Proposal must be printed on 8½" x 11" paper. Pages should be numbered. The Proposal will be evaluated on the basis of its content, not length and should be limited to no more than ten (10) pages, exclusive of the Transmittal Letter and the Appendices listed below. BPCPC reserves the right to disqualify Proposals that fail to comply with any of these instructions.

B. Proposal Content

A Proposal in response to this RFP must include the following sections in the order listed:

1) Transmittal Letter, as follows:

The Proposal must include a signed Transmittal Letter from a person within the firm who is authorized to bind the firm, preferably the Lead Manager/Owner. **Transmittal Letters must be signed. Proposals with unsigned Transmittal Letters will be rejected.**

The Transmittal Letter must include a representation by the Proposer that, except as disclosed in the Proposal, no officer or employee of the Proposer is directly or indirectly a party to or in any other manner interested financially or otherwise in this RFP.

2) Executive Summary of the Proposer.

3) A discussion of Proposer's understanding of the Services Required (see Section III).

4) Responses to the RFP Questions and RFP Additional Information Request, set forth below.

5) A Cost Proposal, as described below.

6) A response to the question regarding the use of New York State businesses set forth in Section X of the RFP.

C. RFP Questions

1) **Briefly** describe the Proposer's background, size, and history as it may be relevant to the Services Required, with an emphasis on the Proposer's experience and prior work with non-profit entities. If your offices are located in more than one city, indicate which office will provide the services.

2) Please describe the Proposer's ability to procure supplies in a timely manner.

3) Within the past three years, have there been any significant developments in the Proposer's business such as changes in ownership or restructuring? Do you anticipate any significant changes in the near future? If so, please describe.

4) How does the Proposer identify and manage conflicts of interest?

- 5) Has the Proposer or any of the Proposer's partners/employees been disciplined or censured by any regulatory body within the last 5 years? If so, please describe the relevant facts.
- 6) Within the last five years, has your firm, or a partner or employee in your firm, been involved in litigation or other legal proceedings relating to the provision of printing services? If so, please provide an explanation and the current status or disposition of the matter. Are there any potential conflict of interest issues in representing BPCPC?
- 7) List any professional or personal relationships the Proposer's employees or officers may have with BPCPC's Board and/or staff members.
- 8) Identify the Lead Manager/Owner who will be the primary contact and lead in providing services to BPCPC, and who will be listed as a "key person" in any contract with BPCPC.
- 9) Describe the Proposer's "backup plan" in the event one or more of the Lead Managers/Owners or personnel assigned to this engagement leave the firm.
- 10) Has the Proposer previously produced postcards and 24 page event calendars for other clients? Please provide samples of products produced by the Proposer, including samples of the products required in Exhibit A.
- 11) Has the Proposer previously worked with high PCW paper stock? With vegetable inks? What is your production process?
- 12) How do you handle last-minute changes to the digital files, if changes are requested by BPCPC?
- 13) Is it possible for BPCPC to come to your office for final review at press time?
- 14) How do you handle the press proof through to approval process?
- 15) Should the chosen paper stock(s) be discontinued during the term of the Contract, how would you determine appropriate replacement stock?
- 16) Please provide any additional information which: (a) would distinguish you from other Proposers; or (b) you believe may be relevant to this RFP and your capability to perform the services requested.

D. RFP Additional Information Request

1) Insurance:

- a. Do you impose any limitations on liability through your contracts?
- b. Describe the levels of coverage for any insurance your firm carries. List the insurance carrier(s) or provide an insurance certificate showing your firm's coverage in accordance with the following:
 - Commercial General Liability Insurance limits shall not be less than \$1,000,000 per each occurrence and \$2,000,000 in the aggregate, with Products/Completed Operations limits of not less than \$2,000,000;
 - Umbrella Liability limits shall not be less than \$2,000,000;
 - Automobile Liability (Combined Single Injury, Bodily Injury and Property Damage) limits shall not be less than \$1,000,000;
 - Workman's Compensation shall not be less than statutory limits;
 - Employers Liability shall not be less than \$1,000,000; and
 - Disability Insurance must be provided as required by applicable provisions of law.

The costs of the insurance shall be included in the Proposal. BPCA, BPCPC and the State of New York shall be listed as Additional Insured on CG 2010 (11/85) or similar form and should be included as such on all subcontracts. Policies should contain no limitations/exclusions for Labor Law claims.

2) Appendices:

- a. Include professional biographies for all Lead Managers/Owners listed in your Proposal.

3) References:

Please provide at least three client (3) references for whom the Proposer has performed similar work to that requested in this RFP, including their name, address and telephone number.

4) Financial Statements:

Please provide a copy of your firm's most recent Audited Financial Statements (within the last year).

E. Cost Proposal

The Proposer must submit the Cost Proposal and Bid Sheet attached hereto as "Exhibit A".

VII. THE EVALUATION PROCESS

A. Objectives

The primary objective of the evaluation process is to select a Proposer that:

- Demonstrates a thorough understanding of the scope of the engagement and the specific responsibilities which it entails;
- Possesses adequate resources to handle assigned responsibilities and unforeseen circumstances;
- Assigns highly skilled, experienced, diligent, responsible and professional personnel to perform the required services;
- Maintains high ethical standards and has an unblemished reputation;
- Uses "green" printing techniques, paper and inks;
- Is a good communicator;
- Operates in close proximity to BPCPC;
- Clearly identifies proper lead time for a job and allows time for unanticipated projects; and
- Has no conflict of interest between its representation of BPCPC and that of other clients.

The selection process will begin with the review and evaluation of each of the written Proposals. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFP, and (2) to identify the complying Proposers that have the highest probability of satisfactorily performing the Services Required at a reasonable cost to BPCPC. The evaluation process will be conducted in a comprehensive and impartial manner. The evaluation process will be conducted by a committee of BPCPC's employees selected by BPCPC (the "Committee"). **The Committee will evaluate the Proposals based upon the evaluation criteria for selection set forth below.**

BPCPC reserves the right to reject and return unopened to the Proposer any Proposal received after the RFP Due Date. All timely submitted Proposals will be reviewed to determine if they contain all required submittals specified herein. Incomplete Proposals may be rejected.

B. Interviews

BPCPC reserves the right to determine whether interviews will be necessary for any or all of the Proposers. The purpose of the interview is to further document a Proposer's ability to provide the Services Required, and to impart to the Committee an understanding of how specific services will be furnished. The proposed Lead Manager/Owner, as well all other key personnel proposed to provide the services must be present at and participate in the interview. The Proposer will be evaluated on the basis of whether the interview substantiates the characteristics and attributes

set forth in its written response to this RFP and any other information requested by the Committee prior to the interview.

C. Evaluation Criteria for Selection

Selection will be based upon the following criteria:

- 1) Demonstrated experience: **25%**
- 2) Cost: **20%**
- 3) Approach to work/Attention to detail: **20%**
- 4) Referrals: **10%**
- 5) Minimum response time: **15%**
- 6) Proposed MBE/WBE utilization plan (the “Utilization Plan”) and/or Firm MBE/WBE status: **10%**

D. Basis for Contract Award

The Contract will be awarded to the highest technically rated Proposer whose Proposal is determined to be responsive and in the best interests of BPCPC, subject to a determination that the Cost Proposal is fair and reasonable.

VIII. NON-COLLUSION

By submitting a Proposal, Proposers hereby warrant and represent that any ensuing Contract has not been solicited or secured directly or indirectly in a manner contrary to the laws of the State of New York, and that said laws have not been violated and shall not be violated as they relate to the procurement or the performance of the Contract by any conduct, including the paying or giving of any fee, commission, compensation, gift, or gratuity or consideration of any kind, directly or indirectly, to any member of the board of directors, employee, officer or official of BPCPC.

IX. IRAN DISINVESTMENT ACT

By submitting a Proposal or by assuming the responsibility of any Contract awarded hereunder, Proposers hereby certify that they are not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the New York State Office of General Services website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certify that they will not utilize any subconsultant that is identified on the Prohibited Entities List on this Contract. The selected Proposer agrees that should it seek to renew or extend any Contract awarded hereunder, it must provide the same certification at the time the Contract is renewed or extended. The selected Proposer also agrees that any proposed assignee of the Contract will be required to certify that it is not on the Prohibited Entities List before BPCA may approve a request for assignment of the Contract.

During the term of any Contract awarded hereunder, should BPCA receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, BPCA will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the New York State Iran Divestment Act of 2012 within 90 days after the determination of such violation, then BPCA shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the selected Proposer in default of the awarded Contract.

BPCA reserves the right to reject any request for renewal, extension, or assignment for an entity that appears on the Prohibited Entities List prior to the renewal, extension, or assignment of the Contract, and to pursue a responsibility review with the selected Proposer should it appear on the Prohibited Entities List hereafter.

X. ENCOURAGING USE OF NEW YORK STATE BUSINESSES IN CONTRACT PERFORMANCE

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, Proposers for this Contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the Contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

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

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the Contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their contracts. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State businesses be used in the performance of this contract? ☐ Yes ☐ No

If yes, identify New York State businesses that will be used and attach identifying information.

EXHIBIT A

Scope of Work

The selected Proposer shall, upon notification by BPCPC, provide all, or a portion, of the comprehensive printing, mailing and shipping services set forth herein in accordance with the specifications below:

1. Calendar of Events (option #1)

Cover: Self-cover, 24 pages.

Size: Open: 12" x 4.375"; **Bound booklet, folded:** 6" x 4.375"

Finish: folded, trimmed, saddle-stitch binding, sealed with clear adhesive tab.

Stock: 80# text, minimum 50% post-consumer recycled paper, coated, and matte/silk.

*For price estimate purposes: use **Rolland Enviro100 Satin #80 text, or one of equal quality, weight, and PCW percentage.** Paper samples must be provided for preview along with price ranges.*

Frequency: 1 (one) time per year

Print: CMYK (4/4) with vegetable inks, bleed

Quantity: 18,000

Delivery: approximately 10,000 mailed by printer at bulk rate; 8,000 delivered to BPCPC's office. Addresses provided in Microsoft Excel.

Substitutions/changes to the specifications prohibited without the prior express written approval of BPCPC.

2. Calendar of Events (option #2)

Cover: Self-cover, 24 pages.

Size: Open: 13.5" x 5"; **Bound booklet, closed:** 6.75" x 5"

Finish: folded, trimmed, saddle-stitch binding with clear adhesive tab

Stock: 80# text, minimum 50% post-consumer recycled paper, coated, and matte/silk.

*For price estimate purpose: use **Rolland Enviro100 Satin #80 text, or one of equal quality, weight, and PCW percentage.** Paper samples must be provided for preview along with price ranges.*

Frequency: 1 (one) time per year

Print: CMYK (4/4) with vegetable inks, bleed

Quantity: 18,000

Delivery: approximately 10,000 mailed by printer at bulk rate; 8,000 delivered to BPCPC's office. Addresses provided in Microsoft Excel.

Substitutions/changes to the specifications prohibited without the prior express written approval of BPCPC.

3. Postcards

Size: 4" x 6"

Finish: Trim to size, printed both sides.

Stock: 100# Cover/Card Stock, minimum 50% post-consumer recycled paper, coated, and matte.

*For price estimate purpose: use **Rolland Opaque50, 100# cover, Bright white, or one of equal quality, weight, and PCW percentage.** Paper samples must be provided for approval along with price ranges.*

Print: CMYK (4/4) vegetable inks, bleed

Quantity: 32,000, 10 different images in batches of 2,000 to 5,000

Frequency: 2 times per year; printed in two batches

Delivery: to BPCPC's office in lots of 2,000 to 5,000 up to 32,000

Substitutions/changes to the specifications prohibited without the prior express written approval of BPCPC.

4. Newsletters - optional

Size: 8.5" x 11"; **Open:** 11" x 17"

Stock: 80# text, minimum 50% post-consumer recycled paper, matte, coated.

*For price estimate purposes: use **Rolland Enviro100 Satin 60# text, or one of equal quality, weight, and PCW percentage.** Paper samples must be provided for preview along with price ranges.*

Print: CMYK (4/4) vegetable inks, bleed

Quantity: 3000

Frequency: 3 times per year

Delivery: self mailer with a TBD amount mailed at bulk mail rate

List rate/cost of preparing/folding material to be mailed separately.

Substitutions/changes to the specifications prohibited without the prior express written approval of BPCPC.

5. Brochures - optional

Size: 8.5" x 11" flat / 3.625 x 8.5" tri-fold finished

Stock: 60#, Post-consumer recycled paper, matte, coated.

*For price estimate purposes: use **Rolland Enviro100 Satin 60# text, or one of equal quality, weight, and PCW percentage.** Paper samples must be provided for preview along with price ranges.*

Print: CMYK (4/4) vegetable inks, bleed

Quantity: TBD (in lots of 2,500)

Frequency: up to 3 times per year

Delivery: to BPCPC's office.

Substitutions/changes to the specifications prohibited without the prior express written approval of BPCPC.

6. Note Cards - optional

Size: 4.25" x 6"

Finish: finished, folded, with white envelopes.

Stock: 80# cover stock, minimum 50% post-consumer recycled paper, matte, coated.

*For price estimate purposes: use **Rolland Enviro100 Satin 80# Cover, or one of equal quality, weight, and PCW percentage.** Paper samples must be provided for preview along with price ranges.*

Print: CMYK (4/4) vegetable inks, bleed

Quantity: TBD (in lots of 1,000)

Frequency: 1 time

Delivery: to BPCPC's offices.

Substitutions/changes to the specifications prohibited without the prior express written approval of BPCPC.

EXHIBIT B

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR BUSINESS PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MBEs/WBEs AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN

BPCPC uses best efforts to comply with New York State Executive Law Article 15-A and recognizes the obligation under the law to promote opportunities for maximum feasible participation of certified MBE/WBEs and the employment of minority group members and women in the performance of BPCPC contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title “The State of Minority and Women-Owned Business Enterprises: Evidence from New York” (the “Disparity Study”). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that BPCPC establish goals for maximum feasible participation of New York State Certified MBEs/WBEs and the employment of minority groups members and women in the performance of New York State contracts. Note that BPCPC uses the services of BPCA’s Diversity Department to monitor compliance with this Exhibit.

Business Participation Opportunities for MBE/WBEs

For purposes of this solicitation, BPCPC hereby establishes an overall goal of **20%** for MBE/WBE participation, **10%** for MBE participation and **10%** for WBE participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the Contract must document good faith efforts to provide meaningful participation by MBE/WBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that BPCPC may withhold payment pending receipt of the required MBE/WBE documentation. The directory of New York State Certified MBE/WBEs can be viewed at: <http://www.esd.ny.gov/mwbe.html>.

For guidance on how BPCPC/BPCA will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

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

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

By submitting a bid or Proposal, a Proposer agrees to submit the following documents and information as evidence of compliance with the foregoing:

- A. Proposers are required to submit a Utilization Plan with their bid or Proposal. Any modifications or changes to the Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised Utilization Plan and submitted to BPCA.

B. BPCA will review the submitted Utilization Plan and advise the Proposer of BPCA's acceptance or issue a notice of deficiency within 30 days of receipt.

C. If a notice of deficiency is issued, Proposer agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to BPCA, at the address specified in this RFP, or by facsimile at 212-417-2279 a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by BPCA to be inadequate, BPCA shall notify the Proposer and direct the Proposer to submit, within five (5) business days, a request for a partial or total waiver of MBE/WBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or Proposal.

D. BPCPC/BPCA may disqualify a Proposer as being non-responsive under the following circumstances:

- 1) If a Proposer fails to submit a Utilization Plan;
- 2) If a Proposer fails to submit a written remedy to a notice of deficiency;
- 3) If a Proposer fails to submit a request for waiver; or
- 4) If BPCPC/BPCA determines that the Proposer has failed to document good faith efforts.

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

Contractors are required to submit a Contractor's MBE/WBE Contractor Compliance & Payment Report to BPCA on a monthly basis over the term of the Contract documenting the progress made toward achievement of the MBE/WBE goals of the Contract.

Equal Employment Opportunity Requirements

The Contractor is required to ensure that it shall undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract or (ii) employment outside New York State.

Proposer further agrees, where applicable, to submit with the Proposal, a staffing plan identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to BPCA a workforce utilization report identifying the workforce actually utilized on the Contract, if known.

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

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

For questions on MBE/WBE participation, joint ventures and sub-contracting goals ONLY, please contact Mr. Anthony Peterson at 212.417.2337.

EXHIBIT C
COST PROPOSAL

	Year 1 March 2014 – February 2015	Year 2 March 2015 – February 2016	Year 3 March 2016 – February 2017
Total Cost for Definite Items			

	Year 1 March 2014 – February 2015	Year 2 March 2015 – February 2016	Year 3 March 2016 – February 2017
Total Cost for Optional Items			

	Year 1 March 2014 – February 2015	Year 2 March 2015 – February 2016	Year 3 March 2016 – February 2017
Total Cost for Definite & Optional Items			

BID SHEET

Prices for each item in the “Scope of Work” for each year. (Use separate matrix for each paper stock manufacturer if needed.)

	Year 1	Year 2	Year 3
Calendar format #1			
Calendar format #2			
Postcards 10 cards Please indicate price break for individual cards printed in batches.			

Bulk Mailing: Give price list for mailings for the following:	Year 1	Year 2	Year 3
Calendars: Show per unit price on top of U.S.P.S. bulk rate.			
Postcards: Show per unit price on top of U.S.P.S. bulk rate.			

Supplemental Services (Definite)

	Year 1	Year 2	Year 3
Author Edits			
New File Submissions			
Additional Proofs			
Rush Fee			
Revisions			

Production			
Typesetting/Correction			
Layout Production			
Color Correction			
Additional Proofs			
Proofs			
Inkjet for offset _____			
Digital Press _____			
Lo-Res PDF _____			
Delivery charges			
For proofs to BPCPC offices			
For final printed matter to BPCPC			

Optional Services

	Year 1	Year 2	Year 3
Newsletters (per 3,000)			
Brochures (per 3,000)			
Note Cards (per 3,000)			

Bulk Mailing: Give price list for mailings for the following:	Year 1	Year 2	Year 3
Newsletters: Show per unit price on top of U.S.P.S. bulk rate.			
Brochures: Show per unit price on top of U.S.P.S. bulk rate.			
Note Cards: Show per unit price on top of U.S.P.S. bulk rate.			

Supplemental Services (Optional)

	Year 1	Year 2	Year 3
Author Edits			
New File Submissions			
Additional Proofs			
Rush Fee			
Revisions			
Production			
Typesetting/Correction			
Layout Production			
Color Correction			
Additional Proofs			
Proofs			
Inkjet for offset _____			
Digital Press _____			
Lo-Res PDF _____			

Delivery charges			
For proofs to BPCPC offices			
For final printed matter to BPCPC			