NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT

Albany, NY 12245

INVITATION FOR BIDS: 23-6156

IMPORTANT: SEE "NOTICE TO BIDDERS" CLAUSE HEREIN

BID DUE DATE: October 17, 2023 **TIME: by 5:00 pm**	**TITLE**: 2023-24 I LOVE NEW YORK Road Map Printing
INVITATION FOR BIDS NUMBER:	**SPECIFICATION REFERENCE**: As incorporated herein
CONTRACT PERIOD: Duration of project to prep, print and deliver all product to all locations	**DIRECT QUESTIONS TO:** Nicole Crosier, Assistant Publications Manager Tel: 518-292-5382 email: Nicole.Crosier@esd.ny.gov

RETURN COMPLETED BIDS TO:

Lisa Sutton, Contract Management Unit
NYS Department of Economic Development, Office of Fiscal Management
625 Broadway, Albany, NY 12245

** An identical electronic copy of your entire bid must also be sent to Tourismrfp@esd.ny.gov

By signing you indicate your express authority to sign on behalf of yourself, your company, or other entity and full knowledge and acceptance of all the terms and conditions of this INVITATION FOR BIDS and Appendix A (Standard Clauses For New York State Contracts). The bid must be fully and properly executed by an authorized person.

Name of Company Bidding:	Bidder's Federal Tax Identification No.:
Street City State Zip	

Is the above your company's principal place of place of business? _____ Yes _____ No

The term "principal place of business" is defined as follows:
A company's principal place of business is generally considered to be the enterprise's main office, where the regular meeting place of its board of directors occurs, and where a company's business is managed, conducted and directed, regardless of where the administrative departments or the physical property of the business are located. For purposes of determining the principal place of business, a foreign business enterprise's principal place of business is not necessarily the same as its state of incorporation. In sum, the determinate is where the actual "business" of the corporation takes place.

If the above address is <u>not</u> your principal place of business, indicate the full address of your principal place of business below:

_____

_____

Cash Discounts will not be considered in determining low bid, but cash discounts of any size may be considered in awarding tie bids.

_____% Cash Discount for payment within 15 days of delivery and/or receipt of voucher

_____% Cash Discount for payment within 30 days of delivery and/or receipt of voucher

If you are not bidding, place an "X" in the appropriate box and return this page only.

☐ WE ARE UNABLE TO BID AT THIS TIME BECAUSE_____

_____.

☐ WE REQUEST REMOVAL OF OUR NAME FROM THE MAILING LIST FOR THIS TITLE.

Bidder's Signature: Title:	Printed or Typed Name: Date:
Phone : ( ) - ext ( )	Toll Free Phone : ( ) - ext ( )
E-mail Address:	Company Web Site:

Address where print manufacturing is to be performed:

Preparatory: _____

Printing: _____

Bidding Company Name:_____

NOTICE TO BIDDERS – Read Carefully

Pursuant to the provisions of Article XI of the State Finance Law or the State Printing Law, sealed proposals will be received by the New York State Department of Economic Development for furnishing the item(s) listed in this proposal. When submitting a bid you must:

l. Prepare your bid on this form using permanent ink. Bid response must be clearly legible. Write the name of your company on each page of the bid on the line provided. **NOTE: One complete copies of the bid is required.**

2. If your bid deviates from the specifications, indicate such fact by marking an "X" alongside the amount bid for each item in the price column. Explain such deviations or qualifications; if necessary, attach a separate sheet with explanation.

3. Sign the bid. By signing, you indicate full knowledge and acceptance of the General Specifications and amendments thereto, the Bid Proposal, and the Group Specifications. The exhibits are understood to be part of this Bid Proposal. The bid must be completed in the name of the bidder, corporate or other, and must be fully and properly executed by the authorized person.

4. It is bidder's responsibility to submit the bid to the correct address.

5. Bidders assume all risks for timely, properly submitted deliveries. Mail the bid promptly in order for it to be received before the time of the bid due date and time. Late bids will be rejected. All **hard copy** bid documents must be delivered on time to be considered.

6. An envelope and/or package containing a bid should be clearly marked "**BID ENCLOSED**" and should state the **Bid Number and Bid Due Date.**

Complete this proposal and return to:

Ms. Lisa Sutton
Fiscal Management
NYS Department of Economic Development
625 Broadway – 8th Floor
Albany, NY 12245

****In addition to the hard copies**, the Bidder must submit an identical electronic version of the entire Bid document to tourismrfp@esd.ny.gov with **"2023-24 I LOVE NEW YORK Road Map Printing – your *company name*" in the subject line**. Electronic copies are not accessed by the Department prior to the bid due date and time. Electronic copies are used for administrative purposes and DO NOT fulfill the requirement to submit the hard copies by the deadline.

FREEDOM OF INFORMATION LAW

The Department is subject to the Freedom of Information Law (FOIL), which governs the process for the public disclosure of certain records maintained by the Department. (See Public Officers Law, Sections 87 and 89). A response by the Department to a request for information pursuant to the Freedom of Information Law is separate and independent from any other disclosure provisions in the request for proposal. All requests for bid information under FOIL must be made in writing, submitted SEPARATE from the bid, and addressed directly to the NYS Department of Economic Development, Counsel's Office, 633 Third Ave., New York, NY 10017. Attention: FOIL Officer. Request should be on company stationery and clearly list the IFB number and publication title. Or email: FOIL@esd.ny.gov. DO NOT include your request for information with the bid package.

Request for FOIL Exception

Individuals or firms which submit proposals to the Department may request that the Department except all or part of such proposal from public disclosure, pursuant to Section 87(2)(d) of the Public Officers Law, on the ground that the proposal contains trade secrets, proprietary information, or that the information, if disclosed, would cause substantial injury to the competitive position of the firm submitting the information. Such exception may extend to information contained in the request itself, if public disclosure would defeat the purpose for which the exception is sought. The request for such an exception must be in writing and must be made in a separate cover letter to the proposal. Request must state the reasons for the requested exception and specify the proposal or portions thereof for which the exception is requested.

IMPORTANT: The request for such an exception must be in writing and included with your bid. You must clearly state the reasons for the requested exception. You must also specify the proposal or portions thereof for which the exception is requested. If the Department grants the firm's request for exception from disclosure, the Department shall keep such proposal in secure facilities and shall notify the firm of any request of the proposal.

MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE ("MWBE") PARTICIPATION AND EQUAL EMPLOYMENT OPPORTUNITIES ("EEO")

Article 15-A of the New York State Executive Law §§ 310–318 ("the Statute") was enacted to promote equality of employment and economic opportunities for minority group members and women in State contracting activities. The New York State Department of Economic Development (NYSDED) fully supports the efforts of the State of New York to promote Equal Employment Opportunity (EEO) for all persons and promote equality of economic opportunity for minority group members and women who own business enterprises.

NYSDED has developed compliance requirements, forms and procedures to ensure that Contractors (to include those who submit bids/proposals in an effort to be selected for contract award as well as those successful bidders/proposers with whom NYSDED enters into State Contracts) and proposed or actual Subcontractors comply with requirements concerning Equal Employment Opportunities for Minority Group Members and Women and meaningful participation opportunities for certified minority-owned or women-owned business enterprises (MWBEs) in the NYSDED procurement process. Contractors participating in and/or selected for procurement opportunities with NYSDED shall fulfill their obligations to comply with applicable Federal, State and Local requirements concerning Equal Employment Opportunity and opportunities for MWBEs, including but not limited to, the Statute and its implementing regulations as promulgated by the New York State Division of Minority and Women's Business Development ("DMWBD") and set forth at 5 NYCRR Parts 140-144).

Refer to Exhibit_H_MWBE.docx, attached and incorporated by reference herein, for the specific EEO/MWBE requirements and associated forms required by this procurement.

DEBRIEFING

An unsuccessful bidder has the right to a debriefing regarding the reasons its bid was not selected for award. Upon request, the Department will provide a debriefing to any unsuccessful applicant as to the reasons that the bid submitted was not selected for an award. To request a review of an unsuccessful bid contact NYSDED via e-mail at tourismrfp@esd.ny.gov. An unsuccessful bidder may request a debriefing within 15 calendar days of receipt of notification by the NYSDED that the applicant's bid is unsuccessful.

IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Bidder/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should NYSDED receive information that a person is in violation of the above-referenced certification, NYSDED will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDED shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDED reserves the right to reject any bid or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

GENERAL INFORMATION – Bid Attachments

It is the vendor's responsibility to supply a complete bid response. Please carefully review and respond to the bid attachments as required. This bid package includes the following attachments:

EXHIBIT A: Is the NYS Appendix A, Standard Clauses For New York State Contracts, attached hereto, is hereby expressly made a part of this Bid Document as fully as if set forth at length herein. **Please retain this document for future reference.**

EXHIBIT B: NYSDED Print Specifications, attached hereto, is hereby expressly made a part of this Bid Document as fully as if set forth at length herein and shall govern any situations not covered by this Bid Document or Appendix A. **Vendor must use and return the itemized price sheet provided with bid submission – do NOT substitute, do not omit.** Vendor should retain the Print Specifications document for future reference.

EXHIBIT C: Bidders Survey Form, attached hereto, is hereby expressly made a part of this Bid Document as fully as if set forth at length herein. **Bidder agrees to fully and accurately complete and return Exhibit C with bid submission.**

EXHIBIT D: Non-collusive Bidding Certification attached hereto, is required by Section 139-D of the state finance law and is hereby expressly made a part of this Bid Document. **Bidder agrees to fully, accurately complete and return Exhibit D with bid submission.**

EXHIBIT E: Nondiscrimination in Employment in Northern Ireland: MacBride Fair Employment Principles, attached hereto, is hereby expressly made a part of this Bid Document. **Bidder agrees to fully, accurately complete and return Exhibit E with bid submission.**

EXHIBIT F: Procurement Lobbying Disclosure form attached hereto, is required by Section 139-J and 139-K of the state finance law and is hereby expressly made a part of this Bid Document. **Bidder agrees to fully, accurately complete and return Exhibit F with bid submission.**

EXHIBIT G: New York State Standard Vendor Responsibility Questionnaire must be included with this Bid Document. **Bidder agrees to fully, accurately complete the NYS Standard Vendor Responsibility Questionnaire, which is described in the attached Exhibit G**. The Bidder acknowledges that the State's execution of the Contract will be contingent upon the State's determination that the Bidder is responsible, and that the State will be relying, in part, on the Bidder's responses to the Questionnaire in helping to make that determination. The Bidder agrees that if it is found by the State that the Bidder's responses to the Questionnaire were intentionally false or intentionally incomplete, on such finding, DED may terminate the Contract by providing ten (10) days written notification to the Contractor. In no case shall such termination of the Contract by the State be deemed a breach thereof, nor shall the State be liable for any damages for lost profits or otherwise, which may be sustained by the Contractor as a result of such termination. **Bidder agrees to fully and accurately complete the Vendor Responsibility Questionnaire either online or paper version, and also return the completed Exhibit G with bid submission. If paper version questionnaire is completed that must also be included with your submitted bid packet.**

EXHIBIT H: Minority and Women-owned Business Enterprises ("MWBE") and Participation and Equal Employment Opportunities ("EEO") information attached. The **Equal Employment Opportunity policy statement will be required after bid award. Retain document for future reference.**

EXHIBIT I: Vendor Affidavit, attached hereto, is hereby expressly made a part of this Bid Document. **Bidder agrees to fully, accurately complete and return Exhibit I with bid submission.**

EXHIBIT J: **Shipping Instructions**, attached hereto, is hereby expressly made a part of this Bid Document. **Contains specific packing and shipping direction.** Maps must be packed and delivered to the New York State OGS Albany Distribution Center (FOB pre-paid inside delivery). All shipping and handling costs must be included in the grand total bid.

EXHIBIT K: TAX LAW 5-A AMENDED APRIL 26, 2006 Section 5-a of the Tax Law, as amended, effective April 26, 2006, requires certain contractors awarded state contracts for commodities, services and technology valued at more than $100,000 to certify to the Department of Taxation and Finance (DTF) that they are registered to collect New York State and local sales and compensating use taxes. The law applies to contracts where the total amount of such contractors' sales delivered into New York State are in excess of $300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made, and with respect to any affiliates and subcontractors whose sales delivered into New York State exceeded $300,000 for the four quarterly periods immediately preceding the quarterly period in which the certification is made.

This law imposes upon certain contractors the obligation to certify whether or not the contractor, its affiliates, and its subcontractors are required to register to collect state sales and compensating use tax and contractors must certify to DTF that each affiliate and subcontractor exceeding such sales threshold is registered with DTF to collect New York State and local sales and compensating use taxes.

The law prohibits the State Comptroller, or other approving agency, from approving a contract awarded to a contractor meeting the registration requirements but who is not so registered in accordance with the law. Contractor certification forms and instructions for completing the forms are attached to this bid. Form No. ST-220-TD must be filed with and returned directly to DTF. Unless the information upon which the ST-220-TD is based changes, this form only needs to be filed once with DTF. If the information changes for the contractor, its affiliate(s), or its subcontractor(s), a new Form No. ST-220-TD must be filed with DTF.

Form ST-220-CA must be submitted to DED and filed with bid award certifying that the contractor filed ST-220-TD with DTF. Proposed contractors should complete and return the certification forms within two business days of request (if the forms are not completed and returned with bid submission). Failure to make either of these filings may render a bidder non-responsive and non-responsible. Bidders shall take the necessary steps to provide properly certified forms in a timely manner to ensure compliance with the law.

EXHIBIT L: Workers' Compensation Coverage. In order to do business with the State of New York you MUST provide proof of workers compensation coverage and proof of disability coverage or an exemption certificate.
Please note: only the awardee is to submit this workers comp & disability information after notification of award.

Bidding Company Name:_____

QUALITY STANDARDS

PRODUCTION: DED reserves the right to enter contractor's plant, and, if applicable, subcontractor's plant during any stage of production to examine work in progress related to this project.

SCANS: If any scans are required, they must be clean, sharp and of the highest possible quality. All hi-res scans become the property of NYSDED and must be returned at the completion of the project.

PROOFS: must meet industry standards allowing for discernable approval of color and content.

PRESSWORK: DED reserves the option to have a representative at press to give the OK for color. All press sheets must match each other and be consistent in ink coverage. All press forms must be in exact registration. DED will not accept bad registration, gear streaks, doubling, embossing, scumming or plugging. "Fluting" as defined by DED, is an imperfection that renders a corrugated ripple effect in the paper so it will not lay flat. The final printed product must be rendered to the satisfaction of DED with no discernable fluting.

INK: Printer to use top quality ink. IMPORTANT: All lithographic inks used in NYS printing must contain the following minimum percentages of vegetable oil: news inks: 40%; sheet fed inks: 20%; forms inks: 20%; heat set inks: 10%.

FINISHING: Folding, trimming and binding are to be as exact as possible.

PREPARATORY MATERIALS: All materials and work generated in the production of this publication becomes the property of NYS and must be returned upon completion of the job. This includes but is not limited to any high res-scans and all assembled final PDF files. **NOTE:** If PDF files are generated in the vendors production process of going to plate, a final PDF version of complete publication with all hi-res elements in position must be copied returned to NYSDED. **All original materials provided by DED for the production of the publication must be returned in the same condition as they were received.**

QUANTITIES: Except for the printed quantity specified, all quantities listed in this IFB are estimated. All preparatory items shall be invoiced only for the quantities actually ordered (ie: AA's)

OVERRUNS: Shall not exceed three percent **(**3%). If overruns beyond the allowable percentages are accepted, they will be at a negotiated reduction in price should the department choose to purchase.

Bidding Company Name:_____

PROGRAM BACKGROUND AND SCOPE OF SERVICES

BACKGROUND: The New York State Department of Economic Development (ESD) is the government agency with the primary objective of creating private sector job opportunities for New Yorkers by enhancing the State's economic growth. ESD's Division of Tourism ("the Division") takes the lead role in carrying out the Department's mission with regard to drive economic development and boost tourism to New York State. The Division achieves this task by promoting New York State as the premier location to vacation, visit or conduct business. The Division supports this mission through the tourism industry by marketing the state's travel destination; primarily through its iconic I LOVE NEW YORK brand Tourism advertising campaigns, comprehensive marketing activities, including trade and consumer initiatives, traditional and digital media as well as domestic and international marketing.

OBJECTIVES: New York State is divided into 11 separate vacation regions: The Adirondacks, Capital-Saratoga, The Catskills, Chautauqua-Allegany, Finger Lakes, Greater Niagara, Hudson Valley, Long Island, 1000 Islands-Seaway and New York City.

Each vacation region offers unique tourism assets. In addition, the state as a whole presents vacation experiences linked to the following key themes: family attractions, culture and history, the outdoors and recreation areas across the state.

The aim is to:

- Identify assets of New York State that are of interest to the visitor
- Generate awareness of these assets
- Create the desire to visit New York State to experience these assets
- Promote interstate travel across New York State
- Entice visitors from other states and countries to visit New York State
- Capture a larger share of visitors to extend stays and experience other destinations across New York State

The objective of this invitation to bid is to seek and retain a qualified contractor that can provide high-quality vector-based cartographic services and map publishing capabilities on behalf of New York State.

Each year the Road Map will become part of the I□LOVE NEW YORK tourism collateral package distributed as a response to consumer requests for tourism information. It will be distributed as a supplemental piece along with the annual I□LOVE NEW YORK Travel Guide as a means of providing the traveler with a comprehensive information package. The Official I LOVE NEW YORK Road Map is distributed by the Division of Tourism to the public at no charge.

New York State law allows paid advertising to appear on the Map. A maximum of 30% of the total square inches of the Map may be allotted to advertising and/or tourism promotion. This area should appear on contiguous panels. The successful proposal must configure the Map and Map elements around or allowing for the advertising space. In the event advertising is not sold the space will be filled with tourism promotional content.

Bidding Company Name:_____

SCOPE OF SERVICES:

The responsibilities of the Contractor shall include cartography production, road map printing. The Contractor is to develop vector-based road map, edit and provide cartography services based on the most current information and resources available at the time of creation during the term of this Contract, capturing the latest transportation projects and routes across New York State. The responsibilities of the Contractor shall include a combination of trade, outreach and general services (the "Services) as further described in this section and provide the deliverables as described in the bid.

New York State seeks a partner who can identify and create highly visual, cost effective vector-based printed and digital road maps, which can be used to motivate travel to and across New York State. For the purpose of this bid and any contract (the "Contract") resulting from it, the Services shall mean:

Unless otherwise specified herein, the contractor shall furnish all material, labor, facilities, equipment, and supplies necessary to perform the services required herein. Each responding company must own all publishing rights to and be able to supply copyright proof for an existing, current New York State base map to be considered for this contract. Your proposal should address the following creative specifications and map elements:

The I LOVE NEW YORK Road Map is to consist of a four-color process, vector-base highway map of New York State. The printed sample I LOVE NEW YORK Road Map (to have a sample map mailed to you please send a request via e-mail to tourismrfp@esd.ny.gov) is an example of a satisfactory design and configuration of map elements. The printed sample is part of these specifications and is an example of a satisfactory layout of elements; custom grids, cartographic design, fold, and folded size.

The main body of the map must include all of New York State proper, with the exception of New York City and Long Island, in one piece and in a proper and proportionate scale on the proposed trim sheet size.

The Department is looking for recommendations for the Map to continue to include a form of topographic information that would illustrate the various mountain ranges in New York State without compromising the overall legibility of the map or its usefulness to the traveler. Proposals should include what topographic style the contractor has to offer.

The Map must include the latest updates and revisions of New York State roads and highways, including the New York State Thruway. There must be an uncluttered portrayal of tourism attractions from sources to be provided by the Department, keeping in mind the overall appearance and legibility of the Map.

In addition, the following features should be clearly discernable on the Map:

(a) Thruway interchange numbers, rest/gas areas

(b) Metropolitan areas

(c) State parks and recreational areas

(d) Rest areas on all major roads

(e) Major tourist attractions and major points of interest

(f) Scenic routes, major waterways and canals

(g) Parkways (labeled) and toll roads (labeled)

(h) Commercial airports, (airplane symbol would suffice)

(i) State university schools, prominent colleges and universities

(j) County outlines and county names

(k) Major railway passenger terminals (train symbol would suffice) and scenic railways

(l) Winter sport areas

(m) Wineries/grape agri-tourism growing areas

Any tourism attractions and points of interest currently included on states and countries bordering New York State (Connecticut, Massachusetts, Vermont, Canada, Pennsylvania, New Jersey, etc.) **must be deleted**.

The Map must have:

- clear, easy-to-understand symbols and type;

- logical selection and classification of map features;

- and logical selection and placement of map elements.

The Map must include an accurate mileage log and frequent place-to-place road mileage indicators. The mileage log must list New York State places, and major out-of-state cities such as but not limited to: Toronto, Montreal, Boston, Hartford, Philadelphia, Pittsburgh and Cleveland.

The Map must include longitude and latitude.

The Map must include a locator grid with bingo numbers/letters. The finished locator grid and its bingo numbers/letters **MUST** correspond exactly to the Department's locator grid and bingo numbers/letters as used in the sample I♥LOVE NEW YORK Road Map (to have a sample map mailed to you please send a request via e-mail to tourismrfp@esd.ny.gov) and I LOVE NEW YORK Travel Guide (to have a sample travel guide mailed to you please send a request via e-mail to tourismrfp@esd.ny.gov). For example, in the 2016 I LOVE NEW YORK Travel Guide, Albany is in the Capital-Saratoga regional listings on page 75 and its locator is M-24. Albany is also represented on the sample I♥LOVE NEW YORK Road Map and index at the same grid locator of M-24. Bidding firms are asked to break out additional cost, if any, for a map with grid locators (bingo numbers/letters) that correspond exactly to the Department's.

The Map must include a place index. The place index must have an adequate number of entries (counties, cities, towns) reflective of 2020 population figures, as space allows. This index must also correspond to the Department's bingo numbers and letters. The I LOVE NEW YORK Travel Guide listing the communities and their respective grid locator numbers should be used for determining the location and bingo numbers/letters of the various communities that appear on the main map without compromising the cartography. Any discrepancies between location of cities on the map and in the Department's Travel Guide must be reported back to the Department.

As space allows, firms must provide and proposals must include insets for New York City, Buffalo, Capital District (Albany, Schenectady, Troy), and as many other metropolitan cities as is feasible. Downtown insets are helpful, but not required. In any case, the insets must show adequate map detail, including major routes.
Any map insets must correspond to bingo numbers/letters on the main map. Each community's position on the main map and on any inset maps must be cartographically correct.

The Map should have a final flat trim sheet size of not larger than 27" x 39" and not smaller than 22" x 32". The proposed folded and finished size should match the sample I LOVE NEW YORK Road Map although additional alternative suggestions may be considered.

After the award of the contract, but prior to the first proof, the awarded firm must furnish proof to the satisfaction of the Department that all elements missing from the firm's original base map have been included on their creation of the Department's Map, as outlined in these general specifications. All deletions or additions must be made at this point.

Any and all work required to bring the firm's map to the level required by the Department, including all packing and shipping as specified, must be included in the total bid price.

Bidding Company Name:_____

TITLE: 2023-24 I LOVE NEW YORK Road Map

QUANTITY: 150,000 minimum.
NOTE: Vendor is asked to provide a printing cost for additional thousands in lots of 50,000 maps. Any additional maps will be purchased and printed at the same time as the first 150,000 maps.

SIZE: The Map should have a final full bleed trim sheet size of not larger than 27" x 39" and not smaller than 22" x 32". Folded size is **3.75" x 8.75**" full bleed trimmed. The Vendor must match finished folded size of the sample I LOVE NEW YORK Road Map but additional alternative folds will be considered.

PAGES: 1 sheet printed 2 sides

COLOR: 4-color process both sides

FURNISHED: **For all editorial content -** contractor will be furnished Macintosh formatted files. The publication will be supplied as a Macintosh In-Design CC 2023 file and/or PDF files with fonts embedded. Various artwork and portions of the book may be supplied as Illustrator files, Photoshop files, TIFF files and/or EPS files. All photos, artwork and advertising will be in position. All files will be linked. A hard copy of the completed publication will be provided for awarded contractors information.

4C Separations: All photography will be placed as high-resolution files, in position, ready for output, no scanning or separations required.

PROOFING: **FOR CONTENT and COLOR approval of the 2023-24 I LOVE NEW YORK Road Map**: Vendor is to provide one complete set of folded and trimmed color proofs for review. Vendor must **furnish full-page contract quality color proofs of all pages with all elements assembled and in position**. Send one complete assembled proof directly to:

Nicole M. Crosier, Assistant Publications Manager
NYS Department of Economic Development
625 Broadway
Albany, NY 12207
Phone: 518-292-5382

Any pages requiring copy revisions will be clearly marked with changes. Contractor is to make revisions (AA's) as marked and then provide one set of proofs for any individual pages that required copy revisions.

IMPORTANT: Vendor must supply "contract quality" color proofs as described by PIA industry standards. Proofing system must allow for a discerning and accurate approval of color. For example: acceptable proofing systems include matchprints, Epson, Kodak, and HP systems. Vendor must specify type of proofing system to be used on bid response.

AA's (Authors Alterations): There may be editorial corrections after review of the first assembled digital page proofs showing all elements in position. The AA's will be furnished on a revised formatted MAC file with a marked-up hardcopy for further reference disk or, if

the vendor is able, simple changes may be supplied as hard copy for vendor to handle. Any page supplied as a PDF file will be revised by the department and a new PDF file will be provided to vendor. Vendor should indicate an hourly charge for Mac desktop time.

All AA work and charges must be documented by the print vendor and submitted with final itemized billing.

PAPER: First carefully read Executive Order #4. Vendor is to specify a #1 grade or better, 50 lb. (25 x 38 basis) bright white text, smooth finish meeting EO4 specifications. Publisher must certify in writing that the paper bid upon has been manufactured and successfully used for end use as a map, which is opened, closed, and folded repeatedly. Samples of the actual paper, folded to your proposed finished size must be included with proposal package.

NOTE: Paper must be a mill brand and clearly specified on bid response. Paper must include brightness and recycled content verification from the mill. Include samples of paper proposed with bid submission.

RECYCLED CONTENT: The Department of Economic Development would prefer to award to a bidder who can furnish all stocks required to contain a minimum of **10%** post-consumer fiber or as defined by the Environmental Protection Agency (EPA).

RECYCLED CERTIFICATION: Any one of the following are acceptable:

- A Paper Manufacturer's Affidavit of Recycled Content for the proposed paper verifying a minimum of **10%** (See "Recycled Content" requirements) post-consumer fiber as defined by the Environmental Protection Agency (EPA) is; or,
- The Department is able to ascertain through readily available sources, such as trade publications or mill literature that the proposed paper complies with New York State's recycled requirements.

If none of the preceding conditions are met, DED will notify bidder to submit a DED supplied Paper Manufacturer's Affidavit of Recycled Content. Failure to submit a properly completed affidavit within six (6) calendar days after notification may result in disqualification of bid.

SUSTAINABILITY: All non-recycled or virgin content of proposed products shall be derived from a sustainable managed renewable resource and must be certified as such through an appropriate third-party certification program recognized by the paper industry, such as the Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI). **Confirmation of compliance with this requirement should be attached to and submitted with bids at the time of the bid opening. Failure to submit the required documentation may result in the rejection of bid.** The Department reserves the right to request technical documentation to the extent necessary for verification purposes if deemed necessary.

PROCESSED CHLORINE FREE: The Department of Economic Development strongly encourages bids on products that are Processed Chlorine Free (PCF). In order to be considered PCF, product must either be accredited as such through an appropriate third-party certification program, which requires as part of its certification criteria that the product be PCF; or substantiated with literature published by the manufacturer or through a signed

statement by the manufacturer. Confirmation of PCF properties of proposed products should be attached and submitted with bids at the time of the bid opening. DED reserves the right to request technical documentation to the extent necessary for verification purposes if deemed necessary.

NOTE: The State reserves the right to verify the recycled content of paper used in the resultant contract award by the following methods, including but not limited to:

- Supplier invoices for proposed recycled content paper
- Site inspection

INK: The sum or incidental concentration levels of lead, cadmium, mercury or hexavalent chromium in ink shall not exceed 100 parts per million (ppm) by weight. In accordance with Article 2, section 7-a of the New York State Printing and Public Documents law, unless it is determined that the cost of printing with vegetable-based ink is significantly greater than the cost of printing with petroleum-based ink, all lithographic inks used in the production of NYS printing requirements shall contain the following minimum percentages of vegetable oil: News Inks - 40%; Sheet Fed Inks - 20%; Forms Inks - 20%; Heat Set Inks - 10%.

FINISHING: Cleanly trimmed and folded.

PACKING: All maps folded and finished for individual distribution are to be shrink-wrapped or poly-bagged into bundles of 25 and then packed into cartons of 10 bundles (250 maps). Each carton must be clearly labeled as to contents and quantity as follows:

NYS Dept of Economic Development Tourism Division I LOVE NEW YORK 2013 Maps 250 maps (10 bundles of 25)

Cartons must be new and suitable for reshipping. Maps are to be packed in a manner that will protect them from curling or shifting in transit and storage. Cartons are to be securely stacked, plastic wrapped and banded on new pallets. It is the responsibility of the contractor to pack each pallet in a manner that will ensure the maps will not be damaged in transit and upon arrival may be safely double stacked and stored.

IMPORTANT: Pallets must not measure more than 42" wide by 48" deep. The total height of materials, including pallets, is not to exceed 54". Each pallet must have accurate load quantity markers. It is the responsibility of the contractor to pack each pallet in a manner that will ensure the maps will not be damaged in transit and upon arrival may be safely double stacked and stored.

NOTE: The contractor is cautioned; the Department reserves the right to REFUSE ANY SHIPMENT not packed per the above specifications. Any change to these specifications must have prior approval.

Bidding Company Name:_____

SHIPPING: Maps are to be shipped to New York State OGS Warehouse in Albany. **All maps are to be shipped prepaid FOB inside delivery.** The cost of all shipping **must be included in this total bid.**

NYS Department of Economic Development
c/o NYS OGS Distribution Management
10 North Ferry Street
Albany, NY 12207 Main: 518-426-4333
Email: CentralWarehouse@ogs.ny.gov Receiving hours: 8am- 2pm, Mon.-Fri.

Call to arrange delivery schedule. Request 24 hours advanced noticed for deliveries
Contact: Shawn Mack is the Warehouse Supervisor at the Albany Distribution Center (ADC).

SCHEDULE: The target date for delivery of publication materials to the printer is late November/early December 2023. Regardless of when material is delivered to the printer, before, on, or after the target date, the printer has **35 calendar** days from receipt of materials to deliver finished maps. The time the Department holds the first proofs and the revised proofs is NOT included in the 35 calendar days and each day proofs are held will be added to schedule.

IMPORTANT NOTE: The Road Map is a consumer publication and contains important dated information. Regardless of when project materials are delivered to awarded vendor, it is crucial that the publication be delivered within the allotted 35 calendar days.

Bidding Company Name:_____

Exhibit A

APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

PLEASE RETAIN THIS DOCUMENT
FOR FUTURE REFERENCE.

Bidding Company Name:_____

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Bidding Company Name:_____

STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER'S APPROVAL. In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds $50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds $25,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed $85,000 (State Finance Law § 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

4. WORKERS' COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment, nor subject any individual to harassment, because of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status or because the individual has opposed any practices forbidden under the Human Rights Law or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of $50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-

a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds $5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2 NYCRR § 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, the "Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR Part 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of $25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of $100,000.00 whereby a contracting agency is committed to

expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of $100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a," "b," and "c" above, in every subcontract over $25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this clause. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in § 165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles

(Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
Albany, New York 12245
Telephone: 518-292-5100
Fax: 518-292-5884
email: opa@esd.ny.gov

A directory of certified minority- and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue
New York, NY 10017
212-803-2414
email: mwbecertification@esd.ny.gov
https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp

The Omnibus Procurement Act of 1992 (Chapter 844 of the Laws of 1992, codified in State Finance Law § 139-i and Public Authorities Law § 2879(3)(n)–(p)) requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than $1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority- and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively, codified in State Finance Law § 165(6) and Public Authorities Law § 2879(5))) require that they be denied contracts which they would otherwise obtain. NOTE: As of October 2019, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii.

22. COMPLIANCE WITH BREACH NOTIFICATION AND DATA SECURITY LAWS. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law § 899-aa and State Technology Law § 208) and commencing March 21, 2020 shall also comply with General Business Law § 899-bb.

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4)(g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a "procurement contract" as defined by State Finance Law §§ 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law §§ 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.
To the extent this agreement is a contract as defined by Tax Law § 5-a, if the contractor fails to make the certification required by Tax Law § 5-a or if during the term of the contract, the

Department of Taxation and Finance or the covered agency, as defined by Tax Law § 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. **IRAN DIVESTMENT ACT.** By entering into this Agreement, Contractor certifies in accordance with State Finance Law § 165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted at: https://ogs.ny.gov/list-entities-determined-be-non-responsive-biddersofferers-pursuant-nys-iran-divestment-act-2012

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law § 165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

27. ADMISSIBILITY OF REPRODUCTION OF CONTRACT. Notwithstanding the best evidence rule or any other legal principle or rule of evidence to the contrary, the Contractor acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of this contract, in the form approved by the State Comptroller, if such approval was required, regardless of whether the original of said contract is in existence.

EXHIBIT B
PRICE QUOTE

ITEM: 2023-24 I LOVE NEW YORK Road Map

PRINTING(*includes all costs except preparatory):

	Estimated Quantity	Unit Price	Total Price
Quote price base map, cartography And design layout			$_____
Quote a price* for Print Production (File assembly, proofs, presswork, ink, paper, fold, packing, shipping, etc. as specified)			
Printing First 150M Maps		$_____/m =	$_____
Additional Printed Maps in Lots of 50M	$_____/m =$_____ (optional)		
Total Printing* and Delivery of 150M Road Maps @		**$_____/m =**	**$_____**

PREPARATORY:

Total cost (if any) to match Department's bingo numbers/letters			$_____
Author Alterations	3 hours	$_____hr =	$_____
Color proofs (editorial and advertising) as specified			$_____
Total Preparatory Cost:			**$**_____

GRAND TOTAL COST:

Total Printing* and Delivery of 150M ROAD MAPS @	$_____
Total Preparatory Cost:	$_____
****GRAND TOTAL BID:**	**$**_____

*** PRINTING:** includes all production costs except preparatory. Printing includes but is not limited to; paper, bindery, packing and all shipping.

** **GRAND TOTAL BID:** shall include ALL COSTS necessary or incidental to proper execution of the publication **including FOB dock delivery to the**:

NYS Dept. of Economic Development c/o NYS OGS Albany Distribution Center (ADC),
ATTN: Warehouse Supervisor, 10 North Ferry Street, Albany, NY 12207

Do you guarantee to deliver on time as outlined? YES or NO

_____Authorized
Signature/Title Date

PAPER: State manufacturer, brand name, weight and finish. Proposed stocks that are not at least equal to the bid specifications will result in rejection of the bid proposal. Paper must be a mill brand and clearly specified below.

RECYCLED CERTIFICATION: Provide a mill letter or a Paper Manufacturer's Affidavit of Recycled Content for the proposed paper verifying post-consumer fiber as defined by the Environmental Protection Agency (EPA)

Proposed paper:_____

Mill: _____

Recycled Content: _____

INK: Do you use vegetable based inks? YES or NO Percentage: _____
circle one

METHOD OF COLOR PROOFING: _____
Contractor must specify method of color proofing. Color proof must be a contract quality proof, meeting highest quality standards of industry and allow for accurate approval of color.

METHOD OF AWARD: Award will be made based upon the Grand Total low bid from a qualified vendor. Vendor may be asked to provide references and samples of similar print projects. The I Love New York Road Mapis a consumer publication and will be used for tourism marketing and promotion. Contracted vendor must deliver a top-quality printed piece within the specified timeline.

PAYMENT: Payment cannot be processed by State facilities until the contract items have been delivered in satisfactory condition. All materials (film, scans, photos, artwork, etc.) are the property of the Department and must be returned before payment will be processed. Payment will be based on any invoice used in the vendors normal course of business, however, such invoice must contain sufficient data including but not limited to, Contract No., description of material, quantity, unit and price per unit as well as the Federal ID number. Vendor is reminded that all items listed in the preparatory section are estimated quantities. Vendor may bill only for work actually rendered. Any charge for Authors Alterations must be documented.

State facilities are required to forward properly complete vouchers to the Office of the State Comptroller for audit and payment.

Exhibit C

Bidder's Survey Form

BIDDER: _____

ITEM: 2023-24 I LOVE NEW YORK Road Map

BIDDERS PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. Are you a New York State resident business: _____YES _____NO

2. Total number of people employed by your firm: _____

3. Total number of people employed by your firm in New York State: _____

4. Is your company independently owned and operated: _____YES _____NO

5. Place of Manufacture of Product(s) Bid:
   (Please indicate Yes or No for either A, B or C)

   A. All NYS Manufacture _____YES _____NO

   B. All Manufactured outside NYS _____YES _____NO

   C. Manufactured In NYS and Outside NYS _____YES _____NO

   If yes to "C" above, Location (State) where more than half the value is added to the product(s) bid:

State of _____

EXHIBIT D

NON-COLLUSIVE BIDDING CERTIFICATION REQUIRED BY SECTION 139-D OF THE STATE FINANCE LAW

SECTION 139-D, Statement of Non-Collusion in bids to the State

BY SUBMISSION OF THIS BID, BIDDERS AND EACH PERSON SIGNING ON BEHALF OF BIDDER 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 bid have been arrived at independently, without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor;

2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and

3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A BID SHALL NOT BE CONSIDERED FOR AWARD NOR SHALL ANY AWARD BE MADE WHERE 1, 2, 3 ABOVE HAVE NOT BEEN COMPLIED WITH; PROVIDED HOWEVER, THAT IF IN ANY CASE THE BIDDER(S) CANNOT MAKE THE FORGOING CERTIFICATION, THE BIDDER SHALL SO STATE AND SHALL FURNISH BELOW A SIGNED STATEMENT WHICH SETS FORTH IN DETAIL THE REASONS THEREFORE:

[BIDDERS 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 _____, 20_ _ as the act and deed of said individual, corporation or partnership.

Person Legally Responsible for Binding Bidder

Name_____ Title_____

Signature_____

Joint or combined bids must be certified on behalf of each participant

_____ _____

Legal name of person, firm or corporation Legal name of person, firm or corporation

Person(s) Legally Responsible for Binding Participant

Name_____ Name_____

Title_____ Title_____

Business Address_____ Business Address_____

EXHIBIT E

NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND: MACBRIDE FAIR EMPLOYMENT PRINCIPLES

In accordance with section 165 of the State Finance Law, the bidder, by submission of this bid certifies that it or any individual or legal entity in which the bidder holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership in the bidder, either: (answer yes or no to one or both of the following, as applicable),

(1) has business operations in Northern Ireland;

Yes ____ or No____

if yes:

(2) shall take lawful steps in good faith to conduct any business operations that it has in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of their compliance with such Principles.

Yes____ or No____

_____ _____

Signature Date

EXHIBIT F

PROCUREMENT LOBBYING DISCLOSURE PURSUANT TO SECTIONS 139-J AND 139-K OF STATE FINANCE LAW

(For Agreements of $15,000 or more please complete this form.)

Statutory Summary

Changes to the New York State Finance Law (referred to as the "new State Finance Law") effective January 1, 2006, significantly alter the administrative process for the development of State procurement contracts1. The procedures discussed herein are put in place to address the new State Finance Law. The New York State Department of Economic Development recognizes the considerable additional responsibility that the new State Finance Law places on potential bidders ("Offerers") as well as on the Department and we regret any inconvenience. The Department assures you that we are interested in receiving a proposal from your company. Among other things, the new law:

- Makes the States lobbying law applicable to attempts to influence procurement contracts once the procurement process has been commenced by the Department.
- Requires the Department to record **all** contacts made by lobbyists and contractors (you) about a governmental procurement so that the public knows who is contacting the Department about procurements.
- Requires the Department to designate persons who generally may be the **only** staff contacted relative to the Department's procurement in a restricted period.
- Authorizes the imposition of fines and penalties against persons/organizations engaging in impermissible contacts about a Department procurement and provides for the debarment of repeat violators.
- Directs the Office of General Services to disclose and maintain a list of non-responsible bidders pursuant to this new law and those who have been debarred and publish such list on its website.
- Expands the definition of lobbying to include procurement contracts.

Generally speaking, two related aspects of procurements were affected: (i) activities by the business and lobbying community seeking procurement contracts and (ii) activities involving governmental agencies establishing procurement contracts. The obligations imposed by State Finance Law Sections 139-j and 139-k are collectively referred to as the "new State Finance Law". State Finance Law Sections 139-j and 139-k may be viewed at http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/sfl139-j.htm and at http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/sfl139-k.htm

The following contains language and forms (these forms must be completed and returned as part of your proposal, and when indicated at other times during this procurement process) to be reviewed and completed by you the bidder ("Offerer"), in compliance with sections 139-J and 139-k of the State Finance Law.

NYS Department of Economic Development Policy Language

Pursuant to State Finance Law §§139-j and 139-k, this Invitation for Bid includes and imposes certain restrictions on communications between the Department and an Offerer/bidder during the procurement process. An Offerer/bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by the Department and Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated staff, as of the date hereof, are any member of the Department's Contract Management or Publications Unit. To avoid conflicts and other issues concerning statutory exceptions, the Department requires that Offerers contact only Department staff identified in the aforementioned section of this solicitation. Department employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings

1 "Procurement contract" shall mean any contract or other agreement for an article of procurement involving an estimated annualized expenditure in excess of fifteen thousand dollars. Grants, article eleven-B state finance law contracts, program contracts between not-for-profit organizations, as defined in article X1-B of the state finance law, and the unified court system, intergovernmental agreements, railroad and utility force accounts, utility relocation project agreements or orders and eminent domain transactions shall not be deemed procurement contracts.

within a 4 year period, the Offerer/bidder is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found at http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html or by calling the New York State Office of General Services; Ms. Anne Phillips, OGS Legal Services, Empire State Plaza, 41st Floor Tower Building, Empire State Plaza, Albany NY 12242. Telephone: (518) 474-5607. E-mail: Anne.Phillips@OGS.State.NY.US.

Termination Provisions

The Department also reserves the right to terminate any PO resulting from this IFB in the event it is found that the certification filed by the Contractor in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, the Department may exercise its termination right by providing written notification to the Contractor in accordance with the written notification terms of this contract.

Form 1 - Offerer's Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

State Finance Law §139-j(6)(b) provides that: Every Governmental Entity shall seek written affirmations from all Offerers as to the Offerer's understanding of and agreement to comply with the Governmental Entity's procedures relating to permissible contacts during a Governmental Procurement pursuant to subdivision three of this section.

The Department must obtain the required affirmation of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible Contacts in the restricted period for a procurement contract in accordance with State Finance Law §§139-j and 139-k.

Offerer affirms that it understands and agrees to comply with the procedures of the Department relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

_____

Form 2 - Offerer's Certification of Compliance with State Finance Law §139-k(5)

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §§139-k or 139-j shall contain a certification by the Offerer that all information provided to the procuring Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

The Department must obtain the required certification that the information is complete, true and accurate regarding any prior findings of non-responsibility, such as non-responsibility pursuant to State Finance Law §139-j. The Offerer must agree to the certification and provide it to the procuring Governmental Entity.

Offerer Certification:

I certify that all information provided to the Department with respect to State Finance Law

§139-k is complete, true and accurate.

By: _____ Date:_____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

_____

Form 3 - Offerer Disclosure of Prior Non-Responsibility Determinations

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms "Offerer" and "Governmental Entity" are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offerer that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer is necessary to protect public property or public health safety, and that the Offerer is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The Department must include a disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract. It shall be submitted to the Governmental Entity conducting the Governmental Procurement.

Offerer Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract: _____

_____

Address: _____

_____

_____

Name and Title of Person Submitting this Form:_____ Date:_____

1. 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? (Please circle):

No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No Yes

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

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-Responsibility: _____

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No Yes

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Signature: _____

Form 4 - Report of Contact under State Finance Law §139-k(4)

THIS FORM TO BE COMPLETED AND RETURNED TO THE DEPARTMENT WHENEVER YOU CONTACT US DURING THE DESIGNATED PERIOD. ATTEMPTS TO CONTACT THE DEPARTMENT WILL NOT BE ACKNOWLEDGED UNLESS YOU PROVIDE THIS FORM. THIS INCLUDES THE SUBMISSION OF QUESTIONS REGARDING THIS IFB.

New York State Finance Law §139-k(4) obligates every Governmental Entity during the Restricted Period of a Procurement Contract to make a written record of any Contacts made. 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 Governmental Entity 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.

It should be noted that State Finance Law §139-k(6) provides: [a]ny communications received by a governmental entity from members of the state legislature, or legislative staffs, when acting in their official capacity, shall not be considered to be a "contact" within the meaning of this section and shall not be recorded by a governmental entity pursuant to this section.

Offerers and those designated, employed or retained by Offerers are hereby advised of the Department's intention to record all Contacts.

Record of Contact Under State Finance Law §139-k(4)

To: The New York state Department of Economic Development

Regarding Procurement Project No.: _____ (See first page of this document) Date: _____

From: _____
(Name and title of Offerer)

Subject: Record of Contact under State Finance Law §139-k(4). In accordance with State Finance Law §139-k(4), the following information is provided).

Address of Offerer: _____

_____Telephone Number:_____

Offerer's Place of Principal Employment (Name and Address of your Employer, may be different from the Offerer's name and address, if not state same as above).

_____

Your Occupation: _____

1. Is the above named person or organization the "Offerer" in this governmental procurement? Please circle Yes or No

2. If no, was the above named person or organization retained, employed or designated by the "Offerer" to:

- Appear before the governmental entity about the governmental procurement? Please circle – Yes or No
- Contact the governmental entity about the governmental procurement? Please circle – Yes or No

EXHIBIT G

Vendor Name: _____

NYS Vendor ID # (If one has been assigned) _____

Vendor Responsibility Information

Effective January 1, 2005, the Office of the State Comptroller has conveyed that all requests for NYS contract approval must include information regarding Vendor Responsibility for the Contractor. In addition, any subcontractor on a state contract receiving over $100,000 must also complete the Vendor Responsibility Questionnaire. The NYS Department of Economic Development recommends that vendors file the required questionnaire online via the NYS VendRep System. To enroll in and use the system and complete the questionnaire, see the instructions available at:
http://www.osc.state.ny.us/vendrep/info_vrsystem_vendor.htm or go directly to the VendRep System online at http://por tal.osc.state.ny.us.

Failure to submit a completed questionnaire may result in either a grant or designation being rescinded or delayed. In addition, the NYS Department of Economic Development reserves the right to rescind upon a finding that the recipient is deemed not responsible to receive funds.

Please check one of the following:

☐ A Vendor Responsibility Questionnaire has been filed online and has been certified/updated within the last six months. **Date certified online**:_____

☐ A Vendor Responsibility Questionnaire is **attached hereto**. (Can be found and printed at: http://www.osc.state.ny.us/vendrep/documents/questionnaire/ac3290s.pdf)

EXHIBIT H

M/WBE AND SDVOB PARTICIPATION / EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

I, _____ (CONTRACTOR), the ____ _____ _____ (COMPANY NAME) agree to adopt the following policies with respect to the project being developed or services rendered at _____ .

NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY POLICY

(a) This organization will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on state contracts.

(b) This organization shall state in all solicitation or advertisements for employees that in the performance of the State contract all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

(c) At the request of the ESD, this organization shall request each employment agency, labor union, or authorized representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

(d) Organization shall comply with the provisions of the Human Rights Law, all other State and Federal statutory and constitutional non-discrimination provisions. The organization and its sub-vendors shall not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

(e) The organization will include the provisions of sections (a) through (d) of this agreement in every subcontract in such a manner that the requirements of the subdivisions will be binding upon each subcontractor as to work in connection with this contract.

MWBE PARTICIPATION (MWBE)

This organization will and will cause its contractors and subcontractors to take good faith actions to achieve the M/WBE contract participation goals set by the State for that area in which the State-funded project is located, by taking the following steps:

(1) Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified MBEs or WBEs, including solicitations to M/WBE contractor associations.

(2) Request a list of State-certified M/WBEs from ESD's Office of Contractor and Supplier Diversity ("OCSD") and solicit bids from the listed vendors directly. OCSD may be reached via email at OCSD@ESD.NY.GOV.

(3) Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective M/WBEs.

(4) Where feasible, divide the work into smaller portions to enhanced participations by M/WBEs and encourage the formation of joint venture and other partnerships among M/WBE contractors to enhance their participation.

(5) Document and maintain records of bid solicitation, including those to M/WBEs and the results thereof. Contractor will also maintain records of actions that its subcontractors have taken toward meeting M/WBE contract participation goals.

(6) Ensure that progress payments to M/WBEs are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation.

SDVOB PARTICIPATION (SDVOB)

This organization will and will cause its contractors and subcontractors to take good faith actions to achieve the SDVOB contract participation goals set by the State for that area in which the State-funded project is located, by taking the following steps:

(1) Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified SDVOBs, including solicitations to contractor associations.

(2) Request a list of State-certified SDVOBs from ESD's Office of Contractor and Supplier Diversity ("OCSD") and solicit bids from the listed vendors directly. OCSD may be reached via email at OCSD@ESD.NY.GOV.

(3) Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective SDVOBs.

(4) Where feasible, divide the work into smaller portions to enhanced participations by SDVOBs and encourage the formation of joint venture and other partnerships among SDVOB contractors to enhance their participation.

(5) Document and maintain records of bid solicitation, including those to SDVOBs and the results thereof. Contractor will also maintain records of actions that its subcontractors have taken toward meeting SDVOB contract participation goals.

(6) Ensure that progress payments to SDVOBs are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage SDVOB participation.

Agreed on this _____day of _____20____ .

By: _____
(SIGNATURE)
Print Name: _____
Title: _____

EXHIBIT I:
VENDOR AFFIDAVIT

STATE OF)
) ss.
COUNTY OF)

I_____ of _____ being duly sworn, depose and say that the company named above is a manufacturer of printing and that all information submitted to the State of New York for bid list consideration is true. I further certify that I am a representative of the above company, that I am not a broker nor a distributor and that all printing contracts issued by the State of New York to the above company will actually be printed by said company.

It is agreed that Representatives of the New York State Department of Economic Development shall have access to the printing facility at any time during work hours for the purpose of verifying any information submitted and to verify work in progress.

Name of Printing Company: _____

Address: _____

City and State: _____ Zip Code: _____

Telephone Number: ( ) _____

Signature of Company Officer:_____ Dated: _____

Official Title: _____

Sworn to before me this _____ day of _____, 2012

_____
Notary Public

Return completed form to: Nicole Crosier, Assistant Publications Manager
New York State Department of Economic Development
625 Broadway, 8th floor
Albany, NY 12245

EXHIBIT J

ALL MAPS DROPSHIP TO ONE LOCATION

Maps are to be shipped to New York State OGS Warehouse in Albany. **All maps are to be shipped prepaid FOB inside delivery.** The cost of all shipping **must be included in this total bid.**

NYS Department of Economic Development
c/o NYS OGS Distribution Management
10 North Ferry Street
Albany, NY 12207

Main: 518-426-4333
Email: CentralWarehouse@ogs.ny.gov
Receiving hours: 8am- 2pm, Mon.-Fri.

Call to arrange delivery schedule. Request 24 hours advanced noticed for deliveries
Contact: Shawn Mack is the Warehouse Supervisor at the Albany Distribution Center (ADC).

EXHIBIT K
(Contractor Certification ST-220)

If you are selected as the successful bidder you may be required to submit to the satisfaction of New York State, a completed form ST-220 prior to award of contract.

When submitting form ST-220 you must also provide a valid sales tax "Certificate of Authority" for yourself, subcontractors and affiliates.

The information requested in this Exhibit K is required by Section 5-a of the New York State Tax Law which became effective on August 20, 2004.

ST-220-CA: http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf

ST-220-TD: http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf

Exhibit L: Workers' Compensation Coverage

In order to do business with the State of New York you MUST provide proof of workers compensation coverage and proof of disability coverage or an exemption certificate as follows: (Please note that only the awardee is to submit this information after notification of award)

PROOF OF COVERAGE REQUIREMENTS

The Workers' Compensation Board has developed several forms to assist State contracting entities in ensuring that businesses have the appropriate workers' compensation and disability insurance coverage as required by Sections 57 and 220(8) of the WCL.

Proof of Workers' Compensation Coverage

To comply with coverage provisions of the WCL, the Workers' Compensation Board requires that a business seeking to enter into a State contract submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contractor MUST submit ONE of the following as proof of appropriate workers' compensation insurance coverage:

- **Form C-105.2** – Certificate of Workers' Compensation Insurance issued by private insurance carriers, or **Form U-26.3** issued by the State Insurance Fund[3] ; **OR**
- **Form SI-12**[4] – Certificate of Workers' Compensation Self-Insurance; or **Form GSI-105.2**[5] Certificate of Participation in Workers' Compensation Group Self-Insurance; **OR**
- **CE-200**[6] – Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.

****** On forms where a certificate holder can be indicated, the New York State Department of Economic Development **must** be listed in this field, as the insurance carrier will notify the certificate holder if a policy is canceled.

Proof of Disability Benefits Coverage

To comply with coverage provisions of the WCL regarding disability benefits, the Workers' Compensation Board requires that a business seeking to enter into a State contract must submit appropriate proof of coverage to the State contracting entity issuing the contract. For each new contract or contract renewal, the contractor MUST submit ONE of the following as proof of appropriate disability benefits insurance coverage:

- **Form DB-120.1**[3] - Certificate of Disability Benefits Insurance; **OR**
- **Form DB-155**[4] - Certificate of Disability Benefits Self-Insurance; **OR**
- **CE-200**[6] – **Certificate of Attestation of Exemption** from New York State Workers' Compensation and/or Disability Benefits Coverage.

***** Please note – an ACORD form is not acceptable proof of New York State workers' compensation or disability benefits insurance coverage. *****

For additional information regarding workers' compensation and disability benefits requirements, please refer to the New York State Workers' Compensation Board website at:
http://www.wcb.ny.gov/content/main/Employers/busPermits.jsp

QUESTIONS

Any questions regarding workers' compensation coverage requirements or debarments should be directed to: Workers' Compensation Board, Bureau of Compliance (518) 462-8882 or (866) 298-7830

[1]Pursuant to WCL Section 2(17), a "substantially owned affiliated entity" means the parent company of the person, any subsidiary of the person, or any entity in which the parent of the person owns more than fifty percent of the voting stock, or an entity in which one or more of the top five shareholders of the person individually or collectively also owns a controlling share of the voting stock, or an entity which exhibits any other indicia of control over the person or over which the person exhibits control, regardless of whether or not the controlling party or parties have any identifiable or documented ownership interest. Such indicia shall include: power or responsibility over employment decisions; access to and/or use of the relevant entity's assets or equipment; power or responsibility over

[2]"Public bodies" include any New York State or local judiciary, any New York State or local reglatory, administrative or public agency or authority or instrumentality thereof, or any New York State or local law enforcement agency, prosecutorial office or police or peace officer.

[3]The business's insurance carrier will send this form to the State contracting entity upon the business's request.

[4]The business calls the Workers' Compensation Board's Self-Insurance Office at 518-402-0247 to obtain the form.

[5]The business's Group Self-Insurance Administrator will send this form to the State contracting entity upon the business's request.

[6]This certificate is used to attest to the State contracting entity that the applicant requesting a contract from that contracting entity is not required to carry New York State specific workers' compensation and/or disability benefits insurance. Applicants may obtain the application for the CE-200 and instructions for completing the application at http://wcb.ny.gov/. A new CE-200 is required for each and every new or renewed contract. Each CE-200 will specifically list the contracting entity and the specific contract requested by the applicant. Contracting entities should ensure that form CE-200 is signed and dated by the applicant, and that the legal entity name on form CE-200 exactly matches the legal entity name applying for the contract. Contracting entities can also verify that the CE200 provided by the applicant was actually issued by the WCB by checking the printed certificate number on the Board's website at http://www.wcb.ny.gov/.