



New York City Campaign Finance Board

Request for Proposals for Voter Guide Submission Application Development, 2019–2021 (RFP # 004202000002)

This Request for Proposals (RFP) is intended to result in a two-year contract to develop enhancements to the Voter Guide Submission Application (VGSA) that allows candidates to submit profile information for the Voter Guide and for staff to put that information into production.

Release Date:	June 14, 2019
Submission Deadline:	July 12, 2019 by 5 pm EDT
Vendor Interviews:	July 22-26, 2019 by appointment
Anticipated Start Date:	December 2, 2019

The [CFB](#) administers one of the strongest, most effective campaign finance systems in the country. NYC’s [matching funds program](#) amplifies the voice of average New Yorkers in city elections by matching their small contributions with public funds. By increasing the value of small-dollar contributions, the program reduces the possibility and perception of corruption from large contributions and unlimited campaign spending, and encourages citizens from all walks of life to run for office. Through its rigorous oversight and enforcement efforts, the CFB holds candidates accountable for using public funds responsibly. The CFB’s voter outreach efforts are conducted as part of its voter engagement campaign, [NYC Votes](#). More information about the CFB can be found on its website, www.nycffb.info.

The CFB employs a staff of approximately 127, which includes a Systems Unit of 34. The Systems Unit is responsible for developing and maintaining approximately 20 internal and external systems and applications. The VGSA currently works with the CFB’s internal campaign database called CFIS, and receives user account information from an application called CAMP.

As part of its voter education mandate, the CFB publishes the Voter Guide for each citywide election, which is mailed to every registered voter in New York City. The Voter Guide features profiles submitted by the candidates running for mayor, public advocate, comptroller, borough president, or City Council. As a companion to the print Guide, the CFB also produces the Video Voter Guide, which has brief recorded candidate statements. Both the candidate profiles and candidate videos are published on the online Voter Guide platform.

Candidates use the VGSA to submit profiles, photos, and scripts and select appointment times in the recording studio. CFB staff use the VGSA to process photos, profiles and scripts, conduct review, collect translations, track content, and push to production. A new version of the app was built for the 2017 election cycle, but the product needs significant enhancement to meet the need to process over 500 candidate submissions in the 2021 election cycle.

PROJECT SCOPE

The CFB seeks a vendor to enhance the existing VGSA by re-developing the client side and enhancing the administrative side to ensure that it meets the needs of both internal and external users. The CFB expects to include the additional functionalities listed below:

Client side

- Enhance the candidate submission component, including defining custom word limits per submission field, pre-populating select fields, allowing for separate submissions of a primary election and general election candidate profile, creating an additional set of deadlines for the candidates to submit materials for the online Voter Guide if they miss the print deadline, and streamlining the process to submit for the Voter Guide and Video Voter Guide.
- Build out candidate email outreach, including automatic emails to campaigns with outstanding information as they near the deadline, adding email reminders about upcoming recording appointments, and fixing a bug that sends multiple confirmation emails to internal staff.

Administrative side

- Build out internal dashboard features, including allowing filtering of candidates and creation of custom reports.
- Build out output features, including adding the ability to batch output candidate photos, allowing entry of translations directly into the application, and fix bugs that cause errors in how profiles and scripts are output from the application.
- Create tracking features to allow staff to track when campaigns have submitted, when their submissions have been reviewed, tag when scripts can be sent to production, add the ability to flag when changes have been made in the studio, and add tracking features for uploaded translations.

All changes and enhancements to the application must be completed and tested by December 31, 2020. After delivery of the completed application, in addition to maintenance this engagement may consist of a number of discrete projects to be mutually agreed upon by the CFB and the selected vendor.

The selected vendor will work collaboratively with the CFB to define and refine discrete, specific deliverables to address these high-level objectives and respond to user feedback.

Contract

The contents of this Request for Proposals (“RFP”), its attachments, and the selected proposal will be incorporated into and made part of the final contract. The anticipated term of the contract is two years. The anticipated contract start date is December 2, 2019 and ends December 31, 2021 with an option to renew, upon mutual consent by both parties, for two additional years. This engagement may consist of a number of discrete projects to be mutually agreed upon by the CFB and the selected vendor. The contract resulting from this RFP will not exceed a maximum of \$250,000. However, the CFB makes no representations as to the number of hours of work that will be assigned under the contract.

VENDOR REQUIREMENTS

The CFB is seeking a vendor with experience in developing and deploying web-based applications, including a track record of successful completion of projects comparable to VGSA. Personnel to be assigned to this project must have demonstrated relevant technical expertise.

Client side specific:

- ASP.NET MVC Core 2
- HTML/CSS/JavaScript
- Webpack for bundling/minifying

Admin side specific:

- ASP.NET MVC 5.0
- HTML/CSS/JavaScript

Across projects:

- Entity Framework
- MS SQL Server

The selected vendor should expect to work with the CFB staff and/or the CFB-selected project manager to uncover, refine, and prioritize the requirements critical to achieving project goals, and to collaborate during the development process to help manage the scope of new or changing requirements in good faith and partnership.

Development must take place in an iterative and collaborative manner, to ensure that the team works through issues together with the CFB as they arise, and that developers are constantly developing the highest value work to the agency. The goal of this engagement is to work through as many of the requirements above (and those that come up in response to those requirements) over a given period(s) of time and a fixed budget.

Specific expectations:

- Weekly prioritization and check-in meeting or phone call to review status and make key decisions for upcoming flow of work (1 hour);
- Releases of in-progress code to the staging environment will be frequent with the goal of achieving optimal frequency;
- Programmatic testing, TDD preferred, with continuous integration;
- Use of our Azure DevOps tenant; and
- Discrete per-feature estimation, development and management.

The work may be performed outside the CFB offices, but the selected vendor must make personnel available to work with the CFB staff to the extent required. As appropriate, the selected vendor may also be requested to communicate with developers working on the open source code to incorporate other improvements into the site.

RESPONDING TO THIS RFP

Proposal Contents

Your proposal must be submitted by **July 12, 2019 by 5 pm (EDT)** and must contain the following:

Description of Firm

1. Provide a brief overview of the firm's activities and history.
2. Describe in detail the time, personnel, and other resources you are willing to commit to the project.
3. Describe in detail recent comparable work engagements the firm has previously completed, with a special focus on elements similar to the VGSA.
4. Describe the firm's standard working methodology.
5. Describe the firm's process for refining conceptual, high-level client objectives such as those described above into discrete deliverables.
6. Provide a resume for each key member of the team to be assigned to this project (including subcontractors, if any).

Financial Statements

Provide a copy of the firm's latest audit report or certified financial statement, or a statement as to why no report or statement is available.

References

Provide the names of three significant clients to whom the firm has supplied comparable services in the past three years. For each such reference, state the name, title, e-mail address, and telephone number of the individual to be contacted.

Fee Proposal

Provide the firm's Fee Proposal, which will include hourly rates for the engineers and any other persons to be assigned to the CFB's matters, including any independent contractors or subcontractors, as well as any other anticipated costs. These rates will be the rates applicable over the entire two years of the contract, unless otherwise specified.

As described above, it is expected that the detailed technical scope of the project will be defined in detail between the CFB and the selected vendor before and during the work, and the ultimate costs of the project will be dependent on those definitions.

No allowances for expenses incurred by the contractor will be made other than those included in the Fee Proposal. No expenses will be reimbursed unless the CFB provides prior written approval.

The Fee Proposal must be initialed by an authorized agent of the respondent and placed in a separate sealed inner envelope marked "Fee Proposal".

Attachments

The following attachments are to be completed and signed and must be submitted with the proposal:

1. Attachment A, Proposal Cover Sheet
2. Attachment B, Iran Divestment Act Certification Form

3. Attachment C, Affirmation
4. Attachment D, Doing Business Data Form
5. Attachment E, Doing Business Data Q & A
6. Attachment F, EFT Vendor Payment Enrollment Form and Instructions
7. Attachment G, Whistleblower Protection Expansion Act Contractor Notice

Appendix A: General Provisions Governing City Contracts (provided for informational purposes).

Schedule A: Types of Insurance Required

You may submit any additional information that you believe may help us evaluate your firm and proposal.

Other Attachments

Amendments to this RFP

Any amendment to the RFP issued by the CFB shall be identified as such, and shall be distributed in written form. Each amendment (if any) will reference the portion of the RFP it amends. Proposers must provide written acknowledgment of receipt of any amendment and respond to the CFB within a specified period if the amendment requests additional information, as a condition for consideration of proposals. **Proposals received from proposers that did not acknowledge receipt of amendments that have been sent (if any) may be immediately disqualified.** If it is necessary for the CFB to issue an amendment close to the submission deadline for proposals, the CFB at its sole discretion may extend the deadline, and state this in the amendment, or, if necessary, via facsimile or email, or via telephone followed by written confirmation.

Submission of Proposals

The CFB must receive the following by **July 12, 2019 by 5 pm (EDT)**:

1. One (1) original (indicated as such) and four (4) copies of the proposal.
2. The Fee Proposal must be placed in a separate sealed envelope labeled “Fee Proposal.”

Submit your proposal in a sealed envelope or box that should bear:

- A first label providing the proposer’s name and address and: “Proposal submitted in response to RFP PIN # 004202000002: Voter Guide Submission Application Development, 2019–2021. Do not open before July 12, 2019.”
- A second label addressed to Kitty Chan, Chief of Staff, NYC Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007.

Proposals received after the submission deadline shall not be accepted, regardless of the date of postmark, except as provided under the Procurement Policy Board (PPB) Rules. The CFB advises proposers to express mail or hand deliver their proposals to ensure timely submission.

Questions about this RFP may be directed to Kitty Chan at kchan@nycefb.info.

EVALUATION OF PROPOSALS AND CONTRACTOR SELECTION

All proposals accepted by the agency will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals which are determined by the agency to be non-

responsive will be disqualified. The CFB’s evaluation committee will evaluate and rate all remaining proposals based on the evaluation criteria prescribed below. Although one or more selected proposers may be invited to the CFB for an interview prior to award of the contract, and discussions may be conducted with proposers submitting acceptable proposals, the CFB 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 price terms.

Experience with similar projects	25 points
Technical expertise	35 points
Methodology	20 points
Hourly rates	20 points

The contract will be awarded to the responsible proposer (or proposers) whose proposal is determined to be the most advantageous to the City, taking into consideration cost and the other factors described herein. Contract award shall be subject to timely completion of contract negotiations between the CFB and the proposer.

Prior to entering into a written agreement approved by the New York City Corporation Counsel (Corporation Counsel) and registered with the New York City Comptroller’s Office (Comptroller), the CFB reserves the right to terminate discussions with a tentatively selected proposer at any time and for any reason whatsoever in its sole discretion without incurring any liability.

Oral Interviews

One or more selected proposers may be invited to the CFB for an interview prior to award of the contract. Interviews, if any, are anticipated to take place between approximately July 22 and July 24, 2019.

Respondents may be requested to make an oral presentation of their proposals for purposes that may include: (1) promoting understanding of the CFB’s requirements and the proposer’s capabilities; (2) obtaining the best price for the City of New York; and (3) arriving at a contract that will be most advantageous to the City. The Agency Contact or her designee will schedule the exact time and location of these presentations. Following the discussions, the CFB may ask responsive proposers to submit “best and final offers” at a specified time and date.

GENERAL PROPOSAL INFORMATION

Conditions of Proposal Submissions

This RFP does not commit the CFB to award a contract nor is the CFB responsible for any costs incurred in the preparation of a response to this RFP. Submission of a proposal shall be deemed to be permission by the respondent for the CFB to make such inquiries concerning the respondent as the CFB deems necessary.

Proposals that are not complete or are not in conformance with this RFP may be immediately eliminated from consideration. The CFB reserves the right to:

- Reject any proposal or parts of proposals received in response to this RFP;

- Award a contract for all services described in this RFP to one respondent, or to award contracts to more than one respondent;
- Use any ideas contained in submitted proposals;
- Consider modifications received at any time before the award is made, if such is in the best interests of the CFB;
- Correct, waive, or modify any irregularities in a proposal received after notifying the respondent;
- Conduct negotiations with any or all respondents, or award the contract without any negotiations;
- Terminate negotiations with tentatively selected respondents or take any other appropriate action.

This RFP does not represent any obligation or agreement whatsoever on the part of the CFB. Such obligation may only be incurred or entered into by written agreement approved by the Corporation Counsel and registered with the Comptroller. Selection of proposals will not create any rights on the respondent's part, including, without limitation, rights of enforcement, equity, or reimbursement, until after the approval by Corporation Counsel and registration with the Comptroller. This RFP and any agreement or other documents resulting therefrom are subject to all applicable laws, rules, and regulations promulgated by any federal, state, or municipal authority having jurisdiction over the subject matter thereof, as the same may be amended from time to time.

Any oral agreements, quotes, or estimates are non-binding.

Contractual Requirements

Contract award is subject to all applicable laws, rules, and regulations promulgated by any federal, state, or municipal authority having jurisdiction over the subject matter thereof, including all applicable provisions of federal, New York State and New York City laws and executive orders requiring affirmative action and equal employment opportunity. The selected contractor will be required to sign the City's standard contract provisions (see Appendix A, attached hereto, for provisions that are included in all City contracts). All subcontractors are also subject to the City's contracting requirements. By submitting a proposal, the proposer understands that these standard contract provisions will become part of the final contract.

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.

Subcontracting

Except in the case of subcontractors described in the vendor's proposal, a selected contractor shall not subcontract the whole or any part of the contract resulting from this RFP without the prior written approval of the Executive Director of the CFB or her designee.

Proposer Costs

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

Modification or Withdrawal of Proposals

Proposals may be modified or withdrawn only in writing and only prior to the deadline for submission of proposals. If the CFB chooses to request best and final offers, those respondents of whom best and final offers have been requested will be able to modify or withdraw their proposals, in writing, until the deadline set for the receipt of best and final offers. Submitted fees are irrevocable unless modified or withdrawn according to the policy set forth in this subsection.

Proposers' 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.

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) 788-0010.

Poor Performance Provision

Pursuant to Local Law 94 of 1985 (Section 6-116 of the New York City Administrative Code), a contractor whose performance is improper, dilatory, or otherwise not in strict compliance with the contract, may, after notice and hearing, be classified as a poor performer. Such a determination may result in the contractor being declared a not responsible bidder for up to three years.

Contract Negotiations

The CFB may, at its option, negotiate with one or more respondents for the purposes of: (1) promoting understanding of the CFB's requirements and the respondents' capabilities; and/or (2) arriving at an agreement that will be most advantageous to the CFB. No respondent shall have any rights against the CFB arising from such negotiations. The CFB reserves the right to terminate negotiations, without any liability, for any reason whatsoever in its sole discretion and to begin negotiations with other respondents.

RFP Postponement/Cancellation

The agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.

Insurance Requirements

The contractor shall maintain the following types of insurance if and as indicated in Schedule A (with the minimum limits and special conditions specified in Schedule A) throughout the term of any agreement, including any applicable guaranty period. All insurance shall meet the requirements set forth in Appendix A, Article 7.

Whistleblower Protection Expansion Act Rider

This contract includes a provision concerning the protection of employees for whistleblowing activity, pursuant to New York City Local Law Nos. 30-2012 and 33-2012, effective October 18, 2012 and September 18, 2012, respectively. The provisions apply to contracts with a value in excess of \$100,000, outlined in Appendix A.

The selected contractor shall post a notice provided by the City (Attachment G) in a prominent and accessible place on any site where work pursuant to any agreement is performed that contains information about:

- a. how its employees can report to the New York City Department of Investigation allegations of fraud, false claims, criminality or corruption arising out of or in connection with any agreement; and
- b. the rights and remedies afforded to its employees under Admin. Code §§ 7-805 (the New York City False Claims Act) and 12-113 (the Whistleblower Protection Expansion Act) for lawful acts taken in connection with the reporting of allegations of fraud, false claims, criminality or corruption in connection with any agreement.

Paid Sick Leave Contract Rider

The Earned Sick Time Act, also known as the Paid Sick Leave Law (“PSLL”) requires covered employees who annually perform more than 80 hours of work in New York City to be provided with paid sick time. Contractors of the City of New York or of other governmental entities may be required to provide sick time pursuant to the PSLL. Contracts shall be subject to New York City’s PSLL, which is outlined in Appendix A.

Comptroller’s Audit

The New York City Comptroller is charged with the audit of contracts in New York City. Any vendor who believes that there has been unfairness, favoritism, or impropriety in the proposal process should contact: New York City Comptroller, Office of Contract Administration, 1 Centre Street, New York, NY 10007 or call (212) 669-3916.

Payment

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.

Electronic Funds Transfer

The vendor will be required to accept payment from the City by electronic funds transfer. Prior to the first payment, the selected proposer shall designate one financial institution or other authorized payment agent and shall complete an “EFT Vendor Payment Enrollment Form” (Attachment F) in order to provide the Commissioner of Finance with information necessary for the selected proposer to receive electronic funds transfer payments through the designated financial institution or authorized payment agent. This form is not required as part of the proposal, but should be sent to the NYC Department of Finance with the requested documentation.

Procurement and Sourcing Solutions Portal (PASSPort) Disclosure Filing (formerly known as Vendor Information Exchange System (VENDEX) Forms or Certificate of No Change)

All organizations intending to do business with the City of New York should complete an online disclosure process to be considered for a contract. This disclosure process was formerly completed using Vendor Information Exchange System (VENDEX) paper-based forms. In anticipation of awards, proposers to Request for Proposals for New York City Voter Guide Submission Application Development and other projects must create online accounts in the new Procurement and Sourcing Solutions Portal (PASSPort) and file all disclosure information. Paper submissions, including certifications of no changes to existing VENDEX packages will not be accepted in lieu of complete online filings.

For more information about PASSPort, please visit nyc.gov/passport General Information to Proposers or contact Kitty Chan, NYC CFB Agency Chief Contracting Officer (ACCO), at kchan@nyccfb.info.

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.

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.

ATTACHMENT A: PROPOSAL COVER SHEET

RFP PIN # 004202000002: FOR VOTER GUIDE SUBMISSION APPLICATION DEVELOPMENT, 2019–2021

Proposer:

Name: _____

Address: _____

Tax Identification #: _____

Proposer's Contact Person:

Name: _____

Title: _____

Telephone: _____

Email: _____

Proposer's Authorized Representative:

Name: _____

Title: _____

Telephone: _____

Email: _____

I have read the attached proposal and am familiar with all information provided herein.

Signature: _____ Date: _____

Print Name: _____ Title: _____

ATTACHMENT B: Iran Divestment Act Certification Form

IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR NEW YORK CITY CONTRACTORS

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law ("SFL") §165-a and General Municipal Law ("GML") §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the City, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

- (a) the person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
- (b) The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the State Finance Law and maintained by the Commissioner of the Office of General Services.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder's certification.

Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. In any case where the bidder or proposer cannot certify that they are not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The City of New York may award a bid to a bidder who cannot make the certification on a case by case basis if:

- (1) The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran: or
- (2) The City makes a determination that the goods or services are necessary for the City to perform its functions and that, absent such an exemption, the City would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

**CERTIFICATION OF COMPLIANCE WITH
IRAN DIVESTMENT ACT**

Pursuant to General Municipal Law §103-g, which generally prohibits the City from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification: [*Please Check One*]

BIDDER’S CERTIFICATION

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

- I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: _____, New York
_____, 20__

SIGNATURE

PRINTED NAME

TITLE

Sworn to before me this
_____ day of _____, 20__

Notary Public

Dated:

ATTACHMENT C: AFFIRMATION

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 contract except

_____.
Full name of Proposer or Bidder *[below]*

Address _____

City _____ State _____ Zip Code _____

CHECK ONE BOX AND INCLUDE APPROPRIATE NUMBER:

A - Individual or Sole Proprietorships
SOCIAL SECURITY NUMBER _____

B - Partnership, Joint Venture or other unincorporated organization
EMPLOYER IDENTIFICATION NUMBER _____

C - Corporation
EMPLOYER IDENTIFICATION NUMBER _____

By _____
Signature

Title

If a corporation place seal here

Must be signed by an officer or duly authorized representative.

* Under the Federal Privacy Act, the furnishing of Social Security numbers by bidders or proposers on City contracts is voluntary. Failure to provide a Social Security number will not result in a bidder's/proposer'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 businesses seeking City contracts.

To be completed by the City agency prior to distribution Agency _____ Transaction ID _____

Check One

Transaction Type (check one)

- Proposal Award Concession Economic Development Agreement Franchise Grant Pension Investment Contract 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, as will the organizations that own 10% or more of the entity. No other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's PASSPort registration or VENDEX requirements.**

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

Entity Information

If you are completing this form by hand, please print clearly.

Entity EIN/TIN _____ Entity Name _____

Filing Status

(Select One)

NEW: Data Forms submitted now must include the listing of **organizations**, as well as individuals, with 10% or more ownership of the entity. Until such certification of ownership is submitted through a change, new or update form, a no change form will not be accepted.

- 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 _____ E-mail _____

Provide your e-mail address in order to receive notices regarding this form by e-mail.

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 _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

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 _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

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 _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

This person replaced former COO _____ on date _____

Principal Owners

Please fill in the required identification information for all individuals or organizations that, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual or organization owners exist, please check the appropriate box to indicate why and skip to the **Senior Managers** section. If the entity is owned by other companies that control 10% or more of the entity, those companies must 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 or organizations that are no longer owners at the bottom of this section. 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
- The entity is an individual
- No individual or organization owns 10% or more of the entity

Other (explain) _____

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

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

Organization Owners (that own or control 10% or more of the entity)

Organization Name _____

Organization Name _____

Organization Name _____

Remove the following previously-reported Principal Owners

Name _____ Removal Date _____

Name _____ Removal Date _____

Name _____ Removal Date _____

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 _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

First Name _____ MI ____ Last _____ Birth Date (mm/dd/yy) _____

Office Title _____ Employer (if not employed by entity) _____

Home Address _____

Remove the following previously-reported Senior Managers

Name _____ removal date _____

Name _____ removal date _____

Certification

I certify that the information submitted on these two 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 _____ Title _____

Entity Name _____ Work Phone # _____

Signature _____ Date _____

What is the purpose of the Doing Business Data Form (DBDF)?

To collect accurate, up-to-date identification information about organizations that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), a campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of entities doing business with the City and mandates the creation of a Doing Business Database to allow the City to enforce the law. The information requested in this DBDF must be provided, regardless of whether the organization 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 DBDF?

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 DBDF is completed. Most transactions valued at more than \$5,000 are considered business dealings and require completion of the Doing Business Data Form. Exceptions include transactions awarded on an emergency basis or by "conventional" competitive sealed bid (i.e. bids that do not use a prequalified list or "Best Value" selection criteria.) Other types of transactions that are considered business dealings include real property and land use actions with the City.

What individuals will be included in the Doing Business Database?

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

- **Principal Officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer, or their functional equivalents. See the DBDF for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% or more of the organization. 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.

NEW FOR 2018: As of January 2018, the DBDF must report organizations, as well as individuals, that own 10% or more of the entity. A DBDF with such a certification, filed as a full (never filed before) or as a change form, must be submitted before an entity can then file a DBDF that indicates no changes since the previous form. Contact DBA at 212-788-8104 or at doingbusiness@mocs.nyc.gov to inquire if DBA has received such a form.

I have already completed a Doing Business Data Form, do I have to submit another one?

Yes. An organization is required to submit a DBDF each time it enters into a transaction considered a business dealing with the City, including contract, concession and franchise proposals. However, the DBDF has both a Change option, which requires only information that has changed since the last DBDF was filed, and a No Change option. No organization should have to fill out the entire DBDF more than once.

If you have already submitted a DBDF for one transaction type (such as a contract), and this is the first time you are completing a DBDF for a different transaction type (such as a grant), please select the Change option and complete Section 4 (Senior Managers) for the new transaction type.

Will the personal information on the DBDF be available to the public?

No. The names and titles of the officers, owners and senior managers reported on the DBDF will be made available to the public, as will information about the organization itself. However, personal identifying information, such as home address and date of birth, will not be disclosed to the public, and home address will not be used for communication purposes.

I provided some of this information in PASSPort; do I have to provide it again?

Yes. Although a Doing Business Data Form and PASSPort request some of the same information, they serve entirely different purposes. In addition, the DBDF requests information concerning senior managers, which is not in PASSPort.

What organizations will be included in the Doing Business Database?

Organizations that hold \$100,000 or more in grants, contracts for goods or services, franchises or concessions (\$500,000 for construction contracts), or that hold any economic development agreement or pension fund investment contract, are considered to be doing business with the City for the purposes of LL 34. Because all of the business that an organization does or proposes to do with the City will be added together, the DBDF must be completed for all transactions valued at more than \$5,000 even if the organization doesn't currently do enough business with the City to be listed in the Database.

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

Yes. All organizations are required to return this DBDF 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 Data Form must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

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 a DBDF for 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.

How long will an organization 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.

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

When an organization stops doing business with the City, the people associated with it are removed from the Database automatically. However, any person who believes that s/he should not be listed may apply for removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manager of the organization. Organizations may also update their database information by submitting an update form. Removal Request and Update forms are available online <https://www1.nyc.gov/site/mocs/resources/forms.page> or by calling 212-788-8104.

What are the 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 DBDF is to be returned to the City office that issued it.

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

WHISTLEBLOWER PROTECTION EXPANSION ACT POSTER



REPORT
CORRUPTION, FRAUD, UNETHICAL CONDUCT
RELATING TO A NYC-FUNDED CONTRACT
OR PROJECT
CALL THE NYC DEPARTMENT OF INVESTIGATION
212-825-5959

DOI CAN ALSO BE REACHED BY MAIL
OR IN PERSON AT:
New York City Department of
Investigation (DOI)
80 Maiden Lane, 17th floor
New York, New York 10038
Attention: COMPLAINT BUREAU

OR FILE A COMPLAINT ON-LINE AT:
www.nyc.gov/doi

All communications are confidential



Or scan the QR Code above
to make a complaint

**THE LAW PROTECTS EMPLOYEES OF
CITY CONTRACTORS WHO REPORT CORRUPTION**

- Any employee of a City contractor, or subcontractor of the City, or a City contractor with a contract valued at more than \$100,000 is protected under the law from retaliation by his or her employer if the employee reports wrongdoing related to the contract to the DOI.
- **To be protected by this law**, an employee must report to DOI – or to certain other specified government officials – information about fraud, false claims, corruption, criminality, conflict of interest, gross mismanagement, or abuse of authority relating to a City contract valued at more than \$100,000.
- Any employee who makes such a report and who believes he or she has been dismissed, demoted, suspended, or otherwise subject to an adverse personnel action because of that report is entitled to bring a lawsuit against the contractor and recover damages