

**ATTACHMENT 1: SUBMISSION CHECKLIST
C000637 – Implicit Bias Training**

Bidder Name

Date

Technical Proposal:

1. Did the Bidder provide a complete electronic version of the Technical Proposal? Yes No
2. Does the proposal contain all components of the Technical Proposal, as stated below?
A. Table of Contents Yes No
B. Attachment 8 - Minimum Bidder Qualifications Certification Yes No
C. Executive Summary Yes No
D. Staffing Resumés, Relevant Experience, and References Yes No
E. Proposed Training plan - including pre-session assessment and post-session assessment Yes No
3. Is the Technical Proposal no more than 15 pages as outlined in Section 5.2 of the RFP? Yes No

Cost Proposal:

1. Did Bidder provide a complete and responsive electronic version of the Cost Proposal? Yes No
2. Did Bidder complete and sign Attachment 9: Cost Proposal Response Form? Yes No

Administrative Proposal:

1. Did Bidder provide a complete electronic version of the Administrative Proposal? Yes No
2. Did Bidder submit signed copies of:
 - Attachment 2: Bidder Information and Attestation Yes No
 - Attachment 3: New York State Required Certifications Packet Yes No
 - Attachment 4: MWBE and Equal Employment Opportunities Requirements (Attachments 4.1, and 4.2) Yes No
 - Attachment 5: Response to the Diversity Practices Questionnaire, with supporting documents (Attachment 5.1 and 5.2) Yes No
 - Attachment 6: Vendor Responsibility Questionnaire (hardcopy or submitted electronically in the State's VendRep system) for the Bidder and any subcontractor anticipated to receive a subcontract in excess of \$100,000 Yes No

ATTACHMENT 2: BIDDER INFORMATION AND ATTESTATION

PLEASE SUBMIT WITH ADMINISTRATIVE PROPOSAL

Please Note: A “No” response to questions three through seven (3-7) may be grounds for disqualification from this procurement.

RFP Name: _____				
Proposal Date: _____				
1	Information Regarding the Bidder’s Company:	Name: _____		
		Address: _____		
		City, State, Zip Code: _____		
		Telephone Number: _____		
		Taxpayer ID: _____		
		NYS Vendor ID: _____		
2	Primary Contact Concerning this Proposal:	Name: _____		
		Title: _____		
		Address: _____		
		City, State, Zip Code: _____		
		Telephone Number: _____		
		Email address: _____		
3	Irrevocable Offer:	The rates quoted are an irrevocable offer that is good through the execution of a Contract.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4	Willingness to Perform All Services:	The Bidder is willing to, and capable of performing all of the deliverables and services described in this RFP.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5	Bidder Guarantees:	The Bidder certifies it can and will provide and make available, at a minimum, all services set forth in the RFP.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6	Bidder Warranties:	<ol style="list-style-type: none"> 1. Bidder warrants that it is willing and able to comply with New York laws with respect to foreign (non-New York) corporations. 2. Bidder warrants that it is willing and able to obtain all insurance as outlined in Appendix F – Department Insurance Requirements. 3. Bidder warrants that it will not delegate or subcontract its responsibilities under a Contract without the written permission of the Department. 4. Bidder warrants that all information provided by it in connection with this proposal is true and accurate. 	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7	RFP and Contractual Requirements:	<ol style="list-style-type: none"> 1. The Bidder agrees to be bound by the Contractual Requirements found in this solicitation. 2. The Contractor has read Section 7, Reservation of Rights, and agrees that the rights and prerogatives as detailed in that Section are retained by the 	<input type="checkbox"/> Yes	<input type="checkbox"/> No

		<p>Department.</p> <p>3. The Bidder has read, understands, and accepts the provisions of Appendix A - Standard Clauses for NYS Contracts, and Appendices C, D and E, without change or amendment.</p>		
8	<p>The undersigned certifies that they are duly elected and authorized officer of the company and that, as such, are authorized to sign this Request for Proposal (RFP), on behalf of the company, to obligate the company to comply with all of the terms and conditions placed on this RFP, and in connection with this RFP to make, execute and deliver on behalf of the company all attachments, contract agreements, representations and instruments of every kind.</p> <hr/> <p>Typed or Printed Name of Authorized Representative of the Bidder</p> <hr/> <p>Title/Position of Authorized Representative of the Bidder</p> <hr/> <p>Signature</p> <hr/> <p>Date</p>			



Non-Collusive Bidding Certification Required By Section 139-D of the State Finance Law

By submission of this response, the Offerer and each person signing on behalf of Offerer certifies, and in the case of joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his/her knowledge and belief:

- 1. The prices of this response have been arrived at independently, without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other Offerer or with any competitor;
2. Unless otherwise required by law, the prices which have been quoted in this response have not been knowingly disclosed by the Offerer and will not knowingly be disclosed by the Offerer prior to opening, directly or indirectly, to any other Offerer or to any competitor; and
3. No attempt has been made or will be made by the Offerer to induce any other person, partnership or corporation to submit or not to submit a response for the purpose of restricting competition.

A response shall not be considered for award nor shall any award be made where [1], [2], AND [3] above have not been complied with; provided however, that if in any case the Offerer(s) cannot make the foregoing certification, the Offerer shall so state and shall furnish below a signed statement which sets forth in detail the reasons therefore:

[Affix addendum to this page if space is required for statement.]

Subscribed to under penalty of perjury under the laws of the State of New York, this _____ day of _____ the act and deed of said corporation or partnership.

Table with two main sections: 'If offerer(s) is (are) a partnership, complete the following' and 'If offerer(s) is (are) a corporation, complete the following'. The first section has columns for 'Names of Partners/Principals' and 'Legal Residence'. The second section has columns for 'Name' and 'Legal Residence' with rows for 'President', 'Secretary', and 'Treasurer'.



New York State Required Certifications (page 2 of 11)

Non-Collusive Bidding Certification Required By Section 139-D of the State Finance Law continued

Identifying Data

Offerer

Title

Street Address

City State Zip Code

Telephone Fax

If applicable, Responsible Corporate Officer

Name

Title

Signature

Date

Joint or combined responses by multiple Offerers must be certified on behalf of each participant.
Legal name of person, firm or corporation

By: Name

Title

Street Address

City State Zip Code



Offerer’s Certification of Adherence to Executive Order 177 Regarding Anti-Discriminatory Policies and Practices

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy- related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Offerer hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Offerer Certification: *I certify adherence to Executive Order No. 177*

Signature

Date

Printed Name

Title

Offerer Name

Offerer Street Address

City

State

Zip Code



Procurement Lobbying Restrictions

Pursuant to State Finance Law §§139-j and 139-k, certain restrictions are placed on contact with state agencies during the procurement process. The term “Contact” is defined by statute and refers to those oral, written or electronic communications that a reasonable person would infer are attempts to influence the governmental procurement. In addition to obtaining the required identifying information, the state agency must inquire and record whether the person or organization that made the contact was the Offerer or was retained, employed or designated on behalf of the Offerer to appear before or contact the Governmental Entity.

The “Restricted Period” is the period of time commencing with the earliest date of written notice, advertisement or solicitation of a request for proposal, invitation for bids, or solicitation of proposals, or any other method for soliciting a response from Offerers intending to result in a Procurement Contract with a State agency and, ending with the final contract award and approval by, where applicable, the Office of the State Comptroller.

New York State employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4-year period; the Offerer is debarred from obtaining governmental procurement contracts. Further information about these requirements can be found at: <https://ogs.ny.gov/acpl>.

Any Offerer responding to the solicitation must complete the form found below and submit it to the State agency.



Offerer's Certification of Adherence to New York State Finance Law

1. Offerer certifies that it understands and agrees to comply with the procedures of the NYS and or the contracting agency relative to permissible contacts as required by State Finance Law Section 139-j(3) and Section 139-j(6)(b).

2. CONTRACTOR DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS Pursuant to Procurement Lobbying Law (SFL §139-j)

(a) Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? Yes No

(b) If "Yes," was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j? Yes No

(c) If "Yes," was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a governmental entity? Yes No

3. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Government Entity:

Date of Finding of Non-responsibility:

Basis of Finding of Non-responsibility (attach additional sheets as necessary):

4. Has any governmental entity terminated or withheld a procurement contract with the above-named individual or entity due to the intentional provision of false or incomplete information? Yes No

5. If yes, please provide details below:

Government Entity:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding (add additional pages if necessary)



Offerer's Certification of Adherence to New York State Finance Law

Offerer certifies that all information provided to NYS or the contracting agency, with respect to State Finance Law Section 139-k is complete, true and accurate.

Name of Offerer(s)

Offerer's Business Address

City **State** **Zip Code**

Offerer's Signature

Date

I understand that my signature represents that I am signing and responding to all certifications listed above.

Printed Name

Title of Person Signing this Form



Sexual Harassment Prevention Certification Form

State Finance Law Section 139-L

By submission of this bid, each Offerer and each person signing on behalf of any Offerer certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the Offerer has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g (201g) of the labor law.

Company Name:

Signature

Date

Printed Name of Person Signing this Form

Title of Person Signing this Form

If the above certification cannot be made, the Offerer must submit a signed statement below and/or attached detailing the reasons why the certification cannot be made.

Company Name:

Signature

Date

Printed Name of Person Signing this Form

Title of Person Signing this Form



Freedom of Information Law Redaction Request

Freedom of Information Law

New York State’s Freedom of Information Law (FOIL) (Public Officers Law, Article 6, Sections 84-90), available at: <https://www.dos.ny.gov/coog/foil2.html>, promotes the public’s right to know the process of governmental decision- making and grants maximum public access to governmental records. Pursuant to Section 87(2)(d) of FOIL, a State agency may deny access to those portions of proposals or portions of a successful Offerer’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.

It is an Offerer’s responsibility to consult an attorney with any questions the Offerer may have about New York State’s Freedom of Information Law. All work products in Offerer’s bid response may also be subject to FOIL disclosure.

The Offerer must provide to New York State or the contracting agency all information, records, and other written material it produces, possesses, or relies upon if such material is the object of a legitimate request to the New York State or the contracting agency pursuant to the Freedom of Information Law.

The Offerer should indicate below if there is specific information in an Offerer’s proposal that an Offerer claims to be proprietary and/or trade secret information that meets the definition set forth in Section 87(2)(d), the Offerer should provide a letter in its Administrative Proposal outlining any specific concerns regarding disclosure under the New York State Freedom of Information Law (Article 6 of the Public Officers Law).

Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission by the Offerer. The State will not honor any attempt by an Offerer either to designate its entire bid proposal as proprietary and/or to claim copyright protection for its entire proposal. Please note that all information that an Offerer may claim as proprietary, copyrighted or rights-reserved is not necessarily protected from disclosure under FOIL.

New York State’s or a contracting agency’s receipt/acceptance of the claimed materials does not constitute a determination on the exemption request, which determination will be made in accordance with statutory procedures.

Failure to identify the information which an Offerer believes should be protected by Section 87(2)(d) may result in such information being disclosed if a request is received.

Is the Offerer submitting a Freedom of Information Law Redaction request?▶ Yes No

If Yes, Offerer should include the specific details of its request as part of the Offerer’s Administrative Proposal.

Offerer’s Name:

Printed Name of Person Signing this Form

Title of Person Signing this Form

Signature

Date



Offerer’s Certification of Adherence to Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found [here](#).

The Executive Order remains in effect while sanctions imposed by the federal government are in effect.

Accordingly, Offerers who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership. Is Offerer an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

- 1. No, Offerer does not conduct business operations in Russia within the meaning of Executive Order No. 16.
- 2a. Yes, Offerer conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)
- 2b. Yes, Offerer conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)
- 3. Yes, Offerer conducts business operations in Russia within the meaning of Executive Order No. 16

The undersigned certifies under penalties of perjury that they are knowledgeable about the Offerer’s business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Offerer’s Name (legal entity)

Signature

Date

Printed Name of Person Signing this Form

Title of Person Signing this Form



Offerer Assurance of No Conflict of Interest or Detrimental Effect

The Offerer proposing to provide services pursuant to this solicitation, as a contractor, joint venture contractor, subcontractor, or consultant, attests that its performance of the services outlined in this solicitation does not and will not create a conflict of interest with nor position the Offerer to breach any other contract currently in force with the State of New York. Furthermore, the Offerer attests that it will not act in any manner that is detrimental to any State project on which the Offerer is rendering services.

Specifically, the Offerer attests that:

1. The fulfillment of obligations by the Offerer, as proposed in the response, does not violate any existing contracts or agreements between the Offerer and the State;
2. The fulfillment of obligations by the Offerer, as proposed in the response, does not and will not create any conflict of interest, or perception thereof, with any current role or responsibility that the Offerer has regarding any existing contracts or agreements between the Offerer and the State;
3. The fulfillment of obligations by the Offerer, as proposed in the response, does not and will not compromise the Offerer's ability to carry out its obligations under any existing contracts between the Offerer and the State;
4. The fulfillment of any other contractual obligations that the Offerer has with the State will not affect or influence its ability to perform under any contract with the State resulting from this Solicitation;
5. During the negotiation and execution of any contract resulting from this Solicitation, the Offerer will not knowingly take any action or make any decision which creates a potential for conflict of interest or might cause a detrimental impact to the State including, but not limited to, any action or decision to divert resources from one State project to another;
6. In fulfilling obligations under each of its State contracts, including any contract which results from this Solicitation, the Offerer will act in accordance with the terms of each of its State contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to the State including, but not limited to, any action or decision to divert resources from one State project to another;
7. No former officer or employee of the State who is now employed by the Offerer, nor any former officer or employee of the Offerer who is now employed by the State, has played a role with regard to the administration of this contract procurement in a manner that may violate section 73(8)(a) of the State Ethics Law; and
8. The Offerer has not and shall not offer to any employee, member or director of the State any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

Offerer(s) responding to this Solicitation should note that the State recognizes that conflicts may occur in the future because an Offerer may have existing or new relationships. The State will review the nature of any such new relationship and reserves the right to terminate the contract for cause if, in its judgment, a real or potential conflict of interest cannot be cured.

Offerer's Name (legal entity)

Title

By, Name (please print)

Signature

Date

This form must be signed by an authorized executive or legal representative.



Gender-Based Violence and the Workplace Certification

New York State Finance Law §139-M requires bidders on competitive state procurements to certify that they have a written policy addressing gender-based violence and the workplace and that such policy meets the following minimum requirements:

- **Share Information:** Employers must provide information regarding gender-based violence where employees can see and access it, including displaying the NYS Domestic and Sexual Violence Hotline information and a gender-based violence and the workplace poster.
- **Refer Employee-Survivors to Services:** The policy must require that the employer refer employees who disclose current or past victim status to the NYS Domestic and Sexual Violence Hotline and/or a local service provider. For bidders outside of New York State, referrals should be made to a local provider or statewide hotline. While referrals are required to be provided by the employer, it is not required for the employee to access services.
- **Prohibit Retaliation:** The policy must clearly state that discrimination or retaliation against employees who identify as victims or survivors of gender-based violence is prohibited.
- **Comply with Laws:** Ensure your policy follows State law. For employers based in New York State, this means that the policy must follow the SAFE Leave Act, New York State Human Rights Law, and any other relevant laws and regulations.
- **Offer Implementation Support:** OPDV is able to assist employers in developing and implementing this policy. Employers must provide information to supervisors and human resources, where available, about this technical assistance from OPDV. OPDV can be contacted at workplace@opdv.ny.gov.

By submission of this certification, each person signing on behalf of any organization certifies, and in the case of a joint submission each party thereto certifies its own organization, under penalty of perjury, that they have and have implemented a written policy addressing gender-based violence and the workplace.

Organization’s signature below certifies its compliance with State Finance Law §139-M.

Organization: _____

By (signature): _____

Name (Please Print): _____

Title: _____

Date: _____

This form must be signed by an authorized executive or legal representative.

If the organization cannot make the above certification, they must provide a statement with their bid detailing the reasons therefor:

ATTACHMENT 4: MWBE AND EQUAL EMPLOYMENT OPPORTUNITIES REQUIREMENTS

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE EXECUTIVE LAW, ARTICLE 15-A (PARTICIPATION BY MINORITY GROUP MEMBERS AND WOMEN WITH RESPECT TO STATE CONTRACTS)

By submitting a bid or proposal, a Bidder will be required to submit the following documents and information as evidence of compliance with the requirements and procedures established in Section 8 of this RFP:

- A. Bidder agrees to submit with the bid a Workforce Composition Plan (Attachment 4.1) identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to the Department, a workforce utilization report identifying the workforce actually utilized on the Contract if known.
- B. Bidders are required to submit a Minority- and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement (Attachment 4.2) to the Department with its bid or proposal. If Bidder, or any of its subcontractors, does not have an EEO Policy, the Department may require the Contractor or subcontractor to adopt the attached model statement.

Please Note: Failure to comply with the 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 of enforcement proceedings as allowed by the Contract.

Attachments:

- Attachment 4.1 – Workforce Composition Form
- Attachment 4.2 – Minority and Women-Owned Business Enterprises – Equal Employment Opportunity Policy Statement - If Bidder, or any of its subcontractors, does not have an existing EEO policy statement, the Department may require the Bidder or subcontractor to adopt the attached model statement.

ATTACHMENT 4.1: WORKFORCE COMPOSITION FORM

INSTRUCTIONS: All Contractors submitting responses to this procurement must complete and submit this Workforce Composition Form as part of their proposal. Contractors should include only the staff that will provide services under this procurement.

Contractor Name:	Federal Identification No.:
Address:	Procurement No.:
City, State, Zip Code:	

Description of Work:

Enter the total number of incumbents by race, sex, and ethnic group status in each of the EEO – Job Categories identified. See below for information regarding race/ethnicity identification and protected class group members.

EEO – JOB CATEGORY	TOTAL	MALE (M)	FEMALE (F)	WHITE		BLACK		HISPANIC		ASIAN		NATIVE AMERICAN		DISABLED		VETERAN	
				M	F	M	F	M	F	M	F	M	F	M	F		
Officials/Administrators																	
Professionals																	
Technicians																	
Sales Workers																	
Office/Clerical																	
Craft Workers																	
Laborers																	
Service Workers																	

_____ PREPARED BY (Signature)	_____ Date
_____ PRINTED OR TYPED NAME AND TITLE OF PREPARER	_____ TELEPHONE NO. EMAIL ADDRESS

CLASS DEFINITIONS

Hispanic – All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native – All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Vietnam Era Veteran – A veteran who served at any time between and including January 1, 1963 and May 7, 1975.

Black (Not of Hispanic origin) – All persons having origins in any of the Black racial groups of Africa.

Asian or Pacific Islander – All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

Disabled Individual – Any person having a physical or mental impairment that substantially limits one or more major life activity, has a record of such an impairment; or is regarded as having such an impairment.

Attachment 5: MWBE DIVERSITY PRACTICES

Pursuant to New York State Executive Law §313-a, and 5 NYCRR §142.3, all agencies and authorities must evaluate the diversity practices of Bidders to best value procurements expected to exceed \$250,000, whenever practical, feasible and appropriate. Evaluating diversity practices of Bidders as part of the procurement process provides contractors with an incentive to develop mutually beneficial relationships with New York State certified MWBEs outside of the context of state contracting. These relationships help to build the capacity of MWBEs and enhance their ability to perform ever increasing roles in state contracting.

Diversity practices are intended to be applied on procurements in which agency personnel exercise their subjective judgment in selecting one or more successful contractors on the basis of best value, not on procurements that are awarded based on lowest price.

For this procurement, the Department has determined, pursuant to New York State Executive Law Article 15-A, that the assessment of the diversity practices of Bidders to this solicitation is practical, feasible and appropriate.

Accordingly, Bidders are required to submit responses, including documentation, to the Diversity Practices Questionnaire, Attachment 5.1, to the Department as part of its Administrative Proposal. The questionnaire consists of seven (7) questions for Bidders to answer. Please note that some questions request supporting documentation to support certain answers. A scoring rubric for the Diversity Practices Questionnaire can be found in Attachment 5.2

Attachments:

- Attachment 5.1 – Diversity Practices Questionnaire
- Attachment 5.2 – Diversity Practices Scoring Matrix

Attachment 5.1: DIVERSITY PRACTICES QUESTIONNAIRE

I, _____, as _____ (title) of _____ firm or company (hereafter referred to as the company), swear and/or affirm under penalty of perjury that the answers submitted to the following questions are complete and accurate to the best of my knowledge:

1. Does your company have a Chief Diversity Officer or other individual who is tasked with supplier diversity initiatives? Yes or No

If Yes, provide the name, title, description of duties, and evidence of initiatives performed by this individual or individuals. No points will be awarded if the response simply identifies an individual or individuals.

2. What percentage of your company's gross revenues (from your prior fiscal year) was paid to New York State certified minority and/or women-owned business enterprises as subcontractors, suppliers, joint-venturers, partners or other similar arrangement for the provision of goods or services to your company's clients or customers?

3. What percentage of your company's overhead (i.e., those expenditures that are not directly related to the provision of goods or services to your company's clients or customers) or non-contract-related expenses (from your prior fiscal year) was paid to New York State certified minority- and women-owned business enterprises as suppliers/contractors?¹

4. Does your company provide technical training² to minority- and women-owned business enterprises? Yes or No

If Yes, provide a description of such training which should include, but not be limited to, the date the program was initiated, the names and the number of minority- and women-owned business enterprises participating in such training, the number of years such training has been offered and the number of hours per year for which such training occurs.

5. Is your company participating in a government approved minority- and women-owned business enterprise mentor-protégé program?

If Yes, identify the governmental mentoring program in which your company participates and provide government-generated evidence, such as an agreement or acceptance letter, demonstrating the extent of your company's commitment to the governmental mentoring program. Government-generated documentation supporting your company's participation in a mentoring program must be provided to receive points.

6. Does your company include specific quantitative goals for the utilization of minority- and women-owned business enterprises in its non-government procurements? Yes or No

If Yes, provide a description of such non-government procurements (including time period, goal, scope and dollar amount) and indicate the percentage of the goals that were attained.

¹ Do not include onsite project overhead.

² Technical training is the process of teaching employees how to more accurately and thoroughly perform the technical components of their jobs. Training can include technology applications, products, sales and service tactics, and more. Technical skills are job-specific as opposed to soft skills, which are transferable.

7. Does your company have a formal minority- and women-owned business enterprise supplier diversity program? Yes or No
If Yes, provide documentation of program activities and a copy of policy or program materials.

All information provided in connection with the questionnaire is subject to audit and any fraudulent statements are subject to criminal prosecution and debarment.

Signature of
Owner/Official

Printed Name of
Signatory

Title

Name of Business

Address

City, State, Zip

STATE OF _____
COUNTY OF _____) ss:

On the _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of _____, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this certification and said person executed this instrument.

Notary Public

Attachment 5.2: DIVERSITY PRACTICES SCORING MATRIX

Question #1 CDO or other person tasked with function					Yes	No	Total
					5 pts	0 pts	
Question #2 Percentage of prior yr. revenues that involved M/WBEs as subs or JVs/partners	20%+	15-19%	10-14%	5-9%	1-4%	0%	
	21 pts	14 pts	10 pts	6 pts	2 pts	0pts	
Question #3 Percentage of overhead expenses paid to M/WBEs	20%+	15-19%	10-14%	5-9%	1-4%	0%	
	17 pts	10 pts	7 pts	4 pts	1 pts	0pts	
Question 4 M/WBE Training			Robust	Moderate	Minimum	None	
			17 pts	8 pts	4 pts	0 pts	
Question #5 M/WBE Mentoring			Robust	Moderate	Minimum	None	
			13 pts	8 pts	4 pts	0 pts	
Question #6 Written M/WBE goals included in the Company's procurements			Robust	Moderate	Minimum	No	
			21 pts	12 pts	6 pts	0 pts	
Question #7 Formal Supplier Diversity Program			Robust	Moderate	Minimum	No	
			7 pts	4 pts	2 pts	0 pts	
				Total Diversity Score (Max 100 pts)			
				Weighted Score (Max 4 pts.)			

Attachment 6 - VENDOR RESPONSIBILITY QUESTIONNAIRE INSTRUCTIONS

A contracting agency is required to conduct a review of a prospective contractor (and each subcontractor whose anticipated fees for the project are estimated to be over \$100,000) to provide reasonable assurances that the vendor is responsible. The Department of Financial Services recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at <https://www.osc.ny.gov/state-vendors/vendrep/enroll-vendrep-system>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at ITServiceDesk@osc.ny.gov.

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website <https://www.osc.ny.gov/state-vendors/vendrep/vendor-responsibility-forms> or may contact the Office of the State Comptroller's Help Desk for a copy of the paper form.

This questionnaire is designed to provide information to assist a contracting agency in assessing a vendor's responsibility prior to entering into a contract with the vendor. Vendor responsibility is determined by a review of each Bidder or Bidder's authorization to do business in New York, business integrity, financial and organizational capacity, and performance history.

Contractors (and subcontractors) must answer every question in the questionnaire and where appropriate additional information may be required for the questionnaire to be complete and accurate. The completed questionnaire and responses will become part of the procurement record.

It is imperative that the person completing the vendor responsibility questionnaire be knowledgeable about the proposing contractor's business and operations as the questionnaire information must be attested to by an owner or officer of the vendor.

Vendor Responsibility Questionnaire Requirement:

The Bidder has (Please check the appropriate box):

Certified and filed the Vendor Responsibility Questionnaire on-line via the New York State VendRep System; **OR**

Included a properly executed paper copy of the Vendor Responsibility Questionnaire with the Administrative Proposal.

KATHY HOCHUL
Governor



KAITLIN ASROW
Acting Superintendent

RFP C000637- Implicit Bias Training Services

Use this form to address Minimum Bidder Qualifications (Pass/Fail)

Bidder Name:

Bidder must meet the minimum qualifications set forth below and certify that they meet the minimum vendor requirements mentioned below. Failure for Bidder to meet, and to certify that they meet, the minimum qualifications may result in Bidder's Proposal being deemed disqualified, deemed non-responsive, and eliminated from consideration.

In completing the form, please provide **clear and accurate descriptions of the Bidder's experience for the Minimum Qualifications**. The Department will not interpret omissions and vagueness in the Bidder's favor. Further, in completing the form, type to expand response areas on form or attach additional sheets, as necessary.

Attachment 8: Minimum Bidder Qualifications

Failure to meet all requirements in this Attachment 8 **will** result in the Proposal being deemed non-responsive and eliminated from consideration.

Qualification 1: Bidder must have conducted at least five (5) Implicit Bias training sessions, reaching at least 500 participants, within three (3) years preceding the issuance date of the RFP, as described in Section 4 of this RFP.

The Department reserves the right to contact the Client Points of Contact to validate experience.

***The Bidder may add more projects as necessary to show experience. However, the bidder should only provide projects that support meeting the minimum bidder qualifications.**

Bidder represents and warrants that it has conducted at least five (5) Implicit Bias training sessions, reaching at least 500 participants, within three (3) years preceding the issuance date of the RFP, as described in Section 4 of this RFP.

Yes No

Project #1 Name

Dates (month/year) of Experience (including date the project started and ended or is scheduled to end)

Client Name(s)

Client Point of Contact

Phone Number

Email Address	
Explain in detail the Bidder's experience performing similar functions as described in Section 4 of this RFP.	
<u>Project #2 Name</u>	
Dates (month/year) of Experience (including date the project started and ended or is scheduled to end)	
Client Name(s)	
Client Point of Contact	
Phone Number	
Email Address	
Explain in detail the Bidder's experience performing similar functions as described in Section 4 of this RFP.	
<u>Project #3 Name</u>	
Dates (month/year) of Experience (including date the project started and ended or is scheduled to end)	
Client Name(s)	
Client Point of Contact	
Phone Number	
Email Address	
Explain in detail the Bidder's experience performing similar functions as described in Section 4 of this RFP.	