Invitation for Bids (IFB) #C000660

for

Salesforce Licenses Renewal

Issue Date: Friday, August 14, 2026

Proposals Due Date: Friday, September 4, 2026

https://www.dfs.ny.gov

Kathy Hochul, Governor

Kaitlin Asrow, Acting Superintendent

Department of Financial Services

Office of Financial Management

One Commerce Plaza, Suite #1850

99 Washington Avenue

Albany, NY 12257

TABLE OF CONTENTS

SECTION 1: TIMETABLE OF KEY EVENTS 4

SECTION 2: OVERVIEW 4

2.1 The Department of Financial Services 4

2.2 Purpose of this IFB 4

2.3 Definitions 5

2.4 Contract Period 5

SECTION 3: MINIMUM BIDDER QUALIFICATIONS 5

SECTION 4: REQUIRED SERVICES 5

4.1 Salesforce Licenses 6

SECTION 5: PROPOSAL REQUIREMENTS 6

5.1 Overview of Proposal Format 6

5.2 Cost Proposal Requirements 6

5.3 Administrative Submission Requirements 6

5.4 Bid Submission 7

5.5 Questions and Answers 8

5.6 Bidder Proposed Modifications to the IFB and Appendices 9

SECTION 6: PROPOSAL EVALUATION 9

6.1 Method of Award (Best Value) 9

6.2 Administrative Review 10

6.3 Minimum Bidder Qualifications Evaluation (Pass/Fail) 10

6.4 Cost Proposal Evaluation 10

6.5 Award 10

6.6 Bidder Debriefing 10

6.7 Protest Procedures 10

SECTION 7: DEPARTMENT'S RESERVATION OF RIGHTS 11

SECTION 8: GENDER-BASED VIOLENCE AND THE WORKPLACE POLICY CERTIFICATION, MINORITY & WOMAN-OWNED BUSINESS ENTERPRISE, EEO, SDVOB REQUIREMENTS & DIVERSITY PRACTICES .. 12

8.1 Gender-Based Violence and the Workplace Policy Certification 12

8.2 Minority and Woman-Owned Business Enterprise 12

8.3 Equal Employment Opportunity (EEO) 12

8.4 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses (SDVOBs) 13

SECTION 9: ETHICS 13

SECTION 10: SUBCONTRACTING 13

SECTION 11: POST CONTRACT AWARD REQUIREMENTS 14

11.1 Insurance Requirements 14
11.2 Contractor Disclosure Forms 14
11.3 Sales Tax Certification Instructions 15
SECTION 12: ADDITIONAL SECURITY/CONFIDENTIALITY REQUIREMENTS 16
SECTION 13: APPENDICES/ATTACHMENTS 16

Section 1: Timetable of Key Events

Event:	Date and Time:
IFB C000660 Issue Date:	Friday, August 14, 2026
Deadline for Questions:	Thursday, August 20, 2026, by 3pm ET
Answers to Questions Released:	On or about Tuesday, August 25, 2026
Deadline for Receipt of Proposals:	Friday, September 4, 2026, by 3pm ET

Please note that the New York State Department of Financial Services ("Department") reserves the right to change any of the dates stated in this Invitation for Bids ("IFB"). If such change occurs, the Department will post a notice on its website and in the New York State Contract Reporter to notify potential Bidders.

Restricted Period:

The procurement is in a restricted period from the date this IFB is issued until the Contract has been approved. In compliance with State Finance Law §§139-j and 139-k, the following persons are the Designated Contacts for this solicitation. All contacts/inquiries shall be made by email to the following address: RFP@dfs.ny.gov. Contacting any Department employees other than Designated Contacts may result in rejection of bid.

Designated Contacts:
Ron Wachenheim, Contract Management Specialist 2
Rohan Sood, Contract Management Specialist Trainee 2
Alisa Fortune, Assistant Director Financial Administration 2

Section 2: Overview

2.1 The Department of Financial Services

The Department regulates insurance, banking, and other financial services with the goal of promoting robust financial services while safeguarding against financial crises and protecting both consumers and the industry from fraud. The Department was established on October 3, 2011, with the consolidation of the former Insurance and Banking Departments. The consolidation helped centralize and modernize regulation, enabling New York to keep pace with rapidly innovating financial markets.

2.2 Purpose of this IFB

The Department seeks to renew Salesforce licenses to continue implementing a Customer Relation Management (CRM) platform; which will then allow the Department to optimize its data, adequately track and manage workflows across divisions and standardize processes to drive efficiencies.

2.3 Definitions

Unless further defined within the IFB, the following definitions will be used:

Bid/Proposal shall mean a response to the IFB submitted by a Bidder to provide Services/Commodities.

Bidder shall mean any individual, business, vendor, or other legal entity, or any employee, agent, consultant, or person acting on behalf thereof, who or that submits a bid in response to a bid solicitation.

Contract shall mean any agreement that results from this IFB.

Contractor shall mean the Bidder awarded the Contract from this IFB.

Department shall mean the New York State Department of Financial Services.

Services/Commodities shall mean items or deliverables under any solicitation or contract and may include commodities, services, and/or technology.

Solicitation shall mean this IFB.

Solution shall mean the entirety of the services/commodities that a Bidder proposes.

2.4 Contract Period

The Department anticipates that an award from this IFB will result in a one (1) year contract.

Section 3: Minimum Bidder Qualifications

The Bidder must meet and certify in **Attachment 7: Minimum Bidder Qualifications Form** that they meet the following minimum bidder qualification for this IFB. Instructions for submission of **Attachment 7: Minimum Bidder Qualifications Form** can be found in **Section 5 - Proposal Requirements** below:

1. Bidder must be authorized to sell Salesforce Licenses

Subcontractor experience will not replace the Bidder's experience for purposes of these Minimum Qualifications.

Section 4: Required Services

By submitting a Bid/Proposal for this solicitation, the Bidder certifies that it possesses the expertise and staffing to provide the Services as set forth in this Section.

4.1 Salesforce Licenses

A. **SKU #200013357 Public Sector Foundation - Unlimited Edition, Salesforce.com, Inc, Term: 9/25/26 – 9/24/29, Quantity 1,000, U/M: EA**

B. **SKU #200000942 Government Cloud Plus 15% of Net Price, Salesforce.com, Inc, Term: 9/25/26 – 9/24/29, Quantity 1, U/M: EA**

C. **SKU #200005696 Salesforce Shield 30% of Net Price, Salesforce.com, Inc, Term: 9/25/26 – 9/24/29, Quantity 1, U/M: EA**

D. **SKU #200013339 Customer Community Plus for Public Sector - UE – Logins (per month), Salesforce.com, Inc, Term: 9/25/26 – 9/24/29, Quantity 20,001, U/M: EA**

Section 5: Proposal Requirements

5.1 Overview of Proposal Format

Interested Bidders must submit a complete proposal that is comprised of two (2) separate proposals: Cost Proposal and Administrative Proposal:

- **Cost Proposal** – The Cost Proposal is a list of the Contractor fees associated with the services to be provided as described in Section 4 of this IFB.

- **Administrative Proposal** – The Administrative Proposal contains standard requirements the Contractor must agree to, information requested by the Department in connection with these requirements, and additional forms to be completed by the Contractor.

5.2 Cost Proposal Requirements

The Cost Proposal sets forth the costs for the requested services. The Cost Proposal should be complete, accurate, well-documented, and prepared using the Cost Proposal Form only. Cost information is **not** to be included in Administrative Proposal. All prices must be inclusive of all costs necessary for proper performance under the Contract.

Bidders must sign and submit **Attachment 8 - Cost Proposal Response Form**. The rates quoted by the Bidder must be for the duration of the Contract, and inclusive of all costs including travel. The Cost Quote Form is to be submitted at the same time as the remainder of the Bidder's submission but in a document detached from the Administrative and Technical submissions. **No changes, edits or additional information are permitted on Attachment 8, as they may make the Bid non-responsive.**

5.3 Administrative Proposal Requirements

The following must be completed and submitted with the bid in the Administrative Proposal. **Failure to submit any of the requirements below may result in the rejection of the Bidder's Proposal.**

- **Attachment 1: Bidder Submission Checklist**

- **Attachment 2: Bidder Information and Attestation:** The Bidder Information and Attestation is an integral part of the Bid/Proposal and should be signed and submitted with the Administrative Proposal. The Bidder Information and Attestation must be signed by an individual authorized to contractually bind the Bidder. A proposal with an unsigned Bidder Information and Attestation may be rejected. Modified forms will not be accepted.

- **Attachment 3: New York State Required Certifications Packet:** All documents in this packet should be completed, signed, and submitted with the Bidder's Administrative proposal. This packet includes:

    - Non-Collusive Bidding Certification Required by State Finance Law §139-D;
    - Offerer's Certification of Adherence to Executive Order 177 Regarding Anti-Discriminatory Policies and Practices;
    - Offerer's Certification of Adherence to State Finance Laws;
    - Sexual Harassment Prevention Certification Form;
    - Freedom of Information Law (FOIL) Redaction Request Form;
    - Offerer's Certification of Adherence to Executive Order No. 16 Prohibiting State Agencies and Authorities from Contracting with Businesses Conducting Business in Russia;
    - Offerer Assurance of No Conflict of Interest or Detrimental Effect; and
    - Gender-Based Violence and the Workplace Certification.

- **Attachment 4: MWBE and Equal Employment Opportunities Requirements: New York Executive Law** Article 15-A Requirements. Complete and submit the following with the Administrative Proposal:

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

- **Attachment 5: Vendor Responsibility Questionnaire:** If the online certification process is not used, please visit https://www.osc.state.ny.us/state-vendors/vendrep/vendor-responsibility-forms to print out and submit a vendor responsibility questionnaire with your bid. Either online certification or a scanned copy of the completed questionnaire must accompany your bid.

- **Attachment 7: Minimum Bidder Qualifications Form:** Bidders who have the requisite qualifications as outlined in Section 3 - Minimum Bidder Qualifications should complete Attachment 7: Minimum Bidder Qualifications Form Certifying their credentials. The Department reserves the right to verify all outlined qualifications.

5.4 Bid Submission

Submit all Bids/Proposals electronically to RFP@dfs.ny.gov. The two sections of Bids should be separate documents, complete in themselves, and clearly labeled.

All Bids/Proposals must be delivered in their entirety by Friday, September 4, 2026, at 3:00 PM Eastern Time. Bids/Proposals received in whole or in part after Friday, September 4, 2026, at 3:00 PM Eastern Time will not be considered.

All Bids/Proposals and accompanying documentation will become the property of the Department and will not be returned. The content of each Bidder's Bids/Proposal will be held in strict confidence during the evaluation process, and no details of any Bid/Proposal will be discussed outside the evaluation process. The successful Bidder's Bid/Proposal will be made part of the Contract. Therefore, an official authorized to commit the company to a Contract must sign the Bid/Proposal.

The rules established for Bid/Proposal content and format will be enforced. Variations from the rules prescribed herein may subject the Bidder to outright disqualification. It is in the best interests of the Bidder to become familiar with the constraints imposed on its Bid/Proposal, so that the evaluation process can proceed in a timely manner.

Each Bidders must submit via email a searchable, electronic version of its Bid/Proposal. Scanned signatures are acceptable. However, Bidders must be prepared to submit an original signature to the Department, if requested. All Bids/Proposals must conform to the terms set forth in the IFB, as well as and the submittal requirements; extraneous terms or material deviations (including additional, inconsistent, conflicting, or alternative terms) may render the Bid/Proposal non-responsive and may result in rejection of the Bid/Proposal.

This IFB is not an offer and does not commit the Department to a Contract. Furthermore, the Department is not liable for any costs, in whole or in part, incurred by a Bidder in the preparation of a response to this IFB, or for any work performed prior to Contract execution.

All Bids/Proposals, including all information required by the IFB or provided as explanation thereof, shall be submitted in English. All prices shall be expressed, and all payments shall be made, in United States Dollars ($US). Any Bids/Proposals submitted that do not meet the above criteria may be rejected.

The State does not indemnify Contractors.
Each Bidder's Proposal shall be valid for a minimum period of at least six (6) months.

5.5 Questions and Answers

Questions regarding the IFB should be submitted on **Attachment 6 – Bidder Questions and Proposed Modifications Form** via electronic mail, no later than Thursday, August 20, 2026, by 3:00 PM Eastern Time to: RFP@dfs.ny.gov

Questions will not be accepted orally, and questions received after the deadline may not be answered. Bidders are cautioned that any question or inquiry regarding the IFB must be written in generic terms and must **not** contain pricing information. The inclusion of specific information about a Bidder's pricing Proposal in an inquiry may result in the Bidder's disqualification.

Responses to all questions, and any changes to the IFB resulting from such questions, will be communicated via published addenda that will be posted on the Department's website on or about

Tuesday, August 25, 2026 at: https://www.dfs.ny.gov/procurement

It is the responsibility of the Bidder to check the website for any amendments, announcements, and clarifications.

5.6 Bidder Proposed Modifications to the IFB and Appendices

Bids/Proposals must conform to the terms set forth in the RFP. Any proposed additional, inconsistent, conflicting or alternative terms may render the Bid/Proposal non-responsive and may result in rejection of the Proposal. No proposed additional, inconsistent, conflicting, or alternative terms submitted on standard, pre-printed forms (including but not limited to product literature, order forms, license agreements, contracts or other documents) that are attached or referenced with submissions will be considered part of the Bid/Proposal or resulting Contract but shall be deemed included for informational or promotional purposes only. Each proposed additional, inconsistent, conflicting, or alternative term must be specifically enumerated in writing in **Attachment 6 – Bidder Questions and Proposed Modifications Form** and specify the RFP section or appendix that Bidder proposes to modify and the justification for the modification. All proposed additional, inconsistent, conflicting, or alternative terms must be submitted during the Question-and-Answer period, as identified in this RFP's Calendar of Events. No proposed additional, inconsistent, conflicting, or alternative terms submitted after this time will be considered. No proposed additional, inconsistent, conflicting, or alternative terms shall be incorporated into the Contract unless expressly accepted by the Department in the Question-and-Answer period. Acceptance and/or processing of a Bid/Proposal shall not constitute acceptance of proposed additional, inconsistent, conflicting, or alternative terms.

Note: Appendix A – Standard Clauses for New York State Contracts cannot be modified in any manner. Do not submit any proposed additional, inconsistent, conflicting, or alternative terms for Appendix A as they will automatically be rejected.

The Department does not indemnify Contractors.

The Department will not waive any statutory warranties.

Section 6: Proposal Evaluation

6.1 Method of Award (Best Value)

State Finance Law § 163(4)(d) mandates that a contract for services be awarded on the basis of best value to a responsive and responsible offerer. For this procurement, the Department has determined that Bidders that meet the Minimum Bidder Qualifications and will perform all services as required are best value and equate to low price. In the case of failure to execute a Contract with the selected Bidder, the Department may pursue a Contract for the services proposed by the next best-rated Bidder.

6.2 Administrative Review

The Department will review each Bid/Proposal received to ensure that submissions are compliant with the requirements of this IFB. The Department reserves the right to request clarifications if deemed necessary.

6.3 Minimum Bidder Qualifications Evaluation (Pass/Fail)

Upon completion of the Administrative Review, the Department will evaluate via consensus scoring on a pass/fail basis the Bidder's Minimum Qualifications. Bidder's that the Department determine passed the Minimum Bidder Qualifications evaluation will be eligible to be included in the Cost Proposal Evaluation.

6.4 Cost Proposal Evaluation

Responsive Bidders that pass the Minimum Bidder Qualifications Evaluation will have their Total Cost from **Attachment 8 – Cost Proposal Form** tabulated. The responsive and responsible Bidder with the lowest Total Cost may be deemed the tentative awardee.

6.5 Award

The Department expects to award one contract as a result of this IFB. However, the Department reserves the right to not award a contract, at its sole discretion.

1. Notification of selection/non-selection will be sent to Bidders by email.

2. Contract award is subject to the approval of the Office of the Attorney General and the Office of the State Comptroller ("OSC").

3. Upon Contract award, public announcements or news releases pertaining to the Contract shall not be made without the prior written consent of the Department.

6.6 Bidder Debriefing

An unsuccessful Bidder may request a debriefing within fifteen (15) calendar days from the date of the Department's letter advising that the Bidder was not selected. The debriefing will be limited to the reasons the Bidder's Proposal was not selected. Debriefings will be held remotely at the discretion of the Department, or at the Department's office located at One Commerce Plaza, Suite #1850, 99 Washington Avenue, Albany, NY.

6.7 Protest Procedures

In the event unsuccessful Bidders wish to protest the award resulting from this IFB, Bidders should follow the protest procedures established by OSC. These procedures can be found in Chapter XI, Section 17, of the Guide to Financial Operations (GFO), available on-line at: http://www.osc.state.ny.us/agencies/guidelines.htm.

Section 7: Department's Reservation of Rights

By submitting a Proposal, the Bidder covenants not to make any claim for, or have any right to, damages because of any misinterpretation or misunderstanding of the specifications, or because of any misinformation or lack of information. The Department has the following prerogatives regarding

Proposals submitted:

- To change any of the scheduled dates upon appropriate notification to all prospective Bidders;
- To accept or reject any or all Proposals, or separable portions of Proposals;
- Prior to the Bid opening, to amend the IFB specifications and to direct Bidders to submit proposal modifications addressing subsequent amendments;
- To disqualify a Bidder from receiving an award if the Bidder, or anyone in the Bidder's employ, has previously failed to perform satisfactorily in connection with public bidding or contracts;
- To disqualify any Bidder whose conduct and/or proposal fails to conform to the requirements of the IFB;
- To correct any arithmetic errors in any or all Proposals;
- To waive or modify minor technicalities, irregularities, and omissions in Proposals, after notification to the Bidder(s);
- To waive any mandatory and/or non-material requirement(s) not met by all Bidders;
- To accept or reject illegible, incomplete or vague Proposals;
- To seek clarifications of Proposals;
- To adopt any part or all of a successful Bidder's Proposal;
- To use any and all ideas submitted in the Proposals unless those ideas are protected by legal patent or property right;
- To consider conditional or revocable Proposals that clearly communicate the terms or limitations of acceptance; and Contract award may be made in compliance with the Bidder's conditional or revocable terms in the Proposal;
- To not award from this solicitation;
- To have any service completed via separate competitive Proposal or other means, as determined to be in the best interest of New York State;
- To have the flexibility to consider Proposals with minor deviations or technicalities and to waive minor deviations or technicalities that may be consistent with the intent and scope of the solicitation. This flexibility may permit a reasonable outcome in cases where the results of a fair, competitive process are clear, but the award of a Contract is threatened due to a minor technicality or a minor deviation;
- To break tie bids as follows: In the event two Proposals are found to be substantially equivalent, price shall be the basis for determining the `award recipient. If two or more Bidders submit substantially equivalent Proposals as to pricing or other factors, the decision of the Department to award a Contract to one or more of such Bidders shall be final;
- To negotiate with the selected Bidder(s) prior to Contract award;
- To request best and final offers; and
- To begin negotiations with another Bidder should the Department be unsuccessful in negotiating a Contract with the selected Bidder(s) within thirty (30) calendar days.

Section 8: Gender-Based Violence and the Workplace Policy Certification, Minority & Woman-Owned Business Enterprise, EEO, SDVOB Requirements & Diversity Practices

8.1 Gender-Based Violence and the Workplace Policy Certification

State Finance Law §139-M requires Bidders on competitive state procurements to certify that they have a Gender-Based Violence and the Workplace policy. The policy must meet the NYS Office for the Prevention of Domestic Violence model policy minimum standards, and the Bidder must provide that policy to all its employees.

If the Bidder does not have a Gender-Based Violence and the Workplace policy in place and cannot submit a certification, the Bidder may provide a statement with their bid detailing the reasons why the certification cannot be made. The Department will determine if the justification is acceptable.

A template certification is being provided as part of this RFP within **Attachment #3 – New York State Required Certifications Packet**. Bidders must complete and return the certification with their bid or provide a signed statement detailing why the certification cannot be made.

The NYS Office for the Prevention of Domestic Violence provides information about this requirement and has resources available to assist in developing and implementing a Gender-Based Violence and the Workplace policy. Please visit the OPDV Gender-Based Violence and the Workplace website.

8.2 Minority and Woman-Owned Business Enterprise

A. The Department is required to implement the provisions of New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of NYCRR for all State contracts, as defined therein, with a value (1) in excess of $25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of $100,000 for real property renovations and construction.

B. For purposes of this solicitation, the Department hereby establishes an overall goal of **0%** for MWBE participation, **0%** for New York State-certified minority-owned business enterprise ("MBE") participation and **0%** for New York State-certified women-owned business enterprise ("WBE") participation (collectively, "MWBE Contract Goals") based on the current availability of MBEs and WBEs.

C. If there are no goals set for this solicitation, New York Certified MWBEs who are interested in subcontracting for this engagement should email the Department **Attachment 4.3 – Interested M/WBE and SDVOB Vendors** to RFP@dfs.ny.gov and the Department will publish the MWBE and/or SDVOB information for consideration by prime contractors.

8.3 Equal Employment Opportunity (EEO)

The provisions of Article 15-A of the Executive Law and the rules and regulations promulgated thereunder pertaining to equal employment opportunities for minority group members and women shall apply to the Contract resulting from this IFB.

In performing the Contract resulting from this IFB, the Contractor shall:

1. Ensure that each Contractor and Subcontractor performing work on the Contract resulting

from this IFB undertakes or continues existing EEO 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, EEO shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or 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 resulting from this IFB; or (ii) employment outside New York State.

2. The Contractor shall submit an EEO policy statement (see **Attachment 4.2 - "Minority and Woman-Owned Business Enterprises Equal Opportunity Statement"**) to the Department with its bid or proposal.

8.4 Participation Opportunities for New York State Certified Service-Disabled Veteran-Owned Businesses (SDVOBs)

Article 3 of the New York State Veterans' Services Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"), thereby further integrating such businesses into New York State's economy. The Department recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of Department contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as Subcontractors or suppliers, as protégés, or in other partnering or supporting roles. For purposes of this procurement, the Department conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as Subcontractors, service providers, and suppliers to the Contractor. Nevertheless, the Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: https://online.ogs.ny.gov/SDVOB/search.

Contractor is encouraged to contact the Office of General Services' Division of Service-Disabled Veteran's Business Development at 518-474-2015 or at VeteransDevelopment@ogs.ny.gov to discuss methods of maximizing participation by SDVOBs on the Contract.

Section 9: Ethics

Ethics Compliance: All Bidders/Contractors and their employees must comply with the requirements of Public Officers Law §§ 73 and 74, New York State regulations, and New York State executive orders establishing ethical standards for the conduct of business with New York State. In signing the Bid/Proposal, Bidder certifies full compliance with those provisions for any present or future dealings, transactions, sales, contracts, services, offers, and/or relationships, involving New York State and/or its employees. Failure to comply with those provisions may result in disqualification from the bidding process, termination of Contract, and/or other civil or criminal proceedings as required by law.

Legal Compliance: The Bidder/Contractor represents and warrants that it will secure all notices and comply with all applicable laws, ordinances, rules, and regulations of any governmental entity in conjunction with the performance of obligations under the Contract. Prior to award and during the Contract terms and any extensions thereof, Contractor must establish to the satisfaction of the Department that it meets or exceeds all requirements of the RFP and Contract and any applicable laws, including but not limited to permits and licensing, and shall provide such proof as is required by the Department. Failure to comply or failure to provide proof may constitute grounds for the Department to terminate or suspend the Contract in whole or in part, or to take any other action the Department deems necessary. Contractor also agrees to disclose information and provide affirmations and certifications to comply with State Finance Law §§ 139-j and 139-k.

Section 10: Subcontracting

The selected Contractor must assume full responsibility for the services offered in the Bid/Proposal for the duration of the Contract. The Contractor shall remain liable even when the Contractor subcontracts out a portion of the services. Subcontracting shall be permitted only with the prior written approval of the Department.

Section 11: Post Contract Award Requirements

11.1 Insurance Requirements

The selected Contractor is required to procure, at its sole cost and expense, and provide upon notice of Contract award, proof of required insurance as detailed in Appendix F, Contractor's Insurance Requirements, and maintain in force during the Contract Term, insurance policies pursuant to the requirements outlined in Appendix F.

11.2 Contractor Disclosure Forms

Chapter 10 of the Laws of 2006 amended the Civil Service Law and the State Finance Law relative to maintaining certain information concerning contract employees working under State agency service and consulting contracts. State agency consultant contracts are defined as "contracts entered into by a state agency for analysis, evaluation, research, training, data processing, computer programming, engineering, environmental health and mental health services, accounting, auditing, paralegal, legal, or similar services" ("covered consultant contract"). The amendments also require that certain contract employee information be provided to the state agency awarding such contracts, OSC, the Department, and the Department of Civil Service ("DCS").

To meet these requirements, the selected Contractor must complete:

Form A – Contractor's Planned Employment Form. The successful Contractor must complete this form upon notification of selection by the Department.

Form B – Contractor's Annual Employment Report. Throughout the term of the Contract, by May 15th of each year the Contractor agrees to report the following information to the Department. For each covered consultant contract in effect at any time between the preceding April 1 through March 31 fiscal

year, or for the period during which such Contract was in effect during such prior State fiscal year, Contractor shall report the:

1. Total number of employees employed to provide the consultant services, by employment category.
2. Total number of hours worked by such employees.
3. Total compensation paid to all employees that performed consultant services under such Contract. *

*NOTE: The information to be reported is applicable only to those employees who are directly providing services or directly performing covered consultant services. However, such information shall also be provided relative to employees of subcontractors who perform any part of the service contract or any part of the covered consultant contract. This information does not have to be collected and reported in circumstances where there is ancillary involvement of an employee in a clerical, support, organizational, or other administrative capacity.

Contractor agrees to simultaneously report such information to the DCS and the OSC as designated below:

E-mail: SubmitformB@cs.ny.gov
Department of Civil Service
Alfred E. Smith State Office Building
Albany, NY 12239
Attn: Executive Office

E-mail: CDMOST@osc.ny.gov
Office of the State Comptroller
Bureau of Contracts
110 State Street, 11th Floor
Albany, New York 12236
Attn: Consultant Reporting

Contractor is advised herein and understands that this information is available for public inspection and copying pursuant to §87 of the New York State Public Officers Law (Freedom of Information Law). In the event individual employee names or social security numbers are set forth on a document, the State agency making such disclosure is obligated to redact both the names and social security numbers prior to disclosure.

Further information regarding the Contractor Consultant Law requirements and report Forms A and B is available in the OSC's Guide to Financial Operations, Chapter XI, Section 18.C: http://www.osc.state.ny.us/agencies/guide/MyWebHelp

11.3 Sales Tax Certification Instructions

The Tax Law was amended to require contractors with State agencies to certify to the Department of Taxation and Finance ("DTF") that they, their affiliates, their subcontractors, and the affiliates of their subcontractors have a valid certificate of authority to collect New York State and local sales and compensating use taxes. Tax Law § 5-a applies to all contracts in excess of $100,000 for the purchase by a covered agency of commodities or services awarded pursuant to Article XI of the State Finance Law.

The successful Contractor must complete Contractor Certification Form ST-220-CA upon notification of selection by the Department. This certification to the procuring agency, also made under penalty of

perjury, states that the requisite (ST-220-TD) certification has been made to DTF and, to the best of the Contractor's knowledge, that the requisite (ST-220-TD) certification is correct and complete.

If Contractor has any questions regarding either forms ST-220-CA or ST-220-TD, the OSC's Guide to Financial Operations will provide background information and the forms: http://www.osc.state.ny.us/agencies/guide/MyWebHelp/#XI/18/D.htm?Highlight=st-220. Contractors can refer to the DTF website, or the NYS Tax Law § 5-a, *Contractor Affiliate, Subcontractor, and Subcontractor Affiliate Sales and Compensating Use Tax Registration* for additional information and guidance.

Section 12: Additional Security/Confidentiality Requirements

The Contractor warrants, covenants and represents that, in the performance of the Contract, Contractor, its agents, subcontractors, officers, distributors, resellers, and employees will comply fully with all security procedures of the Department set forth in the IFB, **Appendix C – Information Security & Cyber Security Requirements and Appendix D – Primary Security and Privacy Mandates**, and the Contract, or otherwise communicated in advance to the Contractor, including but not limited to physical, facility, documentary and cyber security rules, procedures and protocols.

Section 13: Appendices/Attachments

- **Appendix A: Standard Clauses for New York State Contracts**
- **Appendix C: Information Security & Cyber Security Requirements**
- **Appendix D: Primary Security and Privacy Mandates**
- **Appendix E: The Department of Financial Services Standard Contract Clauses**
- **Appendix F: The Department of Financial Services Insurance Requirements**
- **Appendix G: Salesforce Licenses Terms**
- **Attachment 1: Bidder Submission Checklist**
- **Attachment 2: Bidder Information and Attestation**
- **Attachment 3: New York State Required Certifications Packet**
- **Attachment 4: MWBE and Equal Opportunities Requirements**
- **Attachment 4.1: Workforce Composition Statement**
- **Attachment 4.2: Minority and Woman-Owned Business Enterprises Equal Opportunity Statement**
- **Attachment 5: Vendor Responsibility Questionnaire**
- **Attachment 6: Bidder Questions and Proposed Modifications Form**
- **Attachment 7: Minimum Bidder Qualifications**
- **Attachment 8: Cost Proposal Response Form**