

Notice to All Bidders:

The New York State (NYS) Office of Temporary and Disability Assistance (OTDA) encourages all qualified Offerors to submit a proposal in response to the Centralized Support Collection and Enforcement Request for Proposal (RFP). Please note that it is crucial to the evaluation of proposals that Offerors include all required responses as requested for each component of the proposal submission which includes the Administrative, Technical, and Financial.

As indicated in the RFP the Administrative Proposal must include all forms contained in Appendix J, Required Forms. Four of the forms are required as a result of OTDA's implementation of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all State contracts as defined therein. This procurement is subject to NYS Executive Law Article 15-A and the implementing regulations and the MWBE participation goals have been established at 15% each for MBE and WBE participation, for a total MWBE participation rate of 30%.

Please take note of Appendix Z which states:

"3. When MWBE goals higher than 0% (zero percent) are included in OTDA's procurement document, a Contractor's failure to submit a MWBE Subcontractor Utilization Plan and a MWBE Subcontractor's and/or Suppliers' Letter of Intent to Participate, where applicable, may result in noncompliance with submission requirements, unless the Contractor provides OTDA with a completed MWBE Subcontractor Request for Waiver, within the timeframe specified in writing by OTDA."

Furthermore, NYS Executive Law Section 313(5)(a) states that a contracting agency, such as OTDA, "shall not allow any automatic waivers but shall allow a contractor to apply for a partial or total waiver of the minority and women-owned business enterprise participation requirements pursuant to subdivisions six and seven of this section".

Approval or disapproval of a Request for Waiver by OTDA will be based on the Offeror's ability to meet the pre-established criteria found on the MWBE Subcontractor Request for Waiver Form as authorized by NYS Executive Law Section 313(7). A determination as to whether a waiver request is granted will be made after the contract has been tentatively awarded. If the waiver request is denied, then the Offeror is notified that the proposal is noncompliant with the RFP MWBE goals. The Contractor must respond to the notice of deficiency within seven (7) business days of receipt.

Please be aware that in addition to suppliers and direct subcontractors on State contracts, contractors may also utilize a number of NYS Certified MWBEs in support of their overall operations to satisfy the goals established on this contract. The following are examples of indirect services which Offerors may want to consider for compliance with OTDA's MWBE subcontracting participation requirements: Accounting Services, Advertising, Building Maintenance, Car Rental, Cleaning Supplies, Copying, Electrical Services, Furniture, Heating and Cooling, Janitorial Services, Office Supplies, Pest Control, Printing Services, Publishing, Rubbish Removal, Security, Shredding Services, Tax Preparation, Technical Writing, Training, Travel Services, etc.

- Offerors should reference the directory of NYS Certified MWBEs which is located at <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=4687>.
- Further information regarding Article 15-A of the NYS Executive Law and the Minority and Women's Business Enterprise Program is available on the Division of Minority and Women's Business Development (DMWBD) Internet site at <http://www.esd.ny.gov/MWBE.html>.

If an Offeror decides to submit a Request for Waiver with their proposal, the form is located in Appendix J of the Centralized Support Collection and Enforcement RFP.

Thank you for your interest in this procurement.