



**Empire State
Development**

REQUEST FOR APPLICATIONS

NYS SMALL BUSINESS & ENTREPRENEUR GRANT PROGRAM – ENTREPRENEURSHIP ASSISTANCE CENTERS – BUSINESS PLAN COMPETITION PROGRAM

Issued: January 8, 2024

Designated Contacts for this Procurement:

Primary Contact: John Discolo, Senior Director, Procurement
Secondary Contact: Ralph Volcy, Senior Director, Procurement

All contacts/inquiries shall be made by email to the following address
2024EACBusinessPlanRFA@esd.ny.gov

This Request for Applications (“RFA”) is posted on the Empire State Development website:
<https://esd.ny.gov/doing-business-ny/requests-proposals>

APPLICATIONS DUE DATE AND TIME:

On or before February 26, 2024, by 3:00 PM EST

Please submit your application to the following Dropbox link:

<https://www.dropbox.com/request/p2MW1Q2ppDAbCwH2K2u1>

Glossary of Terms Used Throughout the Response For Applications (“RFA”)

The following definitions apply to the terms used in this RFA. Terms defined herein are capitalized throughout the text of the RFA. Terms used within a definition that are also defined in this appendix A are noted in italics.

Applicant: An eligible Partner, Partner Organization, University/College, or University/College-Affiliated Organization, Career Education Agency, or a collection of such institutions designated as an EAC under this RFA.

Authorized Organizational Representative: The institution’s duly authorized representative with authority to enter legal agreements on behalf of, and commit resources of, the organization.

Award Recipient: Shall mean an eligible recipient of a grant award through a business plan competition.

Career Education Agency: Shall mean a community college or board of cooperative education services operating within the state.

Cost Share Funds: A non-reimbursable component of a project’s total cost that is reflective of the Applicant’s and industry’s commitment to the program. Refer to Section II.C. of this RFA for specific Matching Funds requirements.

EAC Business Plan Training: Shall mean training of at least 60-hours of instruction in the principles and practice of entrepreneurship and all aspects of business development and small business management supplemented by ongoing technical assistance for business development for those who have competed the program.

EAC Business Plan Competition: Shall mean a contest for Start-ups and/or Existing Businesses in which the participants present their business ideas and plans and are evaluated according to criteria set by the EAC administering the contest.

Empire State Development: Is the umbrella organization for economic development activity in New York State and includes both the New York State Department of Economic Development (“DED”) and the New York State Urban Development Corporation d/b/a Empire State Development (“ESD”); grant funding (contracts) through this competition will be administered by (through) ESD.

Entrepreneurship Assistance Centers (“EAC”): Shall mean the career education agencies, as defined hereafter, municipal agencies and not-for-profit corporations including, but not limited to, local development corporations, chambers of commerce, community-based business outreach centers and other community-based organizations that train minority group members, women, individuals with a disability, dislocated workers and veterans in the principles and practice of entrepreneurship and all aspects of business development and small business management in order to prepare such persons to pursue self-employment opportunities and/or business enterprises.

Existing Business: Shall mean an operational Micro-business or Small Business generating revenue.

Grantee: Shall mean an EAC that is selected for ESD grant funding to implement a business plan competition program.

Micro-business: Shall mean a Small Business, as defined hereafter, which employs ten or less persons.

New York State Company, New York Company or Company in New York: A for-profit enterprise with a permanent place of business located in New York State employing a full-time workforce. The company's New York facility must either be (1) the intended recipient of the Organization's assistance or (2) directly benefit from the Organization's assistance. The Organization's assistance must also demonstrably enhance the company's economic activity in New York.

Small Business: Shall mean a business which is resident in New York State, independently owned and operated, not dominant in its field, and employs 100 or fewer persons, and has been operational for less than five years with gross receipts that do not exceed \$1,000,000 per annum.

Start-ups: Shall mean a micro-business or small Business in existence for one year or less.

Introduction

The mission of Empire State Development ("ESD") is to promote a vigorous and growing state economy, encourage business investment and job creation, and support diverse, prosperous local economies across New York State through the efficient use of loans, grants, tax credits, real estate development, marketing and other forms of assistance.

A. Project Summary

The 2023-2024 New York State Annual Budget funded up to \$400,000 for the Small Business and Entrepreneur Grant Program ("Program") to award grants to entrepreneurs and small business owners to cover start-up costs of a new small business, or to support or expand an existing small business in New York State. ESD is seeking RFAs from New York State Entrepreneurship Assistance Centers ("EAC") to establish, organize and manage a new or expand an existing Business Plan Competition ("BPC") Program. ESD will provide up to \$100,000 in grant funding each of four (4) EACs to utilize funds to administer a business plan competition and make grant awards to successful business plan competition winners of up to \$25,000, but not less than \$5,000. Grant awards will be awarded to entrepreneurs and small business owners to cover start-up costs of a new small business, or to support or expand an existing small business. The EACs will be allowed to use up to 20% of grant funds for administrative costs to support a pilot business plan competition initiative over two years.

B. Request for Application Schedule

Item	Date
Release of Request for Applications	January 8, 2024
Information Session	January 25, 2024
Deadline for Submission of Questions	February 2, 2024, 3:00 PM EST
Deadline for ESD to Respond to Questions	February 9, 2024
Submission of Applications	February 26, 2024, 3:00 PM EST
Anticipated Announcement of Selections	April 18, 2024
Anticipated Contract Start Date	May 1, 2024

I. Project

A. Program Goals and Objectives

ESD will provide the selected EAC Grantee with \$100,000 in grant funds to establish, organize and manage a new or expand an existing BPC Program. Proposals targeting entrepreneurs and small businesses in regions that are traditionally underserved and that do not currently have a business plan competition program will receive additional score points when proposals are evaluated.

Only start-ups, existing businesses, micro-businesses, and small businesses that have successfully completed and graduated from the EAC Business Plan Training within one (1) year of the competition will be eligible to participate in the EAC BPC Program. Participants of the EAC BPC Program are eligible to receive a grant award ranging from \$5,000 and up to \$25,000 to cover start-up costs of a new small business, or to support or expand an existing small business in New York State.

Selected EAC Grantees will be able to utilize up to 20% of grant funds for administrative costs to operate the EAC BPC Program.

Selected EAC Grantees must be able to meet the following objectives:

- Ensure maximum participation by entrepreneurs and micro-businesses and small businesses in regions traditionally underserved;
- Conduct at least two BPC with grant funding;
- Provide follow-on support to BPC winners to help them complete the goals/objectives outlined in the BPC;
- Track and monitor the BPC winners to validate grant awards are being used for the intended purpose outlined in BPC; Provide ongoing business counseling to BPC winners;
- Submit bi-annual narrative reports on the impact and achievements of the grant, including captured and tracked data points.

The criteria specified below serve as an eligibility baseline for each respective BPC Program. The selected EAC Grantees may have additional eligibility criteria for their respective BPC Programs.

i) Eligible Business Qualifications

- a. Be organized and licensed or registered in the State of New York;
- b. Business owner(s), owning more than 20% of the business, must be a resident in the State of New York;
- c. Be in substantial compliance with applicable federal, state and local laws, regulations, codes and requirements;
- d. Not owe any federal, state or local taxes, or have an approved repayment, deferral plan, or agreement with appropriate federal, state, and local taxing authorities;
- e. Eligible Award Recipients may not have received or been awarded grants prizes of \$1,000 or more from other contest or grant programs;
- f. An entrepreneur or Small Business owner is eligible for only one award per Taxpayer Identification Number (TIN) or Employer identification Number (EIN) under the Program;
- g. An Eligible Award Recipient is only eligible to receive one award for a Micro-business or Small Business; and

- h. The Eligible Award Recipient agrees to maintain the operations of the Small Business for which the grant was approved physically located in the State of New York for at least two years after receipt of the grant award, to the extent the business remains operational, and reports on the usages of grant award and sales or employment impacts.

ii) Ineligible Businesses

- a. All Non-Profits;
- b. Government-owned entities or business owned by an elected official;
- c. Businesses primarily engaged in political or lobbying activities;
- d. Any business not meeting the definition of a Micro-business or Small Business as defined in these guidelines; and,
- e. The distribution of government funds is subject to constitutional limitations under the First Amendment's Establishment and Free Exercise Clauses. Applications that implicate these Clauses may require additional information from the applicants and will be subject to legal review and approval by ESD before award. Applicants are encouraged, but not required to anticipate and address factual and legal issues relevant to these Clauses in their application.

iii) Documentation Requirements

- a. Proof of Business Organization (and date of formation if tax document is not available)
Provide any one (1) of the following:
 - Current Business License;
 - Articles of Organization;
 - Certificate of Assumed Name (DBA);
 - Certificate of Incorporation;
 - Proof of assignment of EIN by Internal Revenue;
 - Federal tax return;
 - NYS municipality issued document showing authorization to operate in NYS; or
 - Other documentation deemed necessary by ESD
- b. Proof of business location in New York State. Provide any one (1) of the following documents:
 - Current lease;
 - Current utility bill;
 - Current business mortgage statement;
 - Business credit card statement;
 - Professional insurance bill;
 - Payment processing statement;
 - NYS ST-809 or ST-100 sales tax collection documentation;
 - Most recently filed NYS 45 Document; or
 - Other documentation deemed appropriate by ESD.

iv) Eligible Uses of Grant Award

- a. Award Recipients may use the Grant Award for costs directly associated for the operation of a start-up or existing micro-business or small business, including, but not limited to the following:
 - Legal or Accounting Services;
 - Website Development;
 - Marketing and/or Advertisement Services;
 - Professional and/or Subscription Licenses;
 - Payroll costs;
 - Commercial Rent or mortgage payments for New York State-based property;
 - Insurance costs;
 - Utility costs; or
 - Equipment or machinery costs.

v) Ineligible Uses of Grant Award

- a. Grants awarded under the Program shall not be used to re-pay or pay down any portion of a loan or taxes.

vi) Additional Information

- a. The EACs shall provide acceptable evidence to the State of New York that the Eligible Award Recipient meets the Program requirements.
- b. As part of the Program, the EACs shall secure from each micro-business or small business sufficient documentation in a manner prescribed to demonstrate Program qualification, and prevent fraud, waste, and abuse.
- c. If within two years of receiving the grant award, such business is found to have moved its operations outside the State of New York, the EACs may be required to seek to recapture the funds or a portion thereof.

B. Grantee Eligibility Requirements

To be eligible to receive grant proceeds from ESD, an applicant must be a designated EAC in good standing with the State of New York and ESD.

C. Grant Funding and Project Timeline

i. Grant Amount and Completion Date

	Award Up To	Expected Completion Date
Small Business and Entrepreneur Grant Program	\$100,000	March 31, 2026

ESD reserves the right to award grants in amounts greater or less than the above listed figures and/or at a varying schedule depending on the number and quality of applications received and other considerations set forth in this RFA.

There is no cost-match requirement associated with this grant.

ii. Eligible and Ineligible Expenses

Eligible activities include but are not limited to:

- Making grant awards starting at \$5,000 and up to \$25,000 to successful winners of business plan competition program;
- Planning and executing business plan competition program;
- Marketing and outreach of business plan competition program; and
- Collecting and reporting metrics and data on the impact, effectiveness and achievements under this program.

The following limitations apply to this RFA:

- Indirect costs are PROHIBITED.
- Expenses must be relevant and justifiable to the project(s) outcome.

Budget template:

USE OF FUNDS	ESD Funds	TOTAL Across
Grant Awards		\$
Administrative Costs		\$
TOTAL PROJECT COST	\$100,000	\$

ESD has the right to review all expenses and deny the reimbursement of any expenses that are deemed ineligible.

D. Project Monitoring and Reporting

EACs awarded grant funding will be required to submit narrative bi-annual report describing the impact and achievements of this grant, including data collected and tracked on BPC participants and winners. Data points to be collected and tracked include:

- Demographics on start-ups or existing small businesses participating in business plan competition;
- Number of business plan competition participants and winners;
- Dollar amount of grant awarded to each business plan competition winner;
- Number of businesses started and/or expanded with this grant;
- Increased sales or profits;
- Number of jobs created or retained, or employees hired; and
- Other data impact points are at the discretion of ESD.

II. Application Information

Please provide a narrative that includes the following information in the following order using the headings listed below. Submitted applications are expected to be clearly written. If applications exceed the page limits and/or include materials not requested by the RFA, ESD will remove the extra pages and/or materials prior to the review. During the review process, applicants may be requested to submit additional written documents to answer questions or provide clarification of issues raised during the review process.

Assemble the application in the following order:

1. Cover page
2. Table of Contents
3. Glossary of Terms Used

4. Executive Summary (1 page maximum)
5. Proposal (9 page maximum)
 - a. Organization's experience and qualification
 - i. Demonstrate knowledge, expertise and experience in nurturing the development of start-ups and supporting the expansion of existing small businesses.
 - ii. Outline staff's experience, ability and role associated with the project.
 - iii. Development of a new BPC Program that targets underserved populations.
 - iv. If applicable, identify partners and how they strengthen the organization's ability to achieve the program goals.
 - b. Project readiness and timeline
 - i. Provide a workplan that includes measurable deliverables for the development, implementation, marketing, and post-competition activities to accomplish the program goals.
 - c. Services to entrepreneurs and small business owners
 - i. Provide information about support services that will be provided to participants prior to business plan competition.
 - ii. Detail the post-competition services that will be provided to winners, including ensuring that grant awards are used for the purpose outlined in business plan.
 - iii. Describe the measurement methods that will be utilized to monitor and track data, impact and achievements of the program goals.
 - d. Use of funds
 - i. Describe how grant will be used to achieve the program goals.

IV. Review Criteria and Process

ESD will balance individual application scores.

For the review of eligible applications, ESD has established the following criteria to be applied in accordance with the review process set forth in Section IV. B. In addition to addressing the review criteria stated below, refer to the application instructions in Section III of this RFA for specific items that must also be addressed.

A. Review Criteria

1. Organization, experience and qualifications (25 points)
 - a. Knowledge and experience providing entrepreneur training and support for new, and/or early-stage entrepreneurs, and existing small business owners. (5 points)
 - b. Staff's experience and functions. (5 points)
 - c. Implementation of a new BPC Program that targets underserved populations. (10 points)
 - d. Role of collaborating partners. (5 points)
2. Project readiness and timeline (20 points)
 - a. Overall workplan with measurable deliverables and completion dates. (20 points)
3. Services to entrepreneurs and small business owners (30 points)
 - a. Plans to engage and prepare business plan competition participants. (10 points)
 - b. Planned post-competition services and activities. (10 points)
 - c. Plan to capture metrics, data and program feedback. (10 points)

4. Use of Funds (10 points)
 - a. Quality of the applicant's rationale for the use of the requested funds.
5. Proposal Clarity (5 points)
 - a. Quality of proposal's organization, clarity and adherence to page limitations.
6. Diversity Practices Scoring (10 points)
 - a. ESD's Office of Contractor and Supplier Diversity will score each application for Diversity Practices. Up to 10 points will be awarded based upon the contents of the Diversity Practices Questionnaire **Appendix D** (attached) submitted by each Respondent to the RFA.

B. Review Process

Reviewers will consist of ESD staff. The reviewers will adhere to the process described in this section and will apply the review criteria detailed above. ESD will limit the number of proposals a reviewer is required to evaluate. Each proposal will be reviewed and scored by at least two reviewers.

Scoring: Reviewers will independently evaluate and assign a preliminary score to proposals that have been accepted by ESD. The *preliminary scores* for a proposal will be combined to provide an *initial average score* for that proposal.

After the initial average scores are calculated, reviewers will convene as a group to review these preliminary scores and discuss the proposals in accordance with the review criteria. At the conclusion of the discussions, each reviewer will individually provide a *final score* for each proposal based upon the panel's discussions.

In the event that two or more proposals have the same final score, and the score is high enough for the applicants to be considered for funding, the review panel will hold an additional session to review only those affected proposals. The review panel will deliberate until there is a consensus regarding the selection. At times, it may be necessary to conduct interviews in order to determine the selected applicant.

ESD reserves the right to reject any and all applications. ESD may recall this RFA at any time prior to award announcement and may also reject proposals for deficiencies; waive technicalities, irregularities, and omissions; or solicit new proposals. ESD reserves the right to act in accordance with the best interests of the people of New York State in its interpretation of this RFA.

Applicants and/or their surrogates are prohibited from contacting any ESD staff to advocate on behalf of a proposal submitted in response to this RFA. Violation of this restriction will disqualify an applicant's proposal from the competition.

V. SUBMISSION OF APPLICATIONS

All applications should be submitted to the following Dropbox link:

<https://www.dropbox.com/request/p2MW1Q2ppDAbCwH2K2u1>

Please follow the below-captioned instructions when submitting:

Proper format: Please create a folder with: "[Name of Applicant] – RFA, Entrepreneurship Assistance Centers – Business Plan Competition Program." Included in that main folder should be two sub-folders, one for the Application and materials and the other for the Procurement documents submission. The

main folder should be uploaded to the Dropbox by choosing the following option: “Add Files -> folders from computer”. All documents in the two sub-folders should be properly labeled.

VI. QUESTIONS

All questions, comments, requests for clarification or any other communication regarding this RFA must be submitted by email to 2024EACBusinessPlanRFA@esd.ny.gov no later February 2, 2024, by 3:00 PM EST.

VII. GENERAL PROVISIONS

The issuance of this RFA and the submission of a response by an applicant or the acceptance of such a response by ESD does not obligate ESD in any manner. ESD reserves the right to:

- i. amend, modify or withdraw this RFA;
- ii. revise any requirement of this RFA;
- iii. require supplemental statements or information from any responsible party;
- iv. accept or reject any or all responses hereto;
- v. extend the deadline for submission of responses hereto;
- vi. negotiate potential contract terms with any Respondent;
- vii. communicate with any Respondent to correct and/or clarify responses which do not conform to the instructions contained herein;
- viii. cancel, or reissue in whole or in part, this RFA, if ESD determines in its sole discretion that it is its best interest to do so; and
- ix. extend the term of any agreement on terms consistent with this RFA.

ESD may exercise the foregoing rights at any time without notice and without liability to any responding firm or any other party for its expenses incurred in preparation of responses hereto or otherwise. All costs associated with responding to this RFA will be at the sole cost and expense of the Respondent.

All information submitted in response to this RFA is subject to the Freedom of Information Law (“FOIL”), which generally mandates the disclosure of documents in the possession of ESD upon the request of any person unless the content of the document falls under a specific exemption to disclosure. In addition, Proposals may be discussed at meetings of the ESD Directors, which meetings are subject to the Open Meetings Law.

ESD reserves the right, in its sole discretion, to retain and use all the materials and information, and the ideas and suggestions therein, submitted in response to this solicitation (collectively, the “Response Information”) for any purpose. By submitting an application, each Respondent waives any and all claims against ESD relating to ESD’s retention or use of the Response Information.

VIII. SUBMISSION REQUIREMENTS

Procurement Forms and Requirements

Additional requirements for this RFA are described below. Relevant forms, where required to be submitted, must be executed and included in the submission in the same order as listed below:

1. Conflict of Interest
2. 139 J&K
3. Vendor Responsibility Questionnaire
4. Insurance Requirements
5. Non-Discrimination and Contractor & Supplier Diversity Requirements
6. W-9

1) Conflicts of Interest

Respondent must attest it has read, understood and will comply with the following provisions <https://esd.ny.gov/sites/default/files/Conflict-of-Interest-Attestation-June-2019.pdf>. ESD shall have the right to disqualify any respondent to this RFA or terminate any contract entered into as a result of this RFA should ESD determine that the Respondent has violated any of these requirements.

- A. Gifts and Offers of Employment:** Respondent has not and shall not during this procurement and during the negotiation of any contract resulting from this procurement, offer to any employee, member or director of ESD, any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the offer 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. Respondent may not make any offers of employment or discuss the possibility of such offers with any employee, member or director of ESD who is involved in this procurement and/or resulting contract negotiation within at least 30 days from the time that the employee's involvement in this matter closed.
- B. Disclosure of Potential Conflicts:** Respondent shall disclose any existing or contemplated relationship with any other person or entity, including relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers/employers of the Respondent or former officers and employees of ESD, in connection with your rendering services enumerated in this RFA. If a conflict does or might exist, Respondent must describe how it would eliminate or prevent it.

Disclosure of Ethics Investigations: Respondent must disclose whether it, or any of its members, shareholders of 5% or more, parents, affiliates, or subsidiaries, have been the subject of any ongoing investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "Commission"), and if so, a description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

2. State Finance Law Sections 139J and 139K forms

State Finance Law Sections 139-j and 139-k (collectively, the "Procurement Requirements") apply to this RFA. These Procurement Requirements: (1) govern permissible communications between potential Respondents and ESD or other involved governmental entities with respect to this RFA; (2) provide for increased disclosure in the public procurement process through identification of persons or organizations

whose function is to influence procurement contracts, public works agreements and real property transactions; and (3) establish sanctions for knowing and willful violations of the provisions of the Procurement Requirements, including disqualification from eligibility for an award of any contract pursuant to this RFA. Compliance with the Procurement Requirements requires that all communications regarding this RFA, from the time of its issuance through final award and execution of any resulting contract (the "Restricted Period"), be conducted only with the designated contact persons listed above; the completion by Respondents of the Offeror Disclosure of Prior Non-Responsibility Determinations, and the Offeror's Affirmation of Understanding and Agreement pursuant to State Finance Law (each form is accessible at the Required Forms for Vendors link at the ESD website under "RFPs"); and periodic updating of such forms during the term of any contract resulting from this RFA.

Respondents must submit the Offeror Disclosure of Prior Non-Responsibility Determinations, and the Offeror's Affirmation of Understanding and Agreement pursuant to State Finance Law as part of their submittal. Copies of these forms are available at:

https://esd.ny.gov/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf.

The Procurement Requirements also require ESD staff to obtain and report certain information when contacted by Respondents during the Restricted Period, make a determination of the responsibility of Respondents and make all such information publicly available in accordance with applicable law. If a Respondent is found to have knowingly and willfully violated the State Finance Law provisions, that Respondent and its subsidiaries, related or successor entities will be determined to be a non-responsible Respondent and will not be awarded any contract issued pursuant to this solicitation. In addition, two such findings of non-responsibility within a four-year period can result in debarment from obtaining any New York State governmental procurement contract. The designated contact account for this solicitation is referenced on the cover of this RFA.

This is not a complete presentation of the provisions of the Procurement Requirements. A copy of State Finance Law Sections 139-j and 139-k can be found at:

http://esd.ny.gov/CorporateInformation/Data/RFPs/RequiredForms/PermissibleContactsPolicy_Jan2007.pdf. All potential Respondents are solely responsible for full compliance with the Procurement Requirements. Both the prime consultant and any sub-consultants complete the forms required above.

3. Vendor Responsibility Questionnaire

All Respondents to this RFA must be "responsible," which in this context means that they must have the requisite financial ability, organizational capacity and legal authority to carry out its obligations under this RFA, and in addition must demonstrate that both the Respondent and its principals have and will maintain the level of integrity needed to contract with New York State entities such as ESD. Further, the Respondent must show satisfactory performance of all prior government contracts. Accordingly, the contract to be entered into between ESD and the Respondent, if any, shall include clauses providing that the Respondent remain "responsible" throughout the term of the contract, that ESD may suspend the contract if information is discovered that calls into question the responsibility of the contracting party, and that ESD may terminate the contract based on a determination that the contracting party is non-responsible. On request, model language to this effect will be provided to any Respondent to this RFA.

To assist in the determination of responsibility, ESD requires that all Respondents to this RFA register in the State's Vendor Responsibility System ("Vend-Rep System"). The Vend-Rep System allows business entities to enter and maintain their Vendor Responsibility Questionnaire information in a secure, centralized database. New York State Procurement Law requires that state agencies award contracts only to responsible vendors. Respondents are to file the required Vendor Responsibility Questionnaire

online via the Vend-Rep System or may choose to complete and submit a paper questionnaire. Please include a copy of your Vend-Rep submission receipt or paper questionnaire with your proposal.

To enroll in and use the Vend-Rep System, see the System Instructions available at www.osc.state.ny.us/vendrep For direct Vend-Rep System user assistance, the Office of the State Comptroller's Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at helpdesk@osc.state.ny.us.

Respondents opting to file a paper questionnaire can obtain the appropriate questionnaire from the Vend-Rep website (http://www.osc.state.ny.us/vendrep/forms_vendor.htm) and execute accordingly pertaining to the company's trade industry. Per the website, Respondents are to "Select the questionnaire which best matches the business type (either For-Profit or Not-For-Profit) and business activity (Construction or Other)."

4. Insurance Requirements

The prospective will be expected to show evidence of the following insurance requirements, (at a minimum and to the extent applicable) as listed below:

- Commercial General Liability insurance - \$1 million per occurrence / \$2 million aggregate
 - o The NYS Urban Development Corporation (d/b/a Empire State Development) must be named as an "additional insured" on a primary and non-contributory basis on the policy
 - o The policy above should include a waiver of subrogation in favor of the NYS Urban Development Corporation (d/b/a Empire State Development)

5. Non-Discrimination and Contractor & Supplier Diversity Requirements

Participating lenders shall adhere to ESD's Non-Discrimination and Equal Employment Opportunity ("EEO") policy. Where applicable, ESD may require lenders and other beneficiaries of the program to provide Equal Employment Opportunity (EEO) data in accordance with New York State regulations.

Additional information regarding the EEO requirements may be obtained through the ESD's Office of Contractor and Supplier Diversity at OCSD@ESD.NY.GOV.

6. W-9 Form

Provide a completed W-9 form (<https://www.irs.gov/pub/irs-pdf/fw9.pdf>), submit with proposal.

Required Forms

- RFA Application

APPENDIX C: Administrative Proposal (Contractual Requirement Forms)

1. Conflict of Interest Form

<https://esd.ny.gov/sites/default/files/Conflict-of-Interest-Attestation-June-2019.pdf>

2. 139 J&K

https://cdn.esd.ny.gov/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf

3. Vendor Responsibility Questionnaire –

<https://www.osc.state.ny.us/state-vendors/vendrep/vendor-responsibility-forms>

4. Non Discrimination and Contractor and Supplier Diversity Forms -

<https://esd.ny.gov/sites/default/files/OCSD-1-Policy-Statement.pdf>

5. W9 Form -

<https://www.irs.gov/pub/irs-pdf/fw9.pdf>

Appendix D – Diversity Practices Questionnaire (Attached)

ESD IT Security Brief (Attached)