



REQUEST FOR QUALIFICATIONS (RFQ) Life Sciences Acceleration Partners

**Issued: October 20, 2017
Submission Deadline:
November 16, 2017 by 12:00 PM EST**

Designated Contacts for this Procurement:

Primary Contact: John F. Discolo
Secondary Contact: Ralph Volcy

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

This RFQ is posted on the Empire State Development website:
<https://esd.ny.gov/doing-business-ny/requests-proposals>

Table of Contents

I. BACKGROUND 3

II. PURPOSE 4

III. REQUIRED INFORMATION AND SELECTION CRITERIA 5

 i. Substantive Proposal 5

 ii. Financial Projections 7

IV. QUESTIONS 7

V. SUBMISSION OF PROPOSALS 8

VI. SCHEDULE OF DATES..... 8

VII. DEFINITIONS 9

VIII. GENERAL PROVISIONS 10

IX. PROCUREMENT FORMS AND REQUIREMENTS..... 11

I. Background

Empire State Development (“ESD”) is New York’s chief economic development agency. The mission of ESD is to promote a vigorous and growing economy, encourage the creation of new jobs and economic opportunities, increase revenues to New York State (“State”) and its municipalities and achieve stable and diversified local economies.

The Governor of New York, Andrew M. Cuomo, has announced an initiative to spur the growth of a new, world-class life sciences cluster in New York. The State currently has significant untapped technological and scientific innovation with commercial potential and trails other states in metrics such as life sciences employment and life sciences venture capital funding (e.g. ratio of venture capital dollars to NIH grant dollars).

Governor Cuomo has pledged to invest up to \$620M to expand the State’s ability to commercialize its life sciences innovations through a mixture of tax incentives, grants for wet-lab and innovation space, investment capital for early stage life sciences initiatives, and matching funds for private sector partnerships. The \$620M is expected to be allocated as follows:

- **Capital Programs (\$320M):** Investment in acceleration program and services, strategic initiatives, and the Venture Capital Fund
- **Refundable R&D Tax Credit (\$100M):** Tax credit available for new life sciences companies, including refundable tax credits for R&D expenditures
- **Excelsior Jobs Program Tax Credit for Life Science (\$100M):** Tax credit and funding support for job creation initiatives
- **Private Investment (\$100M):** Private matching funds to be raised by the Partnership Fund for NYC and allocated to the Life Science Venture Capital Fund

The goal of the aforementioned investments is to grow and support the State’s life sciences innovation ecosystem by creating synergies between industry, academia, and the public sector.

The desired impact of the life sciences initiative is to:

1. Fuel economic growth and job creation in the life sciences sector
2. Develop new therapies and drugs to enhance patient health
3. Generate new startups from NY universities, research labs, and incubators
4. Encourage private investment and public-private partnerships
5. Incentivize capital formation in upstate areas

II. Purpose

The purpose of this solicitation is to create a short list of potential accelerator partners (“Respondents”), a critical component of the larger initiative to grow the State’s life sciences innovation ecosystem. ESD seeks to short-list firms that align with the State’s economic development mission, and are able to successfully promote life sciences employment and attract venture capital funding. This RFQ is the first step in a two-step procurement process for the selection of one or more firms to perform the following services:

1. Transforming research and innovation into commercially and clinically viable products
2. Engaging the right audience of VCs and investors to provide funding
3. Bringing a global life sciences network to support entrepreneurs and companies in the state
4. Connecting stakeholders in the region to promote a sustainable statewide life sciences cluster
5. Delivering the appropriate business and life sciences knowledge and training
6. Repurposing existing space and lab equipment for commercialization purposes
7. Introducing new entrepreneurs and companies to mentors, coaches, and serial entrepreneurs
8. Offering programming and services based on each region’s unique needs (e.g. real estate capacity, resources, programming)

In order to be eligible to submit a proposal in response to one or more forthcoming RFPs, a response must be received to this RFQ and the Respondent must be short-listed by the evaluation committee and an RFP issued to the short-listed Respondent. **ONLY THOSE FIRMS THAT RESPOND TO THIS RFQ AND ARE SHORT-LISTED BY THE EVALUATION COMMITTEE IN ACCORDANCE WITH THE REQUIREMENTS OF THIS RFQ WILL BE ISSUED A REQUEST FOR PROPOSALS (“RFP”) AND INVITED TO SUBMIT A PROPOSAL IN RESPONSE TO THE RFP.**

Short-listed firms that respond to the RFP and to whom ESD awards a contract(s) will be tasked with developing and running life sciences acceleration programs and services. Any firm with whom ESD enters into a contract will be required to complete and submit a report on a semi-annual basis (or more frequently if ESD so designates) in a format ESD shall provide and any other data points ESD may request.

Note that inclusion on the short list to receive one or more RFPs does not mean or imply that any firm will in fact be selected or engaged to provide services to ESD, its subsidiaries or affiliates.

III. Required Information and Criteria for Selection

Please provide the following information in the same order in which it is requested in 12 point type with standard margins printed on one-sided 8 ½ X 11 inch pages, either bound or contained in a binder.

PART A, THE SUBSTANTIVE PROPOSAL, SHOULD BE BOUND SEPARATELY FROM PART B, FINANCIAL PROJECTIONS.

A. Substantive Proposal

Responses should provide information addressing the five subject areas detailed below. Sections 2-4 which will be used to evaluate each accelerator and to determine whether or not the firm should be short-listed:

1. **Accelerator Type**: Accelerator evaluation will be based on qualifications to provide services specific to portfolio companies at different stages. Please list which stage(s) (i.e. 1.1, 1.2 or 1.3) you are submitting qualifications for. Please list more than one stage, if applicable. See definitions section for more details.
 - 1.1. **Pre-Accelerator**: A pre-accelerator program works with prospective entrepreneurs at the earliest stages of development, working with entrepreneurs to transform their ideas into minimum viable products.
 - 1.2. **Accelerator**: An accelerator program supports early-stage, growth-driven companies typically seeking seed or Series A funding. Accelerators typically provide fixed-term, cohort-based programming that culminates in a public pitch event or demo day.
 - 1.3. **Post-Accelerator**: A post-accelerator program provides services to venture-backed companies that are focused on operationally scaling their business and seeking late stage venture funding / corporate partnerships.
2. **Strategy and Outcomes**: Description of the accelerator's projected impact and how the accelerator will meet the State's goals for the program
 - 2.1. How will your accelerator's program and/or services align with the State's goals of be a leading life sciences cluster? What is your accelerator's capacity to help the State improve its metrics (e.g. life sciences cluster score, employment, life sciences companies and institutions, life sciences specific SBIR funding, ratio of VC \$ to NIH \$)?
 - 2.2. How will your accelerator implement a program and/or services that meet the unique needs of the regions across the State?
 - 2.3. Given existing life sciences clusters in other states, what does the State need to do differently to become a leading life sciences cluster?
3. **Accelerator Details**: Details about the accelerator capabilities and structure
 - 3.1. **Life Sciences Depth**: Provide details regarding the accelerator's experience working with life sciences entrepreneurs, managing life sciences facilities and the extent of the

accelerator's life sciences network.

3.1.1. Sample metrics include, but are not limited to: life sciences program graduates, life sciences corporate partners, life sciences investors, number of life sciences facilities managed, extent of life sciences mentor network

3.2. Accelerator Brand & Outcomes: Detail accelerator's ability to attract entrepreneurial talent and transform entrepreneurial ideas into commercially viable companies.

3.2.1. Sample metrics include, but are not limited to: # of cohort participants / # of applicants, follow-on funding raised by program graduates / accelerator participants, qualified exits (e.g. acquisition / IPO)

3.3. Economic Development: Outline the accelerator's experience with accelerating companies that go on to create jobs and positively impact the local ecosystem

3.3.1. Sample metrics include, but are not limited to: employment generated by accelerator companies (allocate job by skill type if available), contributions made by accelerator companies to the local ecosystem

3.4. Working with Government Partners: Specify accelerator's capability and willingness to work with a government agency in structuring the accelerator to benefit New York State. Please detail any prior experience working with government agencies.

3.5. Global Reach: Outline accelerator's ability to attract cutting-edge life sciences companies globally

3.5.1. Sample metrics include, but are not limited to: Number of companies sourced internationally, number of global partners

3.6. East Coast / New York Network: Outline the accelerator's New York / East Coast network of partners, mentors, investors, and serial entrepreneurs

4. **Accelerator Model and Operations:** Provide details on plan to roll out and operate the life sciences accelerator.

4.1. Timeline: Provide a timeline with key activities and milestones mapped to the earliest possible accelerator go-live date

4.2. Management: Provide proposed program / services management, accelerator leadership, and personnel roles and responsibilities

4.3. Operating Plan: Provide detailed plan for running accelerator programs and/or providing services to address needs across New York State.

4.4. New York Collaboration Plan: Provide a high-level operating model detailing how the accelerator plans to work with the State

5. **Diversity:** Provide details on what steps your accelerator will take to promote meaningful opportunities for:

5.1. Minority and Women Owned Businesses (MWBs) (see definitions section for more details)

5.2. Service Disabled Veterans Owned Businesses (SDVOBs) (see definitions section for more details)

ESD seeks proposals from all accelerators, irrespective of size or maturity, and expects to shortlist a diverse and qualified group of partners to support New York State’s life sciences initiative.

Criteria for Selection:

Information provided in sections 2-4 above will be used to evaluate each accelerator and will be weighted as specified below:

| Criteria Category | Weight |
|--|---------------|
| 1. Strategy and Outcomes (Section III.A.2) | 23% |
| 2. Life Sciences Depth (Section III.A.3.1) | 22% |
| 3. Accelerator Brand & Outcomes (Sections III.A.3.2 and Section III.A.4.0) | 22% |
| 4. Economic Development Goals (Section III.A.3.3) | 11% |
| 5. Working with Government Partners (Section III.A.3.4) | 11% |
| 6. Global Reach & East Coast / New York Network (Sections III.A.3.5 and III.A.3.6) | 11% |

Accelerators will be evaluated on each criteria on a scale of 1.0-3.0: “1.0” = does not meet qualification expectations, “2.0” = meets qualification expectations, “3.0” = exceeds qualification expectations.

B. Financial Projections

In addition to the substantive proposal required by Part A, all respondents should also submit the following information, **which will not be used to evaluate Respondents or compile the shortlist**, but will instead be used by ESD for various purposes, including but not limited to program structure and allocation. This information will be opened separately by ESD’s Contract Administration department and all identifying information connecting the data with a particular Respondent will be removed before the information is delivered to program staff.

- a. Provide five year financial projections to develop and support the accelerator program and/or services. Include key assumptions and cost drivers.
- b. Provide five year budget projections broken out by category (e.g. staff, program/services materials, session / facilitation, etc.). Include key assumptions and cost drivers.

IV. Questions

All substantive questions should be sent by email to ESD LSAccelerator@esd.ny.gov by October 27th, 2017. Responses to all questions of a substantive nature relating to this RFQ will be provided in writing, via ESD’s website (<http://esd.ny.gov/CorporateInformation/RFPs.html>). In

addition, any changes, additions or deletions to this RFQ will also be posted on ESD’s website, along with the electronic version of this RFQ. Respondents should note that any necessary clarification must be sought by the deadline for questions set forth in the “Schedule of Dates” section of this RFQ. Respondents are urged to check ESD’s web site frequently for notices of any clarification of or changes, additions or deletions to the RFQ.

OTHER THAN THE CONTACT IDENTIFIED ABOVE, PROSPECTIVE RESPONDENTS SHALL NOT APPROACH ESD’S EMPLOYEES, OR ANY STATE GOVERNMENT EMPLOYEES OTHER THAN STATE LEGISLATORS AND THEIR STAFF, DURING THE RESTRICTED PERIOD OF THIS RFQ PROCESS ABOUT ANY MATTERS RELATED TO THIS RFQ OR ANY QUALIFICATIONS SUBMITTED PURSUANT THERETO.

V. Submission of Proposals

Responses must be received by November 16, 2017 at **12:00pm EST**.

Send to:

John F. Discolo, Procurement Unit
 Empire State Development
 633 Third Avenue
 35th Floor
 New York, NY 10017

RFQ Title: “Empire State Development Life Sciences Acceleration Request for Qualifications (RFQ)”

The submission must include five (5) hard copies of the proposals containing the information required by this RFQ, and one (1) additional electronic copy (disk or flash drive).

VI. Schedule of Dates

| | |
|------------------------------|---|
| Issuance of RFQ | October 20 th , 2017 |
| Questions/Comments Due Date | October 27 th , 2017 |
| ESD’s Responses to Questions | November 2 nd , 2017 |
| RFQ Response Due Date | November 16 th , 2017, 12:00PM EST |

VII. Definitions

The following definitions are provided for clarification of terminology utilized within this RFQ.

- **Accelerator:** An accelerator program supports early-stage, growth-driven companies seeking seed funding and / or Series A funding. The accelerator provides mentorship and educational programming, typically culminating in a public pitch event or demo day.
- **Cohort:** ~15-30 companies that are selected to participate in an accelerator program of fixed duration.
- **Economic Development Mission:** The State’s Economic Development Mission is to promote economic growth in the State by encouraging private capital investment and job creation, and supporting diverse, prosperous local economies across New York State through the efficient use of loans, grants, tax credits, real estate development, marketing and other forms of assistance.
- **Leading Life Sciences Cluster:** A leading life sciences cluster enables an extensive ecosystem for life sciences development to thrive, grounded in significant technological and scientific innovation, life sciences venture capital funding, infrastructure to support labs and office space and networks of mentors and corporate partners.
- **Minority and Women owned businesses (MWBs):** State certified Minority and Women Owned Businesses are for-profit enterprises that have at least 51% ownership of the business owned by minority group members or 51% ownership of business owned by women. “Minority” group members are US citizens who are Asian, Black, Hispanic and Native American.
- **Pre-Accelerator:** A pre-accelerator program works with prospective entrepreneurs at the earliest stages of development, working with entrepreneurs to transform their ideas into minimum viable products. Examples of the types of services provided by a pre-accelerator include guidance on acquiring grant funding, corporate structure and developing elevator pitch / pitch decks.
- **Post-Accelerator:** A post-accelerator program provides services to already venture-backed companies in Series B / C stages looking for support focused on growing the company. Examples of the types of services provided by a post-accelerator include guidance on business development, marketing strategy, potential partnerships or M&A strategy.
- **Service Disabled Veterans Owned Businesses (SDVOBs):** State certified Service Disabled Veterans Owned Businesses are for-profit enterprises that have at least 51% ownership of the business owned by one or more disabled veterans. “Disabled veterans” are United States military, naval or air service veteran with a service related disability of at least 10%.

VIII. General Provisions

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

1. Amend, modify or withdraw this RFQ;
2. Revise any requirement of this RFQ;
3. Require supplemental statements or information from any responsible party;
4. Accept or reject any or all responses hereto;
5. Extend the deadline for submission of responses hereto;
6. Negotiate potential contract terms with any respondent to this RFQ;
7. Communicate with any respondent to this RFQ to correct and/or clarify responses which do not conform to the instructions contained herein;
8. Cancel, or reissue in whole or in part, this RFQ, if ESD determines in its sole discretion that it is in its best interest to do so; and
9. Extend the term of any agreement on terms consistent with this RFQ.

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

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

IX. Procurement Forms and Requirements

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

1. State Finance Law §§139-j and 139-k forms
2. Vendor Responsibility Questionnaire
3. Iran Divestment Act Statement
4. Non-Discrimination and Contractor & Supplier Diversity Requirements
5. Encouraging the Use of NYS Businesses in Contract Performance Form
6. Certification under State Tax Law Section 5-a
7. Schedule A (for review only—no separate form requirement)
8. Project Sunlight (for review only—no separate form requirement)
9. Insurance Requirements
10. W-9 Form

1. State Finance Law Sections 139-j and 139-k forms

State Finance Law Sections 139-j and 139-k (collectively, the “Procurement Requirements”) apply to this RFQ. These Procurement Requirements: (1) govern permissible communications between potential respondents and ESD or other involved governmental entities with respect to this RFQ; (2) provide for increased disclosure in the public procurement process through identification of persons or organizations whose function is to influence procurement contracts, public works agreements and real property transactions; and (3) establish sanctions for knowing and willful violations of the provisions of the Procurement Requirements, including disqualification from eligibility for an award of any contract pursuant to this RFQ. Compliance with the Procurement Requirements requires that all communications regarding this RFQ, from the time of its issuance through final award and execution of any resulting contract (the “Restricted Period”), be conducted only with the designated contact persons listed below; the completion by Respondents of the Offerer Disclosure of Prior Non-Responsibility Determinations, and the Offerer’s Affirmation of Understanding and Agreement pursuant to State Finance Law (each form is accessible at the Required Forms for Vendors link at the ESDC web site under “RFPs/RFQs”); and periodic updating of such forms during the term of any contract resulting from this RFQ.

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

http://www.empire.state.ny.us/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf.

The Procurement Requirements also require ESD staff to obtain and report certain information

when contacted by prospective respondents during the Restricted Period, make a determination of the responsibility of Respondents and make all such information publicly available in accordance with applicable law. If a prospective respondent is found to have knowingly and willfully violated the State Finance Law provisions, that prospective respondent and its subsidiaries, related or successor entities will be determined to be a non-responsible Respondent and will not be awarded any contract issued pursuant to this solicitation. In addition, two such findings of non-responsibility within a four-year period can result in debarment from obtaining any New York State governmental procurement contract.

This is not a complete presentation of the provisions of the Procurement Requirements. A copy of State Finance Law Sections 139-j and 139-k can be found at: <http://esd.ny.gov/CorporateInformation/RFPs.html> (under "ESDC Policy Regarding Permissible Contacts under SFL 139").

All potential Respondents are solely responsible for full compliance with the Procurement Requirements. Both the prime consultant and any sub-consultants complete the forms required above.

2. Vendor Responsibility Questionnaire

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

To assist in the determination of responsibility, ESD requires that all respondents to this RFQ register in the State's Vendor Responsibility System ("Vend-Rep System"). The Vend-Rep System allows business entities to enter and maintain their Vendor Responsibility Questionnaire information in a secure, centralized database. New York State Procurement Law requires that state agencies award contracts only to responsible vendors. Respondents are to file the required Vendor Responsibility Questionnaire online via the Vend-Rep System or may choose to complete and submit a paper questionnaire. Please include a copy of your Vend-Rep submission receipt or paper questionnaire with your proposal.

To enroll in and use the Vend-Rep System, see the System Instructions available at www.osc.state.ny.us/vendrep or go directly to the Vend-Rep system online at <https://portal.osc.state.ny.us>. For direct Vend-Rep System user assistance, the Office of the

State Comptroller's Help Desk may be reached at 866-370-4672 or 518-408-4672 or by email at helpdesk@osc.state.ny.us.

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

3. Iran Divestment Act

Every Proposal made to ESD pursuant to a competitive solicitation must contain the following statement, signed by the Respondent on company letterhead and affirmed as true under penalty of perjury:

"By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law."

The list in question is maintained by the Office of General Services. No Response that fails to certify compliance with this requirement may be accepted as responsive.

4. Non-Discrimination and Contractor & Supplier Diversity Requirements

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

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

5. Encouraging the Use of NYS Businesses in Contract Performance Form

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this ESD contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. In order for ESD to assess the use of New York State businesses in each Proposal, ESD requests that each Respondent complete the Encouraging Use of New York State Businesses in Contract Performance form, accessible here:

<http://esd.ny.gov/CorporateInformation/Data/ENCOURAGINGUSEOFNEWYORKSTATEBUSINESSESINCONTRACTPERFORMANCE.pdf>.

6. Certification under State Tax Law Section 5-a

Any contract resulting from this solicitation is also subject to the requirements of State Tax Law Section 5-a ("STL 5-a"). STL 5-a prohibits ESD from approving any such contract with any entity if that entity or any of its affiliates, subcontractors or affiliates of any subcontractor makes sales within New York State of tangible personal property or taxable services having a value over \$300,000 and is not registered for sales and compensating use tax purposes. To comply with STL 5-a, all Respondents to this solicitation must include in their Proposals a properly completed Form ST-220-CA, or an affidavit that the Respondent is not required to be registered with the State Department of Taxation and Finance. A copy of the ST-220-CA form and affidavit is accessible at the Required Forms for Vendors link at the ESD web site: <http://esd.ny.gov/CorporateInformation/RFPs.html>

Also in accordance with the requirements of STL 5-a, any contract resulting from this solicitation will require periodic updating of the certifications contained in Form ST-220-CA. Solicitation responses that do not include a properly completed ST-220-CA will be considered incomplete and non-responsive and will not be considered for contract award. Only the prime consultant completes Form ST 220-CA, but Schedule A to Form ST 220-CA requires detailed information from the sub-consultants, such as tax ID number, etc., if applicable. Moreover, if applicable, certificates of authority must be attached by the prime consultant and all the sub-consultants.

7. Schedule A

Should ESD enter into a contract with a firm, ESD will prepare a contract defining all project terms and conditions and the firm's responsibilities in conformance with "Schedule A," which can be found at:

https://esd.ny.gov/sites/default/files/ScheduleA_Services_Materials_0.pdf

Please note Respondents do not need to complete the entire Schedule A with the submission of their Proposal. However, Respondents should still review these terms, which are standard in all ESD contracts, and raise any concerns present prior to submission of their Proposal, as Respondents will need to accept these terms prior to contract execution.

8. Project Sunlight

This procurement is subject to the Public Integrity Reform Act of 2011. Under the Public Integrity Reform Act of 2011, "appearances" (broadly defined and including any substantive interaction that is meant to have an impact on the decision-making process of a state entity) before a public benefit corporation such as ESD by a person (also broadly defined) for the purposes of procuring a state contract for real property (as contemplated in this RFQ) must be reported by ESD to a database maintained by the State Office of General Services that is available to members of the public. If in doubt as to the applicability of Project Sunlight, Respondents and their advisors should consult the Laws of 2011, Ch. 399 for guidance.

9. Insurance Requirements

Successful respondents with whom ESD chooses to enter into a contract will be required to provide the following insurance (*at a minimum and to the extent applicable*):

- Commercial General Liability of \$1 million per occurrence and \$2 million in the aggregate;
- In the event that you are using a vehicle in business, Commercial Automobile insurance with a limit of not less than \$1 million;
- Must show evidence of Worker's Compensation & Employer's Liability insurance at State statutory limits;
- Must show evidence of Disability insurance coverage at State statutory limits;

NYS Urban Development Corporation d/b/a Empire State Development (ESD) must be named as additional insured on a primary and non-contributory basis on all of the following policies: Commercial General Liability and Auto Liability. All policies above should include a waiver of subrogation in favor of ESD.

10. W-9 Form

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