



**Office of Temporary
and Disability Assistance**

Release Date: February 8, 2016

Request for Proposals

Mohawk Valley

Wheels for Work

Submission Deadline: April 8, 2016

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IMPORTANT INFORMATION

This page contains information regarding the Mohawk Valley Wheels for Work Program Request for Proposals (RFP) that is essential for any prospective applicant. Since the RFP is released through the New York State Grants Gateway system, the traditional manner of submitting hard copy applications to OTDA is no longer permitted. As a result, OTDA has tailored the design of this RFP to assist applicants in navigating and submitting proposals through the Grants Gateway system correctly. The RFP is categorized into five sections listed below:

- PART A: RFP Summary Information
- PART B: Application Instructions
- PART C: Required Uploaded Documents
- PART D: Printed Version of Gateway Application; and,

Part A: RFP Summary Information:

This section of the RFP is the customary 20 to 30 pages explaining the requirements of the RFP. This section details the timelines, summary, program and contract information, proposal requirements and other aspects of the procurement.

Part B: Application Instructions:

All agencies submitting a proposal for this procurement must use the New York State Grants Gateway system at www.grantsgateway.ny.gov. Because this is a new system and many agencies may not have experience navigating and using the system, we have included this section to assist applicants in utilizing the system efficiently.

It is important to note that while any employee who has access may work on the application, only someone with a Grantee Signatory or a System Administrator role can submit the application to the State. Please develop and submit your application as early as possible to avoid last-minute problems.

Applications will not be accepted outside of the Grants Gateway System.

Part C: Required Uploaded Documents:

This section will list all documents and forms that must be submitted with the application. Where there is a document requested, a link is provided so the applicant can download the form, complete, and upload it as required.

Part D: Printed Version of Gateway Application:

This section will contain a complete copy of the application questions contained in the Grants Gateway system.

OTHER IMPORTANT INFORMATION

Pre-qualification Requirement

Pursuant to the New York State Division of Budget Bulletin H-1032, dated June 7, 2013, New York State has instituted key reform initiatives to the grant contract process which require nonprofits to register in the Grants Gateway System and complete the Vendor Prequalification process for proposals to be evaluated. Information on these initiatives can be found on the [Reform Website](#).

Below is a summary of the steps that must be completed to meet the registration and prequalification requirements. The [Vendor Prequalification Manual](#) on the Grants Reform Website, which details the requirements, and an [online tutorial](#) are available to walk users through the process.

Register for the Grants Gateway.

On the Grants Reform Website, download a copy of the [Registration Form for Administrator](#). A signed, notarized original form must be sent to the Division of Budget at the address provided in the instructions. You will be provided with a Username and Password allowing you to access the Grants Gateway.

If you have previously registered and do not know your Username please email grantsreform@budget.ny.gov If you do not know your Password please click the [Forgot Password](#) link from the main log in page and follow the prompts.

Complete your Prequalification Application.

Log in to the [Grants Gateway](#). If this is your first time logging in, you will be prompted to change your password at the bottom of your Profile page. Enter a new password and click SAVE.

Click the *Organization(s)* link at the top of the page and complete the required fields including selecting the State agency you have the most grants with. This page should be completed in its entirety before you SAVE. A *Document Vault* link will become available near the top of the page. Click this link to access the main Document Vault page.

Answer the questions in the *Required Forms* and upload *Required Documents*. This constitutes your Prequalification Application. Optional Documents are not required unless specified in this Request for Proposal.

Specific questions about the prequalification process should be referred to your agency representative or to the Grants Reform Team at grantsreform@budget.ny.gov.

Submit Your Prequalification Application

After completing your Prequalification Application, click the *Submit Document Vault* Link located below the Required Documents section to submit your Prequalification Application for State agency review. Once submitted the status of the Document Vault will change to *In Review*.

If your Prequalification reviewer has questions or requests changes you will receive email notification from the Gateway system.

Once your Prequalification Application has been approved, you will receive a Gateway notification that you are now prequalified to do business with New York State.

Other helpful information:

There is a Grantee Application Tutorial Video available. After logging into Grants Gateway, click the “training materials” tab at the top of the screen.

Helpdesk information: Monday thru Friday 8am to 8pm
Phone: 1-800-820-1890 Email: helpdesk@agatesoftware.com

I. Timelines and Proposal Submission

A. Questions Concerning this Request for Proposals (RFP)

Bidders may submit typed questions via electronic mail, fax, or by mail to the address provided below. Questions regarding the RFP will be accepted until 5:00 p.m. February 22, 2016. No telephone inquiries will be accepted. Answers to all questions received by this date will be posted on the New York State Office of Temporary and Disability Assistance's website at www.otda.state.ny.us no later than March 7, 2016. Prospective bidders may obtain a hard copy of the questions and answers upon request.

New York State Office of Temporary and Disability Assistance
Center for Employment and Economic Supports
Attn: Patricia Stefanik
40 North Pearl Street, 11th Floor
Albany, New York 12243
Fax: (518) 486-7650
PatriciaM.Stefanik@otda.ny.gov

B. Notice of Intent to Bid

Organizations intending to submit a proposal in response to this RFP are asked to use the "Notice of Intent to Bid" form. This form, completion and forwarding instructions are included in Attachment B1. The bid form is not a requirement.

C. Proposal Due Date

All proposals must be submitted via the Grants Gateway at www.grantsgateway.ny.gov and be received no later than 2:00 p.m., April 8, 2016. Once the deadline has passed, the Grants Gateway system will no longer accept applications. Eligible applicants should complete and submit all answers to questions and submit any forms required by this RFP. Failure to submit all required forms and answer all required questions may adversely affect the proposal's competitive score or make the proposal ineligible.

D. RFP Timetable

- RFP Release Date – February 8, 2016
- Deadline Date for Questions – February 22, 2016
- Deadline Date for Responses to Questions – March 7, 2016
- Notice of Intent to Bid – February 22, 2016
- Proposal Due Date – April 8, 2016
- Date of Notification of Award – May 2, 2016
- Project Start Date – June 1, 2016

II. Summary of the RFP

a. Purpose

The purpose of this Request for Proposals (RFP) is to help low-income families in the Mohawk Valley secure reliable transportation in order to get to work and remain employed by providing vehicles and related services to eligible individuals with minor children. Services provided under this RFP may include providing necessary down payments for the purchase of a car, low-or-no-interest car loans, car payments, car insurance, car repairs, assistance with license and registration and drivers training. In all instances, the services are to be provided to help parents of minor children obtain and retain employment.

b. Available Funds/Award Amount

Only one proposal will be approved for funding within the Mohawk Valley region. A one year award of \$150,000 in State funds will be made to the selected organization. Funds will be earned on a cost basis using a line item budget, and expenses are reimbursed through quarterly voucher submittals.

Should additional funds be made available to support this RFP, OTDA reserves the right to make awards in excess of the amount listed above to extend program services and/or fund additional applicants.

In the event the amount requested by the selected organization exceeds the amount available, OTDA will reduce the award amount to stay within the overall funding limit.

C. Contract Period

The successful applicant will receive a one year contract beginning June 1, 2016. Funding for this project is contingent on the continued availability of funding and satisfactory performance of the contractor.

Notwithstanding any other provision herein, upon expiration of the contract term, OTDA may elect to extend the term of the Contract Agreement for up to three years.

D. Eligible Applicants

Organizations eligible to apply for funding under this initiative are nonprofit organizations. Applicants must work in partnership with the social services districts in the Mohawk Valley to identify clients whose primary barrier to employment is lack of reliable transportation. Priority will be given to those organizations which can leverage funding of employers or financial institutions to serve additional participants. For the purposes of this RFP, the Mohawk Valley is defined as including Fulton, Herkimer, Montgomery, Oneida, Otsego and Schoharie counties.

All applicants must be prequalified on the Grants Gateway as described on pages 5 and 6 of this RFP.

Nonprofit applicants must be registered and in good standing with the Charities Bureau of the Attorney General's Office.

III. Program and Contract Information

A. Program Background

Since 1997, New York State has made a substantial commitment to support innovative transportation projects that assist eligible individuals to attain or maintain employment. Transportation continues to be a major barrier facing individuals in low income households, particularly households with children. It is even more difficult for parents without a car who need to get to a child care provider before or after work to do so without a reliable car. Additionally, many low income parents may have poor credit histories resulting in no access to credit or can only access credit at exorbitant interest rates and/or fees. Obtaining a car loan through this program will provide access to low interest loans and also provide the opportunity to establish a positive credit history through repayment. The program may also provide grants to offset a portion of a car purchase price to make loan repayment more viable. Priority will be given to those organizations that can leverage funding of employers or financial institutions to serve additional participants.

B. Participant Eligibility

Individuals eligible to participate in the Mohawk Valley Wheels for Work program must:

- Be a resident of New York State;
- Be eligible to work in the United States;
- Be a member of a family that includes a minor child or pregnant woman or be a noncustodial parent of a minor child. A minor child is defined as a child under the age of 18, or under age 19 and attending secondary school or its equivalent;
- Be employed or have a verified offer of employment and must demonstrate the need for a vehicle to maintain employment; and,
- Have a gross family income that does not exceed 200% of the federal poverty level listed below.

200% of Federal Poverty Guidelines Chart TANF Program Year June 1, 2015 through May 31, 2016

(Updated Annually)

Family Size	Annual Income	Monthly Income	Bi-Weekly Income	Weekly Income
1	\$23,540	\$1,962	\$981	\$453
2	\$31,860	\$2,655	\$1,328	\$613
3	\$40,180	\$3,348	\$1,674	\$773
4	\$48,500	\$4,042	\$2,020	\$933
5	\$56,820	\$4,735	\$2,368	\$1,093
6	\$65,140	\$5,428	\$2,714	\$1,253
7	\$73,460	\$6,122	\$3,061	\$1,413
8	\$81,780	\$6,815	\$3,408	\$1,573

For Family units with more than eight members, add

\$8,320 \$693 \$312 \$156

*For family units with more than eight members, add \$693 monthly or \$8,320 annually, for each additional family member.

C. Description of Services Sought

Through this RFP, OTDA seeks the services of organizations that can establish a program to acquire and distribute vehicles needed by eligible individuals to maintain and/or obtain employment. As part of the overall program strategy and in support of working individuals, applicants are encouraged to develop innovative strategies that address the transportation-related needs of low income individuals with minor children. Projects must include vehicle acquisitions via car loans, with the cost of cars up to \$9,000. Other services provided may include:

- Car repairs, provided the cost of the repair is reasonable and cost-effective
- Car maintenance instruction
- Car insurance payments
- Fees for car license or registration
- Auto club memberships
- Child safety seats
- Driver education and defensive driver training necessary to obtain a license or reduce annual car insurance premiums
- Tires

Case management and connection to supportive services should be a strong part of the program as well.

Applicants are encouraged to develop innovative strategies that address the employment-related transportation needs of low income families. To assist in the development, some examples of past loan arrangements are described below.

- A bank financed low-interest loans with the program provider holding the lien. Participants who made timely payments for the first 60% of the loan would have the balance of the loan paid through grant funds.
- For a typical \$5,000 vehicle purchase, a \$2,000 grant was made to bring the loan value down to \$3,000 with \$1,000 of the loan guaranteed by the program provider. A credit union provided the \$3,000 loan. Participants made monthly payments to the credit union.

Minority/Women-Owned Business Enterprise (M/WBE) requirements must be followed pertaining to the purchase of automobiles, and any other discretionary spending on services. Further information about the M/WBE requirements begins on page 20 of this RFP.

IV. Proposal Requirements – Format and Content

A. Evaluation of Proposals

Proposals will consist of two parts – a narrative section and a budget section. The specific details are outlined in the evaluation criteria. OTDA's Center for Employment and Economic Supports will establish Review Committees to evaluate the proposals.

B. Evaluation Process

The evaluation process will abide by the following rules:

- All bidders that are determined not to be responsive or responsible will be disqualified after completing a review.
- Proposals that fail to meet the requirement to respond to all RFP questions or complete the budget may be disqualified after completing a full review.
- Applicant organizations must meet the prequalification requirements set forth on pages 4 and 5 of this RFP.

C. Evaluation Criteria

OTDA will evaluate proposals based on the criteria outlined below. The points assigned are reflective of the importance of each item as it relates to the total narrative score. Specific information regarding the evaluation criteria is included below and in Part D, which contains a printed version of the Gateway Application and the points associated with each question.

Priority Features (10 points): Priority points will be awarded to organizations that are able to leverage additional resources (other than the funds awarded through this RFP) to increase program services, and that commit to serving all counties in the Mohawk Valley region. For the purposes of this RFP, the Mohawk Valley region is defined as encompassing Fulton, Herkimer, Montgomery, Oneida, Otsego and Schoharie counties.

Leveraging proposals may include but are not limited to the applicant organization supporting project administration costs, philanthropic support, partnering with banks or financial institutions who will waive fees for loan processing or provide funding for additional cars or services, a commitment by area social services agencies to address certain car repair costs, partnering with other organizations including employers who are willing to provide funds or other qualifying benefits such as gas cards or oil changes. In any instance, the leveraged funds must be quantified in the proposal with a clear explanation of how the value was determined.

Project Strategy and Design (70 points): The quality with which the proposal has addressed the items described below. Points will be allocated as outlined below.

Car Acquisition Strategies (40 points): The application should clearly outline the policies that will be applied to provide low-income individuals low or no interest loans and to reduce the loan obligation if applicable. Information provided should include the role of financial institutions, if any, or other organizations to facilitate access to a car loan. Projects with loan policies that are viable and also maximize grant funds are preferred. The proposal should clearly outline repayment policies and the approach for repossession if the participant defaults on a loan agreement.

The application should clearly describe if it will include services to help program participants retain employment by making necessary car repairs, including any arrangements with local car repair shops. Services may include those payments made by the applicant organization or partner organizations. The application must

identify how cars obtained are determined to be reliable. All cars obtained must be NYS inspected and certified by a mechanic.

The application should describe the case management and financial literacy services to be provided to help ensure participants are able to meet all loan agreement terms.

The proposal should describe if the applicant organization will subcontract or partner with other organizations, describe each entity's roles and responsibilities in the program.

Staffing (5 points): The application must describe how the program will be staffed to operate a viable program. Describe whether funds will be allocated in your budget or if services will be provided in-kind.

Marketing and Recruitment Strategies (10 points): Identify the eligible populations that the program will serve and describe the methods to be used to identify, recruit and engage these individuals. Priority will be given to organizations that propose to serve low-income workers in highly-distressed neighborhoods and rural areas. What arrangements have been made with the local social services district? Priority will be given to organizations that target services to recipients of public assistance. Include letters of support from area social services districts to specify the expected program referral mechanism to demonstrate the expectation to serve recipients of public assistance. A letter of support from the Regional Economic Development Council is expected to identify how the Wheels program will support in-demand occupations or otherwise support the REDC goals.

Experience and Past Performance (15 points): Include a description of the applicant organization including the services it provides and typical clientele. OTDA seeks the services of organizations with experience serving recipients of public assistance and other low-income populations. Describe and provide evidence (i.e., letter from funding agency that includes performance information) of the applicant organization's experience and accomplishments in providing vehicles and/or loan repayment services for public assistance recipients and other low-income households. Organizations with this experience are preferred. Describe accomplishments of past performance including statements of specific program outcomes from funding organizations and other reliable and verifiable sources.

Budget (20 points): Proposals will be rated based on the proposed number of individuals who receive a vehicle and the number of individuals able to retain vehicles based on repairs provided, divided by the total funds requested. This number will be obtained from the Work Plan section of your application.

- **Loans:** Proposals will be rated based on the number of individuals who will receive a vehicle (via loan, grant and/or down payment assistance)/retain access to a vehicle divided into the amount of total funds requested. The following formula will be used to assign cost points:

$$(\text{Low Bid/Bid Being Evaluated}) \times 15 \text{ Points} = \text{Points Earned}$$

- **Repairs:** Proposals will be rated based on the number of individuals who retain access to a car due to car repairs (including required new tires, insurance), divided into the total amount of funds requested. The following formula will be used to assign cost points:

(Low Bid/Bid Being Evaluated) x 5 Points = Points Earned

To illustrate how points would be earned, the following example consists of three agencies applying for funding to operate a Wheels for Work program. All calculations are based on a requested award amount of \$150,000. When developing your budget, please keep in mind that other contract expenses may impact the number of cars to be provided and number of repairs to be made. For the purposes of the budget calculation, repairs include anything other than car loans required to enable the individual to retain access to the vehicle (e.g., repairs, tires, insurance payments).

The cost per vehicle acquisition via loan or repair reflected in the charts below includes all program costs. For example, if an organization is seeking a \$150,000 grant and the organization expects to be able to help 20 families secure a car through a loan, the cost of each loan is the \$150,000 grant divided by the 20 cars acquired through a loan, or \$7,500 (\$150,000 divided by 20). This valuation reflects total program costs (including staff salaries or other services funded with the grant) to obtain that car acquisition outcome. The same methodology is used to value the cost per repair. The cost of the repair also reflects all program cost such as any project staffing, loan functions and in the budget scoring does not reflect the cost of any one loan.

Vehicle Sample Calculation				
Agency	# Cars Via Loan	Cost/Per (contract \$award / #cars)	Formula	Score Points
1	22	\$6,818	$\$6,818/\$6,818 \times 15$ points	15
2	20	\$7,500	$\$6,818/\$7,500 \times 15$ points	13.6
3	15	\$10,000	$\$6,818/\$10,000 \times 15$ points	10.2

Repair Sample Calculation				
Agency	# of Car Repairs	Cost/Per (contract \$ award / # repairs)	Formula	Score Points
1	12	\$12,500	$\$6,000/\$12,500 \times 5$ points	2.4
2	20	\$7,500	$\$6,000/\$7,500 \times 5$	4
3	25	\$6,000	$\$6,000/\$6,000 \times 5$	5

Total Budget Score Calculation			
Agency	Loan Points	Repair Points	Total Points
1	15	2.4	17.4
2	13.6	4.0	17.6
3	10.2	5.0	15.2

These scores and examples are used for **illustrative purposes only**. The actual scores will be derived from the submitted proposal budgets and scored, relative to one another, per the formulas provided.

Any proposal whose administrative planned expenditures exceed the limit of 15% will automatically receive 0 points for this section and will not be included in the low bid tabulation.

The budget proposal will be developed within the Grants Gateway and will outline the amounts and types of budget items that the applicant requires to operate the program for the one-year period beginning June 1, 2016.

Method of Selection

The method of selection will be based on a point system. OTDA will select bidders that provide the best value taking into consideration the most beneficial combination of factors including qualifications, experience, and goals. Awards will be based on the highest total points earned.

Funding Guidelines

Applicants are responsible for ensuring that funds provided through this program are spent appropriately. Funding provided under this program must be used to implement and provide project services that will assist individuals with the purchase, repair, financing, insuring and safe operation of personal vehicles that are necessary to obtain or maintain employment.

OTDA requires a program applicant to ensure that administrative costs do not exceed 15% of their total award. In order to adhere to this restriction, OTDA is requiring that no more than 15% of the total operating budget (i.e., final expenditures) be expended on administrative expenses.

The following table may be used as a tool to assist in distinguishing program from administrative costs, and is intended to provide guidance in the preparation of the Wheels for Work project budget:

Administrative Costs	Program Costs
<p>Costs for the general administration and coordination of this program, including contract costs for administrative functions. Examples of administrative costs include:</p> <ul style="list-style-type: none"> • The salaries and benefits of staff performing administrative and coordination functions; • Costs associated with the preparation of program plans, budgets, and schedules; • Costs involved in the monitoring or tracking of programs and projects; • Procurement activities; • Services related to accounting, audits, management of property, payroll and personnel. Costs for the goods or services required for the delivery of the administrative functions, such as the costs for supplies, equipment, travel, postage, utilities, rental and maintenance of office space. 	<p>Examples of program costs include:</p> <ul style="list-style-type: none"> • Salary and benefit costs for staff providing program services and direct costs associated with providing direct services, such as costs for supplies, equipment, travel, postage, utilities, rental and maintenance of office space; • Work supports and case management, including the costs of contracts devoted entirely (including incidental administrative costs) to these activities; • Costs associated with the purchase, repair and insuring of vehicles obtained during the program period.

Restrictions on the Use of Funds

The following are illustrative of the types of items that **are not** allowable costs:

- supplanting other federal, State or locally funded programs or duplicating existing resources for transportation service(s) from the local social services district;
- providing public or other non-personal vehicle related transportation services;
- paying for fines;
- planning and coordination studies;
- constructing or purchasing facilities or buildings;
- advertising costs, except for recruitment of personnel or procurement of scarce items; or those specifically relating to the proposal;
- capital expenditures for improvement or acquisition of facilities;
- interest costs incurred by provider agencies;
- costs of organized fund raising;
- medical costs;
- costs for attendance at conferences or meetings of professional organizations, unless attendance is necessary in connection with the project; and
- costs for preparation of continuation agreements and other proposal development costs.

D. Required Documents

- 1) **DSS Partnership Form** (Attachment B2) - This form must be completed and signed by each district you intend to partner with.
- 2) **Contractor Information Form** (Attachment B3)
- 3) **Contractor/Subcontractor Background Questionnaire (Attachment B4)**
This form must be completed by the Bidder, and any proposed subcontractor if the value of the subcontract is in excess of \$10,000. The Contractor/Subcontractor Background Questionnaire requires an original signature. This form is not required if the Bidder has an up-to-date questionnaire on the VendRep System. The online version is preferred and is available through the Office of the State Comptroller's Vend Rep System at: http://www.osc.state.ny.us/vendrep/vendor_index.htm.
- 4) **Equal Employment Opportunity (EEO) Staffing Plan (Attachment B5):**
This staffing plan is used to determine applicant's ability to meet the EEO workforce participation goals. All applicants must submit an Equal Employment Opportunity Staffing Plan with their proposals.
- 5) **M/WBE-EEO Policy Statements (Attachment B6)** - This is an acknowledgement that New York State is an Equal Employment Opportunity employer, and by extension it expects all vendors, contractors, and subcontractors that hold contracts with New York State to ensure the same standard of equal opportunity in their employment practices. Applicants must sign and return the M/WBE – EEO Policy Statement with their proposals.

- 6) **Subcontractor and Supplier Identification Form (Attachment B7):**
This new form for OTDA For Profit and Nonprofit procurements (IFB/RFP/Contract Reporter \$50k or more) was created for Offerors to complete as part of the bid solicitation. The form requires Offerors, for each new procurement (IFB/RFP/Contract Reporter Purchases \$50k or more), to list All subcontracts and the requested information for each that is in place to provide the goods and services required by that contract. This form was created to provide OTDA with a list of all subcontracts and key information including dollar value of the subcontracts over the contract term to assist OTDA in assessing the discretionary portion of each contract and overall compliance with NYS/OTDA MWBE requirements.

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, Offerors 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.

The Contractor 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, Offerors 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. The State therefore expects Offerors to provide maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

To demonstrate their commitment to the use of New York State Businesses, Offerors are required to submit the Subcontractor and Supplier Identification form located in Attachment B7 of this RFP and submit it with their Proposal.

V. General Information for Successful Bidders

A. Contracting Terms/State Payment

If the applicant organization is awarded a contract, the organization will be required to submit certain forms and comply with the following information.

1. Cost of Proposal Preparation

The Office of Temporary and Disability Assistance (OTDA) will not be liable for any costs of work performed in the preparation and production of a proposal, or for any work performed prior to the formal execution of a contract. By submitting a proposal, the bidder agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the specifications, or because of any misinformation or lack of information. The proposals shall become the property of the State of New York.

2. Assurances

The bidder warrants that it has carefully reviewed the needs of the State as described in the RFP, its attachments and other communications related to the RFP and that it has familiarized itself with the specifications and requirements of the RFP and warrants that it can provide such services as represented in bidder's proposal. The bidder agrees that it will perform all of its obligations in the resultant contract in accordance with all applicable federal, State, and local laws, regulations and policies now or hereafter in effect.

The bidder affirms that the terms of the RFP and the attachments do not violate any contracts or agreements to which it is a party, and that its other contractual obligations will not adversely influence its capabilities to perform under the contract.

3. Electronic Files or Data

If electronic files are to be exchanged as a part of this proposal or as a product of the contract, they must conform to agency policy and guidelines.

4. Conflict of Interest

Bidders may be requested to provide evidence that the award of the contract from this RFP will not result in a conflict of interest with regard either to other work performed by the contractor, or to potential conflict of interest among specific contractor staff or subcontractors.

5. Ownership of Materials

All materials developed with funding provided by the State and all proposals, work plans and budget become the property of New York State. All materials produced, either in whole or in part, through funding provided by New York State shall belong exclusively to OTDA and to the State of New York. OTDA may use any of the materials developed with project funds for any OTDA or other State purpose.

6. Equal Employment Opportunity

By submission of its bid, the successful bidder warrants that it is an Equal Opportunity Employer and that it does not discriminate in its employment and business practices on any of the bases provided in the New York State Human Rights law or any applicable federal laws.

7. Prompt Payment Provisions

The payment of interest on certain payments due and owed by the State may be made in accordance with the criteria established in Article XI-A of the State Finance Law.

8. Contract Award

Upon receipt of necessary State approvals an award letter will be issued by OTDA to the successful bidder advising them of a contract award. A contract defining all deliverables and the responsibilities of the contractor and OTDA will then be developed for signature by both parties and for approval and processing in accordance with State policy and practice.

NOTE: The contract does not become legally binding upon the State of New York until it is executed by the Office of the New York State Comptroller.

9. Advances

OTDA may grant advances up to 25% of the total annual contract value, if requested and with sufficient justification. Any unexpended advance balance at the end of the contract period will be immediately refunded by the Contractor to OTDA. In the event that either party terminates the contract prior to its expiration, the Contractor agrees to refund any outstanding advance balance to OTDA immediately. The repayment schedule is part of the Master Contract, Attachment D, Payment and Reporting Schedule.

10. Publicity

Publicity includes, but is not limited to, news conferences, news releases, advertising, brochures, reports, discussions and/or presentations at conferences or meetings. The inclusion of our materials, our agency name, or other such reference to New York State and/or OTDA in any document or forum is considered publicity. News releases or any other public announcements regarding this project may not be released without prior approval from OTDA.

11. Freedom of Information Law and Bidder's Proposals

The purpose of New York State's Freedom of Information Law (FOIL), which is contained in Public Officers Law Sections 84-90, is to promote the public's right to know the process of governmental decision making and to grant maximum public access to governmental records. Thus, a member of the public may submit a FOIL request for contracts awarded by the State or for the proposals submitted to the State in response to Requests for Proposals. After formal contract award, the proposal of the successful bidder and the proposals of non-successful bidders are subject to disclosure under FOIL. However, pursuant to Section 87(2)(d) of FOIL, a State agency may deny access to those portions of proposals or portions of a successful bidder's contract which "are trade secrets or submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Please note that information which you may claim as proprietary, copyrighted or rights reserved is not necessarily protected from disclosure under FOIL.

If there is information in your proposal which you claim meets the definition set forth in Section 87(2)(d), you must so inform us in a letter accompanying your proposal.

12. Americans with Disabilities Act (ADA)

The successful bidder shall comply with all applicable requirements of the Americans with Disabilities Act (ADA), codified at Title 42 of the United States Code, section 12101 et seq. and associated regulations, including, but not limited to, those located in 28 C.F.R. Part 36. The successful bidder shall comply with all applicable requirements of the New York State Human Rights Law, codified in the Executive Law sections 290 - 301 and applicable regulations implemented pursuant to that law. The successful bidder shall warrant to OTDA that the successful bidder is in compliance with both the ADA and its regulations and the New York State Human Rights Law and its regulations.

Any products developed as a result of this RFP must be in a format that can be converted for use by individuals with disabilities to meet the reasonable accommodation standards established by the American with Disabilities Act.

13. Responsibility Determination

Article 11 of the New York State Finance Law requires that competitive bids be awarded to responsive and responsible bidders. In order to fulfill this requirement, an applicant must complete the "Contractor/Subcontractor Background Questionnaire" (Attachment B5) or complete the online version which is available through the NYS Office of the State Comptroller's Vend Rep System at http://www.osc.state.ny.us/vendrep/vendor_index.htm. By signing the bid proposal, the applicant hereby authorizes OTDA to review any records in its possession concerning your organization including, but not limited to, wage records, unemployment insurance records, public works records, labor standards and safety and health records. Based on the responses you provide, OTDA will determine whether your organization is a responsible bidder. If you are disqualified based on a determination of non-responsibility, you will be notified in writing and may appeal the determination in writing within 10 days to the Commissioner. If you fail to identify a violation and OTDA discovers the failure to disclose such violation, your contract may be terminated immediately upon written notice.

14. Contract Modification

The contract budget can be modified, upon mutual agreement of the parties, during any term by written amendment. Modifications exceeding 10% will require formal contract amendment and approval by both the NYS Office of the Attorney General and the NYS Office of the State Comptroller.

15. Contract Cancellation

OTDA reserves the right to cancel the contract or any part thereof, at any time, upon thirty (30) days written notice. If, in the judgment of OTDA, the Contractor fails to perform the work in accordance with the contract, OTDA may terminate the contract immediately by written notice for cause. OTDA may elect to suspend contract performance or provide a cure period prior to termination.

16. Iran Divestment Act

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that it is 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 OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize for such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should OTDA receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, OTDA 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 Act within 90 days after the determination of such violation, then OTDA 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 Contractor in default. OTDA reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

17. OTDA Bid Protest Procedure (12/01/2014)

Procedure for Handling of Protests/Appeals of Bid Specification(s) and Proposed Awards

It is the policy of the OTDA to provide all Offerors with an opportunity to resolve complaints or inquiries related to bid solicitations or pending contract awards administratively. The OTDA encourages all Offerors to seek resolution of complaints concerning the contract award process through consultation with the OTDA. All such matters will be accorded impartial and timely consideration. Detailed procedures are as follows:

Formal Written Protests - Final agency decisions or recommendations for award generally may be reconsidered only in the context of a formal written protest as described below. Any Offeror or prospective Offeror who believes that there are errors or omissions in the procurement process or who otherwise has been aggrieved in the drafting or issuance of this RFP, proposal evaluation, award, or contract award phases of the procurement, may present a formal complaint to the OTDA and request administrative relief concerning such action ("formal protest"). A formal protest must be submitted in writing to the OTDA, by ground mail, except where alternate arrangements have been made, to the Director of the OTDA Bureau of Contract Management (BCM), 40 North Pearl Street, 12th Floor, Section D, Albany, NY 12243. A formal protest must include a statement of all legal and/or factual grounds for disagreement with an OTDA specification or purchasing decision; a description of all remedies or relief requested; and copies of any and all applicable supporting documentation.

Deadline for Submission of Formal Protests for Errors or Omissions in the Procurement Process – The OTDA must receive formal protests concerning errors, omissions or prejudice, including patently obvious errors in this RFP specifications or documents, at least ten (10) calendar days before the Bid Submission Date.

Deadline for Submission of Formal Protests of Contract Award – The OTDA must receive a formal protest concerning a contract award within ten (10) business days of the issuance of notice of contract award.

Review and Final Determination of Protests - Protests will be resolved through written correspondence. However, the protester may request a meeting to discuss a formal protest or the OTDA may initiate a meeting on its own accord, at which time the participants may present their concerns. Either the protester or the OTDA may decline such a meeting. Where further formal resolution is required, the Director of BCM may designate an OTDA employee ("designee") to determine and undertake the initial resolution or settlement of any protest. The designee will conduct a review of the records involved in the protest and provide a memorandum to the Director of BCM summarizing the facts as determined by the designee, an analysis of the substance of the protest, and a preliminary recommendation. The Director of BCM shall: (a) evaluate the designee's findings and recommendations, the evaluation team's reports and recommendations; (b) review the materials presented by the protesting party and/or any materials required of or submitted by other Offerors; (c) if necessary, consult with the OTDA Counsel's Office; and, (d) prepare a response to the protest. A copy of the protest decision, stating the reason(s) upon which it is based and informing the protester of the right to appeal an unfavorable decision to the OSC shall be sent to the protester or its agent within forty-five (45) calendar days of receipt of the protest, except that upon notice to the protester such period may be extended. The protest decision will be recorded and included in the procurement record, or otherwise forwarded to the OSC upon issuance.

Appeals - Upon receipt of the OTDA's determination of a protest, a protester has ten (10) business days to file an appeal of the determination with the OSC, Bureau of Contracts. The appeal must be filed with Ms. Charlotte Breeyear, Director, Bureau of Contracts, New York State Office of the State Comptroller, 110 State Street, 11th Floor, Albany, NY 12236. The protester's appeal must contain an affirmation in writing that a copy of the appeal has been served on the OTDA, the successful bidder (except where the contracting agency upholds the protest and the successful bidder is the appealing party), and any other party that participated in the protest. In its appeal, the interested party shall set forth the basis on which it challenges the OTDA's determination. The OSC Bureau of Contracts will conduct a formal review and issue its determination of the appeal in accordance with its established policy and procedures.

Reservation of Rights and Responsibilities of the OTDA - The OTDA reserves the right to waive or extend the time requirements for protest submissions, decisions, and appeals herein prescribed when, in its sole judgment, circumstances so warrant to serve the best interests of the State and the OTDA. If the OTDA determines that there are compelling circumstances, including the need to proceed immediately with the Contract award in the best interest of the State, then these protest procedures may be suspended and such decision shall be documented in the procurement record. The OTDA will consider all information relevant to the protest, and may, at its discretion, suspend, modify, or cancel the protested

procurement action including solicitation of bids or withdraw the recommendation of Contract award prior to issuance of a formal protest decision.

Procurement Activity Prior to Final Protest Determination - Receipt of a formal bid protest shall not stay action on a procurement unless otherwise determined by the OTDA. If a formal protest or appeal is received by the OTDA on a recommended award prior to the underlying Contract being forwarded to the OSC, notice of receipt of the protest and appeal must be included in the procurement record forwarded to the OSC. If a final protest decision or final decision on appeal has been reached prior to transmittal to the OSC, a copy of the final decision must be included in the procurement record and forwarded with the recommendation for award. If a final protest decision is made after the transmittal of a bid package to the OSC, but prior to the OSC approval under State Finance Law § 112, a copy of the final OTDA decision shall be forwarded to the OSC when issued, along with a letter either: a) confirming the original OTDA recommendation for award and supporting the request for final § 112 approval, b) modifying the proposed award recommendation in part and supporting a request for final § 112 approval as modified; or c) withdrawing the original award recommendation.

Record Retention of Bid Protests - All records related to formal Offeror protests and appeals shall be retained for at least one (1) year following resolution of the protest. All other records concerning the procurement shall be retained according to the statutory requirements for records retention.

18. Minority and Women-Owned Business Enterprise (M/WBE) and Equal Employment Opportunity (EEO) Participation Requirements

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR BUSINESS PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MINORITY-AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN

NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145 OTDA recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority and women owned business enterprises and the employment of minority group members and women in the performance of OTDA 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" ("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 OTDA establishes goals for maximum feasible participation of New York State Certified minority and women owned business enterprises (“MWBE”) and the employment of minority groups members and women in the performance of New York State contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, OTDA hereby establishes an overall goal of 30% for MWBE participation, 15% for New York State certified minority-owned business enterprises (“MBE”) participation and 15% for New York State certified women-owned business enterprises (“WBE”) participation (based on the current availability of qualified MBEs and WBEs). A contractor (“Contractor”) on the subject contract (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and the Contractor agrees that OTDA may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how OTDA will determine a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and OTDA 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 MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a bidder on the Contract (“Bidder”) agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a Bidder may arrange to provide such evidence via a non-electronic method by contacting their contract manager. Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. For additional information on the use of the NYSCS to meet Bidder’s MWBE requirements please see the attached MWBE guidance, “Your MWBE Utilization and Reporting Responsibilities Under Article 15-A.”

Additionally, a Bidder will be required to submit the following documents and information as evidence of compliance with the foregoing:

- A. An MWBE Utilization Plan with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to OTDA.

OTDA will review the submitted MWBE Utilization Plan and advise the Bidder of OTDA acceptance or issue a notice of deficiency within 30 days of receipt.

- B. If a notice of deficiency is issued, the Bidder will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the OTDA, [address phone and fax information], a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by OTDA to be inadequate, OTDA shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

OTDA may disqualify a Bidder as being non-responsive under the following circumstances:

- a. If a Bidder fails to submit a MWBE Utilization Plan;
- b. If a Bidder fails to submit a written remedy to a notice of deficiency;
- c. If a Bidder fails to submit a request for waiver; or
- d. If OTDA determines that the Bidder has failed to document good faith efforts.

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

The Contractor will be required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report to the OTDA, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

Equal Employment Opportunity Requirements

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of Appendix A – Standard Clauses for All New York State Contracts including Clause 12 - Equal Employment Opportunities for Minorities and Women. The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the Contractor, 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.

The Bidder will be required to submit a Minority and Women Owned Business Enterprises and Equal Employment Opportunity Policy Statement, Form OTDA 4970, to OTDA with their bid or proposal.

For purposes of this solicitation, OTDA hereby establishes an Equal Employment Opportunity participation goal of 20%. To ensure compliance with this Section, the Bidder will be required to submit with the bid or proposal an Equal Employment Opportunity Staffing Plan (Form OTDA 4934 - Staffing Plan) identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, on a quarterly basis or upon request, submit an Equal Employment Opportunity Workforce Employment Utilization Compliance Report identifying the workforce actually utilized on the Contract, if known, through the New York State Contract System; provided, however, that a Bidder may arrange to provide such report via a non-electronic method by contacting their contract manager.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other 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 allowed by the Contract.

19. Service-Disabled Veteran-Owned Business Enterprises (SDVOBs) Utilization

1. Contractor agrees, to the maximum extent practical and consistent with legal requirements of the State Finance Law, the Executive Law and any implementing regulations, to use NYS certified Service-Disabled Veteran-Owned Business Enterprises (SDVOBs) in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Contractor acknowledges being subject to the provisions of Executive Law Article 17-B and the applicable regulations (9 NYCRR Part 252), and that the directory of NYS certified SDVOBs is located at: http://ogs.ny.gov/Core/docs/CertifiedNYS_SDVOB.pdf. Contractor acknowledges that the SDVOB utilization goal for this Agreement is 6%. Contractor further acknowledges that this requirement is separate and distinct from the similar requirement elsewhere in this Agreement to utilize small, and minority and women-owned businesses (M/WBEs), consistent with current State law (Executive Law, Article 15-A).
2. Contractor agrees to report on **actual** participation by each SDVOB during the term of the contract to the OTDA on a quarterly basis according to policies and procedures to be set by the OTDA.
3. Contractor agrees that, following contract execution, if the OTDA determines that the contractor may not have acted in good faith, has failed,

is failing, or is refusing to comply with the participation or utilization contractual goals for SDVOB participation, the OTDA may after giving the contractor an opportunity to be heard, make a determination that Contractor has failed to meet the contract goals and may be in breach of contract.

4. Upon determination that the Contractor is in breach of contract, as set forth in this Article, the OTDA may require the submission of a corrective action plan for meeting the contractual goals, and may also assess actual damages as authorized by regulation [9NYCRR Section 252.2 (s)] based on the actual cost incurred by the State agency, related to the State agency's expenses for personnel, supplies and overhead related to establishing, monitoring, and reviewing certified service-disabled veteran-owned business enterprise programmatic goals.
5. **NOTE:** Information about SDVOB certification and set asides for SDVOB participation in public procurement can be found at: <http://www.ogs.ny.gov/Core/SDVOBA.asp>, which provides information about SDVOB certification and guidance for State agencies in making determinations and administering set asides for procurements from SDVOBs.

PART B

Instructions for Completing the Application:

The Mohawk Valley Wheels for Work Application must be submitted in Grants Gateway. Eligible entities are not-for-profit community-based organizations. Applicants should submit one application per agency. Read and apply all instructions while completing the screens in Grants Gateway. A printed version of the application appears in Section D. Please note; though others may work on the application, only someone with a Grantee Signatory or a System Administrator role can submit the application to the State. Applications may not be accepted outside of the Grants Gateway system.

1. Find . Enter your search criteria then click .
2. Click the link for your opportunity.
3. From the  [Forms Menu](#), complete the following Forms/Screens listed below. Sections from the  [Forms Menu](#) do not have to be completed in any particular order. You must save your work before moving onto a new screen. If you do not complete it all in one session, search for the application in progress from the application link at the top of the screen when you return. After each section is completed and , return to the  [Forms Menu](#) and click on the next section to be completed.

Forms/Screens

Project Site Address Screen: Enter all site addresses, one site per screen. Click . Click  for additional screens.

Program Specific Questions Screen: Follow instructions at top of screen. Answer all questions in this section. Note that most narrative answer spaces allow unlimited text; however, OTDA expects answers to be concise. Upload forms when required. Click .

Expenditure Budget:

Personal Services – Salary screen: List all positions that provide direct services and will be supported with grant funds. Each position should be entered on a separate screen. Briefly describe the role/responsibility of the position in relation to the MV WfW program. Click . Click  to open a new screen for listing the next position.

Personal Services – Salary Narrative screen: This screen should be used only if needed to describe or explain things out of the ordinary, exceptions in staffing patterns, unusual staffing costs, justification of staff funded by more than one funding source and explanation of the percent of time allocated to this program, including the percentage of time allocated to administrative and program activities where necessary.

Personal Services – Fringe screen: Provide a brief explanation of the percentage and composition of your fringe benefit structure. Fringe should not exceed the Office of the State Comptroller's rate, currently set at 56.86%. If fringe is not applicable, leave this section blank.

Personal Services – Fringe Narrative screen: This screen should be used only if needed to describe or explain things out of the ordinary, and/or unusual costs.

Contractual Services screen: List services that are provided under a formal or written agreement and will be supported with grant funds. Provide both a description of the services and justification for the services. Each type of contractual cost must be listed on its own screen and the cost justified. Only the pro-rated portion of the entire expenditure that is related to the MV WfW program is allowed. This line includes institutions, individuals or organizations external to the contractor which have entered into an agreement with the contractor to provide any services outlined in or associated with the MV WfW contract and whose services are to be funded under MV WfW budget. This includes any other not-for-profits performing work under the proposed MV WfW contract. All such agreements are to be bona fide written contracts: NYS OTDA reserves the right to request these documents at any time in the future.

Travel screen: This category includes travel costs for personnel listed under Personal Services Costs, participant travel and other travel expenses. Mileage costs may be reimbursed up to the NY State rate (currently the maximum is \$0.575/mile). In the justification field, explain which staff will be traveling in relation to the project, the destination, purpose and frequency of the travel.

Equipment screen: This category includes the purchase, rental and leasing of equipment. Equipment is any non-consumable, tangible property having a useful life of more than one year. Substantial equipment purchases (costing more than \$5,000) should be avoided. Acquisition costs must be in accordance with NYS requirements and may be evaluated to determine if leasing is a practical and cost-effective alternative. If the only alternative is to purchase equipment using contract funds, an applicant organization is required to obtain 3 competitive bids and must receive OTDA prior approval. All things being equal, the contractor must purchase equipment from the lowest bidder. Complete the Equipment form for requested equipment. Complete the Equipment Narrative form if there is any substantial equipment costing more than \$5,000 per item. Requests in support of this grant category, if not with another not-for-profit or unit of local government, are required to demonstrate how they will use these purchases to meet MWBE goals.

Equipment Narrative screen: Provide information on bids received and provide explanation/justification as required.

Other screen: This category should include grant-funded program items that do not fit in the other categories such as postage, copies, office supplies and administrative costs. Each cost must be listed on its own screen. Allowable administrative costs are those directly related to administering the MV WfW program, as detailed in Part A, Section IV-C of the RFP. The total combined administrative costs may not exceed 15% of the annual requested funds. Administrative costs must be itemized. Indirect Cost Rates are not allowed.

Other Narrative screen: Use this section to provide details for any staff/position listed as administrative under Other. List the title, annual salary, and the percentage of time spent on MV WfW administrative activities; also include a brief description of those activities.

Work Plan: Grant Opportunity Defined Screens: Section consists of the workplan overview form, objectives, tasks and performance measures.

Workplan Overview Screen: This section will be used to create the Work Plan portion of the contract. Some of the information requested will be duplicative of information provided earlier in the application. You may copy/paste previous responses where appropriate when developing your Project Summary and/or Organizational Capacity narratives. **Please ensure your responses to questions number 1 through 9 are copied and pasted into the Project Summary section.** This section should be completed from an annual perspective. Therefore, the first annual Work Plan should be June 1, 2016 – May 31, 2017.

In the Project Summary section, include a high level overview of the project as instructed. The narrative should also identify:

- Service area
- Target population and annual number of individuals to be served
- Client eligibility guidelines
- Services offered
- How the program operates and a description of what funds will pay for
- Number of vehicles to be provided
- How the success of the program is determined/evaluated

In the Organizational Capacity section, include the information requested and a brief description of any other services/programs offered by the organization.

Objectives and Tasks: Complete Performance Measures for each of the tasks listed. For Participants Served, click [View/Add](#). Type the objective name again and in the narrative section,

enter the estimated enrollment goal. Click . For each task listed, repeat the process of clicking on the task name, then [View/Add](#). Type the objective name and enter the goal for that task.

Remember to click  after each task.

Pre-Submission Uploads Screen: Download all forms by following the links available on the Upload Screen, or print the forms from Part C of this application. Upload all required forms in the places designated throughout the application. If required information is not available or cannot be produced, an explanation must be uploaded.

Application Submission: When you have completed your application, click . If you receive any error messages, all items must be addressed prior to submitting your application. The system will let you know when there are no outstanding items.

Remember only the Grantee Signatory or System Administrator may submit the application. To do so, the appropriate person must sign into the Gateway with their credentials. This likely is someone other than the person who created the application, so at this juncture, log out. Once the appropriate person logs in, to submit the application, click  and  for your application. When you find it, click . When you are ready to submit, click  [Status Changes](#) then . Prior to submission, you will need to certify the agreement as stated. You must click I Agree for your application to be submitted. You will know your application has been submitted successfully if you hover your mouse over  [Status Changes](#) and it shows "There are no available status options at this time."

Part C
Forms to Upload

All required forms must be completed and uploaded where requested.

Mohawk Valley Wheels for Work Proposal Forms

1. Notice of Intent to Bid (Attachment B1)
2. Local Department of Social Services Partnership Form (Attachment B2)
3. Contractor Information Form (Attachment B3)
4. Contractor/Subcontractor Background Questionnaire (Attachment B4)
5. Equal Employment Opportunity Staffing Plan (Attachment B5)
6. M/WBE—EEO Policy Statement (Attachment B6)
7. Subcontractor and Supplier Identification Form (Attachment B7)
8. SDVOB In Contract Performance (Attachment B8)
9. REDC Letter

NOTICE OF INTENT TO BID

This form confirms our intent to respond to the Mohawk Valley Wheels for Work Request for Proposals issued by the New York State Office of Temporary and Disability Assistance, Center for Employment and Economic Supports.

Signed: _____
(Name/Title/Organization/Bidder Name)

(Mailing Address)

(Phone # and E-Mail Address)

Please respond by February 22, 2016 by faxing, e-mailing or mailing this form to:

New York State Office of Temporary and Disability Assistance
Center for Employment and Economic Supports
Attn: Patricia Stefanik
40 North Pearl Street, 11th Floor
Albany, New York 12243

Fax: (518) 486-7650
E-mail: PatriciaM.Stefanik@otda.ny.gov

Local Department of Social Services Partnership Form

Agency: _____

The _____ County Department of Social Services has reviewed the proposal developed by the above referenced agency and agrees to identify and refer appropriate recipients of Family Assistance recipients and/or recipients of Safety Net that include a minor child for participation in the Mohawk Valley Wheels for Work program.

Describe the procedures for the identification and referral of eligible program participants.

Describe what services the district will contribute to the program, including car repair or insurance/registration payments to eligible participants, if any.

Comments:

Local Social Services Department Representative

Name: (print) _____

Signature: _____

Title: _____

Phone: _____

Date: _____

**APPENDIX D
CONTRACTOR INFORMATION**

Contractor Information

1. Incorporated Agency Name: _____
2. Street Address: _____ City, State, Zip Code: _____ County(ies) Served: _____
3. Agency Contact: _____ Title: _____ Phone #: _____ FAX #: _____ Email Address: _____ Mailing Address: _____ Program Contact: _____ Title: _____ Phone #: _____ FAX #: _____ Email Address: _____ Mailing Address: _____
4. Federal Employer Identification #: _____ State Registered Charitable Organization #: _____ Municipality #: _____ Community District(s): _____ Federal Congressional District(s): _____ State Senate District(s): _____ State Assembly District(s): _____

5. Award Amount: _____

Catalog of Federal Domestic Assistance (CFDA) title and number: 93.558; These funds are subject to requirements of Title IV-A of the Social Security Act as amended by Title IV-A of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PRWORA, P.L. 104-193.

Award Name: Temporary Assistance for Needy Families (TANF) program.

Awarding Agency: Department of Health and Human Services.

6. Organization Information

For statistical purposes, check yes or no for *each* of the following items as it relates to your organization. See the instructions for definitions. LEAVE NO BLANKS.

- Non-Profit Organization Yes No Women-Owned Business Yes No
- Minority Business Yes No Municipality Yes No
- Small Business Yes No

7. Non-Discrimination/Sectarian Organization Compliance Justification

a. According to your Certificate of Incorporation, are your organization's purposes sectarian? (For example, are you a corporation organized under the religious corporation law or a corporation that has a corporate purpose to serve a particular religious group or promoting the doctrine of a particular religion in general?)	Yes	No
b. Are any of the proposed services in your project sectarian in nature?		
c. Does your organization have as its goal the furthering of any sectarian purpose?		
d. Are the services to be provided by sectarian staff?		
e. Are services being delivered in a building owned by a sectarian organization?		
If no, proceed to letter (f.). If yes, are services educational in nature?		
f. Will the proposed services be provided on the basis of race, religion, color or national origin?		
g. If the contract is with a sectarian organization, is the amount and comprehensiveness of the surveillance necessary to insure the contract does not foster or inhibit religion greater than the contract necessary to administer a similar contract with a non-sectarian agency?		

If any of the above answers are Yes, please justify the recommendation for funding below:

**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
CONTRACTOR/SUBCONTRACTOR BACKGROUND QUESTIONNAIRE**

General Information

Federal Identification Number: _____

Name of Firm: _____

Mailing Address: _____

Actual Location: _____

City: _____ **State:** _____ **Zip code:** _____

Fax Number: () _____ **Telephone Number:** () _____

Background Questionnaire

The following section must be fully completed by the Bidder or bid will be deemed non-responsive. Where appropriate, provide additional details using space provided or by inserting additional sheets following this part. Any proposed subcontractor must also complete this form if the value of that subcontract will be in excess of \$10,000.

1a. If you, the bidder, are a natural person, are you a New York State resident?	_____ NO _____ YES
1b. If you are a corporation, are you a New York State corporation?	_____ NO _____ YES
1c. Are you registered with the New York State Department of State (DOS) to do business in New York State? If no, you will be required to comply with the New York State Department of State guidelines for doing business in New York State before you will be eligible for a Contract award. Do you agree to these conditions?	_____ NO _____ YES _____ NO _____ YES
2. How many years has the bidder been in business?	_____ Years
3a. Are you a certified minority owned business enterprise, certified by the NYS Department of Economic Development? (Your company is eligible to be certified if it is at least 51% owned and controlled by minority group members (i.e. Black, Hispanic, Asian, Pacific Islander, American Indian or Alaskan Native)?)	_____ NO _____ YES
3b. Are you a woman owned business enterprise, certified by the NYS Department of Economic Development? (Your company is eligible to be certified if it is at least 51% owned and controlled by women.)	_____ NO _____ YES
4. How many people are employed by the bidder?	_____ Employees
5. Total number of people employed by the bidder: * Within New York State? * Outside of New York State? * Outside of United States?	_____ _____ _____
6. Is the bidder independently owned and operated?	_____ NO _____ YES (If no, provide details.)
7. List and describe any liquidated damages assessed, and/or liens or claims over \$25,000 filed against the bidder and remaining undischarged or unsatisfied for more than 90 days, on any contracts within the past five years.	_____ NO _____ YES

9. Does your company retain partnership or reciprocal agreements with hardware and/or software companies, or with associated manufacturers in this industry?	_____ NO _____ YES
10. Does the bidder hold any current contracts with the State of New York, its departments or political subdivisions, valued in excess of \$100,000?	_____ NO _____ YES (If yes, provide details.)
11. Does the bidder hold any current contracts with governmental entities outside of New York State, valued in excess of \$100,000?	_____ NO _____ YES (If yes, provide details.)
12. Your firm is responsible for providing worker's compensation insurance pursuant to State law. The State has the option to require proof of current worker's compensation insurance or proof of exemption if applicable. Do you comply with this requirement?	_____ NO _____ YES
13. Your firm is responsible for providing disability insurance pursuant to State law. The State has the option to require proof of current worker's compensation insurance or proof of exemption if applicable. Do you comply with this requirement?	_____ NO _____ YES
14. Does your firm employ any non-U.S. citizens or resident legal aliens?	_____ NO _____ YES
15. If yes, are the forms on file and available for inspection?	_____ NO _____ YES

CERTIFICATION

The undersigned: 1) recognizes that this questionnaire is submitted for the express purpose of inducing the New York State Office of Temporary of Disability Assistance to award a contract or approve a subcontract; 2) acknowledges that the Office may in its discretion, by means which it may choose, determine the truth and accuracy of all statements made herein; 3) acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law 210.40 or a misdemeanor under Penal Law 210.35 or 210.45, and may also be punishable by a fine of up to \$10,000 or imprisonment of up to five years under 18 U.S.C. 1001; 4) states that the information submitted in this questionnaire and any attached pages is true, accurate and complete; and, 5) acknowledges that submission of false or misleading information will constitute grounds for the Office to terminate its contract (or revoke its approval of a subcontract) with the undersigned or the organization of which s/he is an officer.

Authorized Signature: _____

Name: _____

Title: _____

Date: _____

STAFFING PLAN

Submit with Bid or Proposal – Instructions on page 2

Solicitation No.:	Reporting Entity:	Report includes Contractor's/Subcontractor's: <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Total work force
Offeror's Name:		<input type="checkbox"/> Offeror <input type="checkbox"/> Subcontractor Subcontractor's name _____
Offeror's Address:		

Enter the total number of employees for each classification in each of the EEO-Job Categories identified

EEO-Job Category	Total Work force	Work force by Gender		Work force by Race/Ethnic Identification								Disabled		Veteran			
		Total Male (M)	Total Female (F)	White (M) (F)		Black (M) (F)		Hispanic (M) (F)		Asian (M) (F)		Native American (M) (F)		(M)	(F)	(M)	(F)
Officials/Administrators																	
Professionals																	
Technicians																	
Sales Workers																	
Office/Clerical																	
Craft Workers																	
Laborers																	
Service Workers																	
Temporary /Apprentices																	
Totals																	

PREPARED BY (Signature):	TELEPHONE NO.:	DATE:
	EMAIL ADDRESS:	
NAME AND TITLE OF PREPARER (Print or Type):		Submit completed with bid or proposal

General instructions: All Offerors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (OTDA – 4934.1) and submit it as part of the bid or proposal package. Where the work force to be utilized in the performance of the State contract can be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form only for the anticipated work force to be utilized on the State contract. Where the work force to be utilized in the performance of the State contract cannot be separated out from the contractor's and/or subcontractor's total work force, the Offeror shall complete this form for the contractor's and/or subcontractor's total work force.

Instructions for completing:

1. Enter the Solicitation number that this report applies to along with the name and address of the Offeror.
2. Check off the appropriate box to indicate if the Offeror completing the report is the contractor or a subcontractor.
3. Check off the appropriate box to indicate work force to be utilized on the contract or the Offerors' total work force.
4. Enter the total work force by EEO job category.
5. Break down the anticipated total work force by gender and enter under the heading 'Work force by Gender'.
6. Break down the anticipated total work force by race/ethnic identification and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the OM/WBE Permissible contact(s) for the solicitation if you have any questions.
7. Enter information on disabled or veterans included in the anticipated work force under the appropriate headings.
8. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

RACE/ETHNIC IDENTIFICATION

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this form, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

- **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.
- **NATIVE INDIAN (NATIVE AMERICAN/ ALASKAN NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

OTHER CATEGORIES

- **DISABLED INDIVIDUAL** any person who:
 - has a physical or mental impairment that substantially limits one or more major life activity(ies)
 - has a record of such an impairment; or
 - is regarded as having such an impairment.
- **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.
- **GENDER Male or Female**

M/WBE UTILIZATION PLAN

INSTRUCTIONS: This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Note – A dually certified firm cannot be counted toward both the MBE and WBE participation goals. Attach additional sheets if necessary.

Offeror’s Name:

Address:

City, State, Zip Code:

Telephone No.:

Region/Location of Work:

Federal Identification No.:

MWBE Certified?

Solicitation No.:

Project No.:

M/WBE Goals in the Contract: MBE % WBE %

Contract No.:

1. Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/Supplies/Services and intended performance dates of each component of the contract.
A.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			
B.	NYS ESD CERTIFIED <input type="checkbox"/> MBE <input type="checkbox"/> WBE			

6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER FORM - OTDA - 4969.

<p>PREPARED BY (Signature):</p> <p>DATE:</p> <p>NAME AND TITLE OF PREPARER (Print or Type):</p> <p>SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR’S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.</p>	<p>TELEPHONE NO.:</p> <p>EMAIL ADDRESS:</p> <p style="text-align: center;">FOR M/WBE USE ONLY</p> <p>REVIEWED BY: _____ DATE: _____</p> <p>UTILIZATION PLAN APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____ Contract No.: _____ Project No. (if applicable): _____</p> <p>Contract Award Date: _____ Estimated Date of Completion: _____ Amount Obligated Under the Contract: _____ Description of Work: _____</p> <p>NOTICE OF DEFICIENCY ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____</p> <p>NOTICE OF ACCEPTANCE ISSUED: <input type="checkbox"/> YES <input type="checkbox"/> NO Date: _____</p>
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Failure to submit this form will result in non-compliance

M/WBE Quarterly Compliance Report

Is this a final report? Check One
 Yes _____ No _____

NYS OTDA Contract No. _____ **Project No.** _____

The following information indicates the payment amounts made by the grantee/contractor to the NYS Certified M/WBE subcontractor on this project. The payments as shown made are in compliance with contract documents for the above referenced project.

Contractors Name and Address		Federal ID#	Goals/\$ Amt.		Contract Type _____					
			MBE ____%= _____		Paid to Contractor This Quarter _____					
			WBE ____%= _____		Total Paid to Contractor To Date _____					
Expenditure Code		Project Completion Date	Work Location		REPORTING PERIOD (BEGINNING 10 DAYS FOLLOWING THE END OF THE FIRST CALENDAR QUARTER):					
					____ 1 st Quarter (4/1-6/30) ____ 3 rd Quarter (10/1-12/31) ____ 2 nd Quarter (7/1-9/30) ____ 4 th Quarter (1/1-3/31)					
M/WBE Subcontractor/Vendor	Product Code*	Work Status This Report	Total Subcontractor Contract Amount		Payments this Quarter		Previous Payments		Total Payment Made to Date	
			MBE	WBE	MBE	WBE	MBE	WBE	MBE	WBE
Name: FED ID#		___ Active ___ Inactive ___ Complete								
Name: FED ID#		___ Active ___ Inactive ___ Complete								
Name: FED ID#		___ Active ___ Inactive ___ Complete								
Name: FED ID#		___ Active ___ Inactive ___ Complete								
Total										

QUARTERLY REPORTS MUST BE SUBMITTED TO OTDA's PROGRAM/CONTRACT MANAGER

Date _____ Name _____ Title _____ Signature _____

*** EXPENDITURE CODE:**

C – Commodities, **SC** – Services/Consultants, **CC** – Construction Consultants, **CN** – Construction

***PRODUCT KEY CODE**

A	=	Agriculture/ Landscaping (e.g., all forms of landscaping services)
B	=	Mining (e.g., geological investigations)
C	=	Construction
C15	=	Building Construction – General Contractors
C16	=	Heavy Construction (e.g., highway, pipe laying)
C17	=	Special Trade Contractors (e.g., plumbing, heating, electrical, carpentry)
D	=	Manufacturing
E	=	Transportation, Communication and Sanitary Services (e.g., delivery services, warehousing, broadcasting and cable systems)
F/G	=	Wholesale/Retail Goods (e.g. hospital supplies and equipment, food stores, computer stores, office supplies)
G52	=	Construction Materials (e.g., lumber, paint, law supplies)
H	=	Financial, Insurance and Real Estate Services
I	=	Services
I73	=	Business Services (e.g., copying, advertising, secretarial, janitorial, rental services of equipment, computer programming, security services)
I81	=	Legal Services
I82	=	Education Services (e.g., AIDS education, automobile safety, tutoring, public speaking)
I83	=	Social Services (Counselors, vocational training, child care)
I87	=	Engineering, architectural, accounting, research, management and related services

WORK FORCE EMPLOYMENT UTILIZATION REPORT

Contract No.:	Reporting Entity: <input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor	Reporting Period: <input type="checkbox"/> January 1, 20__ - March 31, 20__ <input type="checkbox"/> April 1, 20__ - June 30, 20__ <input type="checkbox"/> July 1, 20__ - September 30, 20__ <input type="checkbox"/> October 1, 20__ - December 31, 20__
Contractor's Name:		Report includes: <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Contractor/Subcontractor's total work force
Contractor's Address:		

Enter the total number of employees in each classification in each of the EEO-Job Categories identified.

EEO-Job Category	Total Work force	Work force by Gender		Work force by Race/Ethnic Identification										Disabled		Veteran		
		Male (M)	Female (F)	White (M) (F)		Black (M) (F)		Hispanic (M) (F)		Asian (M) (F)		Native American (M) (F)		(M)	(F)	(M)	(F)	
Officials/Administrators																		
Professionals																		
Technicians																		
Sales Workers																		
Office/Clerical																		
Craft Workers																		
Laborers																		
Service Workers																		
Temporary /Apprentices																		
Totals																		

PREPARED BY (Signature):	TELEPHONE NO.:	DATE:
NAME AND TITLE OF PREPARER (Print or Type):	EMAIL ADDRESS:	
<p>Submit completed form to: Office of Temporary and Disability Assistance 40 North Pearl Street, Albany, NY 12243-0001 Phone Number email www.otda.ny.gov</p>		

General Instructions: The work force utilization (OTDA – 4971) is to be submitted on a quarterly basis during the life of the contract to report the actual work force utilized in the performance of the contract broken down by the specified categories. When the work force utilized in the performance of the contract can be separated out from the contractor's and/or subcontractor's total work force, the contractor and/or subcontractor shall submit a Utilization Report of the work force utilized on the contract. When the work force to be utilized on the contract cannot be separated out from the contractor's and/or subcontractor's total work force, information on the total work force shall be included in the Utilization Report. Utilization reports are to be completed for the quarters ended 3/31, 6/30, 9/30 and 12/31 and submitted to the M/WBE Program Management Unit within 10 days of the end of each quarter. If there are no changes to the work force utilized on the contract during the reporting period, the contractor can submit a copy of the previously submitted report indicating no change with the date and reporting period updated.

Instructions for completing:

1. Enter the number of the contract that this report applies to along with the name and address of the Contractor preparing the report.
2. Check off the appropriate box to indicate if the entity completing the report is the contractor or a subcontractor.
3. Check off the box that corresponds to the reporting period for this report.
4. Check off the appropriate box to indicate if the work force being reported is just for the contract or the Contractor's total work force.
5. Enter the total work force by EEO job category.
6. Break down the total work force by gender and enter under the heading 'Work force by Gender'.
7. Break down the total work force by race/ethnic background and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the M/WBE Program Management Unit at (518) 474-5513 if you have any questions.
8. Enter information on any disabled or veteran employees included in the work force under the appropriate heading.
9. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

RACE/ETHNIC IDENTIFICATION

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

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- **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- **ASIAN & PACIFIC ISLANDER** a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.
- **NATIVE INDIAN (NATIVE AMERICAN/ALASKAN NATIVE)** a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition

OTHER CATEGORIES

- **DISABLED INDIVIDUAL** any person who:
 - has a physical or mental impairment that substantially limits one or more major life activity(ies)
 - has a record of such an impairment; or
 - is regarded as having such an impairment.
- **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.
- **GENDER** Male or Female

USE OF SERVICE-DISABLED VETERAN-OWNED BUSINESS ENTERPRISES

IN CONTRACT PERFORMANCE – OTDA-4200 (1/16)

Article 17-B of the Executive Law enacted in 2014 acknowledges that Service-Disabled Veteran-Owned Businesses (SDVOBs) strongly contribute to the economies of the State and the nation. As defenders of our nation and in recognition of their economic activity in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles. SDVOBs can be readily identified on the directory of certified businesses at http://ogs.ny.gov/Core/docs/CertifiedNYS_SDVOB.pdf.

Bidders/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 of the State Finance Law and the Executive Law to use responsible and responsive SDVOBs in purchasing and utilizing commodities, services and technology that are of equal quality and functionality to those that may be obtained from non-SDVOBs. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses consistent with current State law.

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

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

Bidders/proposers can demonstrate their commitment to the use of SDVOBs by responding to the questions below and including the responses with their bid/proposal:

Are you a bidder/proposer that is a NYS certified SDVOB? Yes ___ No ___

If yes, what is your DSDVBD Control #? _____

Will NYS certified SDVOBs be used in the performance of this contract?

Yes ___ No ___

If yes, identify the NYS certified SDVOBs that will be used below. (If additional space is required, please add to the table below).

SDVOB Name	SDVOB Address	DSDVBD Control #	Contract #

Nature of Participation	% of Total Work Performed	\$ Amount	

Contractor will report on **actual** participation by each SDVOB during the term of the contract to the contracting agency/authority on a quarterly basis according to policies and procedures set by the contracting agency/authority.

NOTE: Information about set asides for SDVOB participation in public procurement can be found <http://www.ogs.ny.gov/Core/SDVOBA.asp> which provides guidance for State agencies in making determinations and administering set asides for procurements from SDVOBs.