



**REQUEST FOR PROPOSALS (RFP) FOR:
STRATEGIC MARKETING INITIATIVE**

**ADVOCATE DRUM (FDRLO)
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Table of Contents

REQUEST FOR PROPOSAL.....3
1.0 Introduction5
2.0 Background5
3.0 Professional Services & Proposal Requirements5
4.0 Disclosure of Proposal Contents - Trade Secrets7
5.0 Proposals7
6.0 Rejections of Proposals7
7.0 Addendum and Amendment to Request for Proposals7
8.0 Proposals Binding7
9.0 Evaluation.....7
10.0 Contact Goals8
11.0 M/WBE Requirements9
12.0 M/WBE Reporting10
13.0 Insurance Requirements10
14.0 Notice of Award11
15.0 Agreement11

ADVERTISEMENT FOR PROPOSAL

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Advocate Drum, is seeking Proposals for a firm to develop and implement a strategic marketing initiative to effectively demonstrate and highlight the economic, cultural and national security value of Fort Drum and the 10th Mountain Division to impacted stakeholders and beneficiaries including Northern New York, New York State and serviced geopolitical audiences.

The RFP can be downloaded from Advocate Drum's website: <https://www.advocatedrum.org>

Important Dates:

October 2, 2024 at 2:00 PM EST: Optional Pre-Proposal Meeting via Zoom

Attendance at this meeting is optional. Contact Nancy Datoush at office@fdrlo.org to obtain the Zoom meeting information.

October 11, 2024 by 4:00 PM EST: Question Period Closes

No questions will be accepted after this date. Answers to questions will be provided as soon as possible; but no later than 3 days prior to the proposal due date.. Answers will be provided to all prospective proposers who have downloaded the proposal package for this project from Advocate Drum's website. An email notification will be sent that informs proposers that new information has been posted to Advocate Drum's website and is available for review and download.

October 23, 2024 at 4:00 PM EST: Electronic Submission of Proposals Due

A copy of the Proposal must be submitted in electronic form, signed by an authorized officer of the Proposer and emailed to OFFICE@FDRLO.ORG Proposals received after the time and date specified above will not be accepted and will be returned.

Primary Point of Contact: Advocate Drum has designated one person who may be contacted by Proposers regarding this procurement. All questions regarding this procurement opportunity should be e-mailed to:

Mike McFadden
Advocate Drum
Phone: (315) 836-1533
Email: msmcfadden@fdrlo.org

Submission of a Proposal constitutes an acknowledgement that the Proposer has thoroughly examined and is familiar with the requirements under this RFP including appendices, forms, and attachments, that it is capable of performing the work to achieve the objectives of Advocate Drum, and that it will accept these terms and conditions unless exceptions are specified in the Proposer's submission. The cover letter submitted with the Proposal must state whether any exceptions are taken to the terms and conditions, and reference the section of the Proposal where such exceptions are detailed.

No contact with any Advocate Drum personnel other than the above-named designated Advocate Drum contact person is allowed until such time as a Notice of Award is issued by Advocate Drum. Violation of this provision may be grounds for immediate disqualification.

If a Proposer believes there is any ambiguity or error in this RFP, the Proposer should immediately notify Advocate Drum's designated contact in writing and request clarification or modification of the RFP. Any modifications or clarifications will be made in writing and will be distributed to all Proposers who have downloaded this RFP from Advocate Drum's website via an email notification that new information is available on Advocate Drum's website.

1.0 Introduction

Advocate Drum is seeking Proposals for a firm to develop and implement a strategic marketing initiative to effectively demonstrate and highlight the economic, cultural and national security value of Fort Drum and the 10th Mountain Division to impacted stakeholders and beneficiaries including Northern New York, New York State and serviced geopolitical audiences. The firm will also provide a detailed plan for promoting this campaign identifying the media sources for advertising/promotion that will provide an optimal return on investment.

The goals are to create a campaign to effectively demonstrate and highlight the economic, cultural and national security value of Fort Drum and the 10th Mountain Division to impacted stakeholders and beneficiaries including Northern New York, New York State and serviced geopolitical audiences. Advocate Drum need their website and ancillary marketing materials updated. The website is www.advocatedrum.org In addition to the campaigns, we would like a plan outlining the optimal media sources to promote our organization, Fort Drum and the 10th Mountain Division with the best return on investment. The initiative has a limited budget of approximately \$40,000 annually for advertising.

2.0 Background

Advocate Drum, legally known as Fort Drum Regional Liaison Organization (FDRLO), is a 501C(4) corporation. Our mission is to protect and enhance Fort Drum's military value, sustain and leverage its economic and cultural significance to the Fort Drum region and New York State, and foster effective communication between the installation and its civilian neighbors to promote mutual support and understanding.

Through the leadership efforts and activities of Advocate Drum, the Department of Defense, the Army and our federal, state and local leaders recognize Advocate Drum as a key partner and community liaison with the knowledge, experience, understanding and ability to resolve issues of significance to Fort Drum and to sustain its notable presence for the betterment of the region. It is vitally important Fort Drum continues to be recognized as being planned for growth; positioned as the northeast's military stronghold; and it has proven partners at the local, state and national level who work together to increase the installation's and the division's Military Value.

Reference Materials:

1. Advocate Drum website: www.advocatedrum.org
2. Advocate Drum marketing materials

3.0 Professional Services & Proposal Requirements

3.1 Strategy

Advocate Drum is seeking Proposals for a firm to develop and implement a marketing strategy outline that addresses three audiences, namely: (A) the North Country populace comprised of Jefferson, Lewis and St. Lawrence counties; (B) Policymaking stakeholders at the local, regional, state and federal levels; and (C) interested and impacted audiences beyond New York State's borders including

neighboring states and provinces. Proposals should integrate a strategy that addresses each of these audiences separately even though the overall goal is demonstrating value of Fort Drum.

3.2 Proposal Requirements

1. Website Design and Rebuild

Design and construct a rebuilt Advocate Drum website, www.advocatedrum.org with the following:

- Design that supports Campaign strategy and media utilizing customer-provided assets including text, images or graphics, and video.
- Utilization of user-friendly content management system such as Wordpress allowing for Advocate Drum staff to edit and create new content.
- Current site map and components can remain, if appropriate.
- Site should be responsive for mobile use.
- Vendor will propose hosting platform and pricing for hosting (either annual or otherwise) for the proposed term and, if desired, beyond.

2. Paid Media

Responders will propose design concept(s) for multimedia placement for customer consideration. Successful vendor will work with Advocate Drum to refine creative, throughout contract and develop necessary updates, i.e. seasonal, adjustments. Deliverables will be the advertising marketing campaign with associated materials, images and graphics. Preference will be given to proposals that develop an attractive design for media placement that can connect the campaign across all targeted audiences.

3.3 Fees

A flat fee rate/hourly rate shall be provided with the Proposal. The basis of fees shall include labor, direct expenses, and markup (overhead and profit). The labor breakdown shall include budgeted hours to perform each task for the Professional Services identified in the Proposal and the staff assigned. This breakdown will be utilized to compare the level of effort proposed and ascertain the value of the services to be provided. If subcontractors are to be utilized please identify their work within the Scope including the number of hours and rates.

3.4 Term

The project must be completed by December 31, 2026.

4.0 Disclosure of Proposal Contents – Trade Secrets

Advocate Drum recognizes and respects that proposals will contain intellectual properties of the submitting organizations. This information will be only be shared with staff and board members for the purposes of consideration and approval. Information provided in your Proposal will, to the extent allowed by law, be held in confidence and will not be revealed or discussed with competitors. If a Proposal contains any information that the Proposer does not want disclosed to the public or used by Advocate Drum for any purpose other than evaluation of the Proposal, each sheet of such information must be marked “CONFIDENTIAL”.

5.0 Proposals

Proposals to this RFP must be in writing, concise in format and composed in clear English grammar. In addition to rejections of proposals stated in Section 6 of this RFP, Advocate Drum reserves the right to reject any Proposal that is, in its judgment, unclear about any terms, obscure, or confusing. Each Proposal must contain all the information necessary to enable Advocate Drum to evaluate it without further inquiry.

All Proposal(s) shall include information as specified in the Bidder’s Checklist in Appendix A:

6.0 Rejections of Proposals

Advocate Drum reserves the right to:

- Amend, modify or withdraw this RFP.
- Require supplementary statements or information from Proposers.
- Extend the deadline for responses to the RFP.
- Reject any or all Proposals received pursuant to this RFP.
- Waive or correct any irregularities, after prior notice to the Proposers.
- Negotiate separately with the top Proposer selected.

7.0 Addendum and Amendment to Request for Proposals

If it becomes necessary to revise or amend any part of this RFP, an email notification will be sent to all prospective Proposers who downloaded this RFP from Advocate Drum’s website stating that a new document is available for download on Advocate Drum’s website.

8.0 Proposals Binding

All Proposals are submitted at the sole cost and expense of the Proposer. All Proposals submitted shall be binding on Proposers for ninety (90) calendar days following opening of the Proposals.

9.0 Evaluation

Advocate Drum will evaluate Proposals based on a both cost and technical expertise.

In selecting a Proposer under this RFP, the following will be considered:

1. Project approach & Innovation

- Priority will be placed on proposals that demonstrate creativity and a unique approach.
 - Have a strong working knowledge or past experience in working with a defense community.
 - Ability to complete the project by December 31, 2026.
2. Qualifications of personnel/project team & records of past performance
 - Related project and general experience of team
 - Experience of key project team members
 - Projects of similar scope
 - Ability to meet schedules
 - Working relationships
 3. Fee proposal as it reflects the activities and requirements of the Professional Services for this project

Advocate Drum reserves the right to negotiate costs with one or more of the top ranked Proposers. Final selection will not be made solely on the basis of cost and Advocate Drum reserves the right to award to other than the lowest submitted Proposal, or to reject all Proposals.

By submission of its Proposal, the Proposer authorizes Advocate Drum to investigate the qualifications of the Proposer under consideration, including pending criminal or civil investigations, to require confirmation of information furnished by a Proposer, and to require additional evidence of qualifications to perform the Professional Services described in this RFP or information clarifying their submissions. Advocate Drum reserves the right to reject any and all Proposals submitted and/or to request additional information from all Proposers.

Advocate Drum staff will promptly review each submission and evaluate all those deemed qualified, responsible and responsive. Advocate Drum reserves absolute discretion to accept or reject any and all Proposals and recommendations, and to award or reject any Contract, and to waive any irregularity in the Proposals.

10.0 Contract Goals

For purposes of this RFP, Advocate Drum hereby establishes an overall goal of 30% for MWBE participation, based on the current availability of qualified MBEs and WBEs.

For the purpose of providing meaningful participation by MWBEs on the Contract and achieving the MWBE Contract Goals established in this Section, the Contractor should reference the directory of MWBEs at the following internet address: <https://ny.newnycontracts.com/>.

Additionally, the Contractor is encouraged to contact the Division of Minority and Woman Business Development ((518) 292-5250; (212) 803-2414) to discuss additional methods of maximizing participation by MWBEs on the Contract.

The Contractor understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal.

The Contractor must document “good faith efforts,” pursuant to 5 NYCRR § 142.8, to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. Such documentation shall include, but not necessarily be limited to:

1. Evidence of outreach to MWBEs;
2. Any responses by MWBEs to the Contractor’s outreach;
3. Copies of advertisements for participation by MWBEs in appropriate general circulation, trade, and minority or women-oriented publications;
4. The dates of attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by Advocate Drum with MWBEs; and,
5. Information describing specific steps undertaken by the Contractor to reasonably structure the Contract scope of work to maximize opportunities for MWBE participation.

11.0 M/WBE Requirements By submitting a proposal, a Proposer agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals 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 Proposer may arrange to provide such evidence via a non-electronic method directly to Advocate Drum Point of Contact named in this RFP.

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

- A. Bidders are required to complete and submit with their Bid the NYS MWBE Staffing Plan (OCSD-2) and the MWBE Utilization Plan (OCSD-4) **See Appendix B**. Any modifications or changes to an accepted 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 Advocate Drum for review and approval. Advocate Drum will review the revised MWBE Utilization Plan and advise the Bidder of Advocate Drum’s acceptance or issue a notice of deficiency within 30 days of receipt.
- B. If a notice of deficiency is issued, the Contractor will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to Advocate Drum, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by Advocate Drum to be inadequate, Advocate Drum shall notify the Contractor and direct the Contractor to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals by completing the MWBE Request for Waiver Form (**See Appendix B**). Failure

to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

12.0 M/WBE Reporting The successful Proposer 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 Advocate Drum, but must be made no later than prior to the submission of a request for final payment on the Contract.

Contractors are required to submit an MWBE Monthly Payment Report through the NYSCS, provided, however, that the Contractor may arrange to provide such report via a non-electronic method to Advocate Drum, no later than the 7th day following the end of each month for the duration of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract. Only actual payments made to MWBE subcontractors during the reporting month should be entered for that month's payment activity. The monthly report shall be submitted even if there were no MWBE payments for that month with zeroes being entered for that month's payments. Contractor must also submit with its report, copies of invoices from MWBE subcontractors/suppliers for work performed / supplies purchased for the contract and proof of payment of those invoices. Acceptable proofs of payment include a copy of a cancelled check to the subcontractor for the invoice amount or a copy of a bank statement highlighting the payment(s) to the subcontractor(s)/supplier(s). MWBE Monthly Payment Report Forms and Instructions can be found at <https://www.advocatedrum.org>

13.0 Insurance Requirements

Proof of insurance is required within three days of Notice of Award. No Contract shall be prepared in final form until the certificates of insurance are approved by Advocate Drum or its designee. All Proposers are subject to the Insurance Requirements as specified in this Section 16. Insurance required includes Workers' Compensation and Disability Insurance coverage as required by Sections 57 and 220(8) of the WCL on forms where a certificate holder can be indicated, the Proposer is required to ensure the carrier has entered the Fort Drum Regional Liaison Organization as the certificate holder, and the insurance carrier must notify Advocate Drum in writing before a policy is canceled. **An ACORD form is NOT acceptable proof of New York State workers' compensation or disability benefits insurance coverage.** The successful Proposer must submit the proof of insurances described in below.

13.1 Proof of Workers' Compensation Coverage. Prior to executing the Contract, and annually upon any renewals, the Proposer must provide one of the following forms to Advocate Drum as proof of Workers' Compensation Coverage:

- **Form C-105.2** – Certificate of Workers' Compensation Insurance issued by private insurance carriers; OR
- **Form U-26.3** issued by the State Insurance Fund ;OR
- **Form SI-12**– Certificate of Workers' Compensation Self-Insurance; OR
- **Form GSI-105.2** Certificate of Participation in Workers' Compensation Group

Self-Insurance; **OR**

- **CE-200**– Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

13.2 Proof of Disability Benefits Coverage. Prior to executing the Contract, and annually upon any renewals, the Proposer also must provide proof of coverage for Disability Benefits as required by the Workers' Compensation Board. To comply, Proposer must provide by Advocate Drum one of the following forms, which Advocate Drum may submit to the Office of State Comptroller to prove the Proposer has appropriate disability benefits insurance coverage:

- **Form DB-120.1** - Certificate of Disability Benefits Insurance; **OR**
- **Form DB-155** - Certificate of Disability Benefits Self-Insurance; **OR**
- **CE-200** – Certificate of Attestation of Exemption from New York State Workers' Compensation and/or Disability Benefits Coverage.

13.3 Commercial General Liability, Automobile, and Professional Liability. Prior to executing the Contract, and annually upon any renewals, the Proposer must provide proof of coverage.

14.0 Notice of Award

Advocate Drum shall incur no liability or obligation to any Proposer except pursuant to a written Contract for the Professional Services in this RFP that is duly executed by the successful Proposer and Advocate Drum as provided in Section 15 of this RFP. If Advocate Drum selects a Proposer to provide the Professional Services, it will issue a Notice of Award to the successful Proposer and other Proposers will be notified of their non-selection. A debriefing between Advocate Drum and any Proposer may be requested within 30 days from the date of the notification of non-selection.

15.0 Agreement

If Advocate Drum issues a Notice of Award and the successful Proposer has submitted all required insurance certificates to Advocate Drum, the contractor will prepare the Contract for all the Professional Services, including the terms, conditions and costs for the Professional Services to be mutually agreed upon by the selected Proposer and Advocate Drum consistent with this RFP and the Proposal. The term of the Contract will be December 31, 2026. If Contractor desires any changes to the Contract, it shall notify Advocate Drum in writing at least 90 days before the expiration of the then-current term of the Contract. If Advocate Drum agrees to any such changes, or the parties mutually agree to changes, Advocate Drum will prepare a Contract Amendment, which shall be binding only upon execution by both parties. If the Contractor and Advocate Drum do not reach mutual agreement on any such changes, the Contract will automatically expire upon the expiration of the then-current term.

APPENDIX A – BIDDER’S CHECKLIST

Project Name: LARP Working Capital Project

Procurement ID#: 137,380

Please submit a copy of this Bidder’s Checklist along with completed copies of all the documents that are **checked** below. Please submit the completed documents in the order they appear below.

- Website Design & Rebuilt proposal and fee
- Paid Media: design, campaign proposal, and fee
- Fee Structure
- Project Team description & bios
- Project Examples
- References

APPENDIX B – BIDDER’S CHECKLIST

Project Name: LARP Working Capital Project

Procurement ID#: 137,380

Please submit a copy of this Bidder’s Checklist along with completed copies of all the documents that are **checked** below. Please submit the completed documents in the order they appear below.

- _____ NYS M/WBE Forms
 - OCSD-2
 - OCSD-4



OCSD-2 - STAFFING PLAN

(REQUIRED ONLY OF CONTRACTS VALUED AT \$250,000 OR MORE)

OFFICE OF CONTRACTOR AND SUPPLIER DIVERSITY

Submit with Bid or Proposal – Instructions on page 2

Contract/Project No.: 137,380	Contract/Project Title: LARP Working Capital Project	Report includes Contractor's/Subcontractor's: <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Total work force <input type="checkbox"/> Prime Contractor <input type="checkbox"/> Subcontractor
Contractor/Grantee Name:		Subcontractor's name _____
Contractor/Grantee 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																													
		Total Male (M)	Total Female (F)	Total X (X)	White			Black			Hispanic			Asian			Native American			Disabled			Veteran											
					(M)	(F)	(X)	(M)	(F)	(X)	(M)	(F)	(X)	(M)	(F)	(X)	(M)	(F)	(X)	(M)	(F)	(X)	(M)	(F)	(X)									
Officials/Administrators																																		
Professionals																																		
Technicians																																		
Sales Workers																																		
Office/Clerical																																		
Craft Workers																																		
Laborers																																		
Service Workers																																		
Temporary /Apprentices																																		
Totals																																		

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



OCSD-2 - STAFFING PLAN

(REQUIRED ONLY OF CONTRACTS VALUED AT \$250,000 OR MORE)

OFFICE OF CONTRACTOR AND SUPPLIER DIVERSITY

General Instructions: All Contractors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (Form OCSD-2) 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 Contractor 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 Contractor shall complete this form for the contractor's and/or Subcontractor's total work force.

Instructions:

- 1. Enter the Contract or Solicitation number that this report applies to along with the name and address of your company or organization.
- 2. Check off the appropriate box to indicate if the Contractor 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 Contractor's 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 M/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 and contact details of 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:

- o **WHITE** (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- o **BLACK** a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.
- o **HISPANIC** a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- o **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.
- o **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:

- o **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.
- o **VIETNAM ERA VETERAN** a veteran who served at any time between and including January 1, 1963 and May 7, 1975.
- o **GENDER** Male, Female, or "X"



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 MWBE and SDVOB 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) and/or Service Disabled Veteran Owned Business (SDVOB) under the contract. Attach additional sheets if necessary.

* indicates mandatory fields

* Contractor Name: _____
 * Representative Name: _____
 * Phone: _____
 * Fax: _____
 * Email: _____
 * Total Dollar Value of Contract/Grant: \$ _____

Address: _____
 Town, State & Zip: _____
 * ESD Contract/Project Number: _____
 RFP/RFC/Solicitation Number: _____
 * MWBE Goal: MBE _____% + WBE _____% = MWBE GOAL _____%
 * SDVOB Goal: _____%

1. * Certified MWBE or SDVOB Firm Name, Contact Person's Name, Address, Phone and Email.	2. * Check All That Apply	3. * Federal ID No.	4. * Detailed Description of Work (Attach additional sheets, if necessary, Attach Contract if available)	5. * Check Firm Type That Applies for Work Completed on this Project	6. * Dollar Value of Contract (if unavailable or yet undetermined, indicate \$1)
A.	<u>NYS CERTIFIED</u> <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> SDVOB			<input type="checkbox"/> Subcontractor <input type="checkbox"/> Subconsultant <input type="checkbox"/> Materials Supplier <input type="checkbox"/> Trade Agents/Brokers	
B.	<u>NYS CERTIFIED</u> <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> SDVOB			<input type="checkbox"/> Subcontractor <input type="checkbox"/> Subconsultant <input type="checkbox"/> Materials Supplier <input type="checkbox"/> Trade Agents/Brokers	



Empire State Development

OFFICE OF CONTRACTOR AND SUPPLIER DIVERSITY
MWBE AND SDVOB UTILIZATION PLAN

OCSD-4

7. If unable to fully meet the MWBE and/or SDVOB goals set forth in the contract, the Contractor must submit a Waiver Request form, which may be obtained from the Office of Contractor and Supplier Diversity, at OCSD@ESD.NY.GOV.

PREPARED BY (Signature): _____ DATE: _____
Preparer's Name (Print or Type): _____
Preparer's Title: _____
Date: _____

SUBMISSION OF THIS FORM CONSTITUTES THE CONTRACTOR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE MWBE AND SDVOB REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW ARTICLES 15-A AND 17-B, 5 NYCRR PART 143, 9 NYCRR PART 252, 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.

The MWBE Certification status of the firms listed on this form MUST be verified using the New York State Contract System's Directory of Certified Minority and Women-owned Business Enterprises.

This directory is available at https://ny.newnycontracts.com.

The SDVOB Certification status of the firms listed on this form MUST be verified using the Directory of New York State Certified Service-Disabled Veteran-Owned Businesses.

This directory is available at https://online.ogs.ny.gov/SDVOB/search.

TELEPHONE NO.:

EMAIL ADDRESS:

Policy Regarding Use of MWBE Suppliers and Brokers

Only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal.

FOR CONSTRUCTION/CAPITAL PROJECTS - The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60% of the total value of the contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE.

FOR ALL OTHER PROJECTS - The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25% of the total value of the contract.

** FOR OCSD USE ONLY **

REVIEWED BY:

DATE:

UTILIZATION PLAN APPROVED?

[] YES [] PARTIAL [] NO Date: