

APPENDIX D – PROPOSAL FORM

The following forms were created to facilitate the collection of information and documentation from Proposers. We have provided a standardized format for the submission of relevant information and documents to assist in determining a Proposer’s responsiveness to conforming to all material respects of the solicitation’s terms and conditions and all of its requirements, including all forms and substance. Please complete all sections of this template to the best of your abilities. **YOU MAY USE AS MUCH SPACE AS NECESSARY WHEN CRAFTING YOUR PROPOSAL RESPONSE.**

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APPENDIX D1: PROPOSER'S COMPANY INFORMATION

Company Full Legal Name *(including D/B/A, if any)*:

Address – Administrative Office:

Federal Tax Identification #: _____

Contact Name: _____

Title: _____

Phone: (_____) _____ Fax: (_____) _____

Email Address: _____

Address – Service/Operations for New York City:

Contact Name: _____

Title: _____

Phone: (_____) _____ Fax: (_____) _____

Year Firm Founded: _____

Year Firm Began Serving Clients: _____

Authorized Person's Name *(Print)*: _____

Title: _____

Signature: _____

M/WBE CHECKLIST

ARE YOU A MINORITY- AND/OR WOMEN-OWNED BUSINESS ENTERPRISE (M/WBE)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<ul style="list-style-type: none"> IF YES, ARE YOU A NEW YORK CITY (NYC) AND/OR NEW YORK STATE (NYS) CERTIFIED M/WBE? 	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<ul style="list-style-type: none"> <ul style="list-style-type: none"> IF YES, PLEASE SUBMIT COPY OF YOUR NYC AND/OR NYS M/WBE CERTIFICATION WITH THIS PROPOSAL FORM TO QUALIFY FOR THE M/WBE PREFERENCE PER RFP SECTION 5.1.4. 	<input type="checkbox"/> YES	<input type="checkbox"/> N/A

SUBCONTRACTOR(S) CHECKLIST

WILL YOU BE USING SUBCONTRACTORS TO PROVIDE ANY PORTION OF THE SERVICES?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<ul style="list-style-type: none"> IF YES, DID YOU PROVIDE THE REQUIRED INFORMATION IN APPENDICES D AND E PER RFP SECTION 8? 	<input type="checkbox"/> YES	<input type="checkbox"/> N/A
<ul style="list-style-type: none"> IF USING SUBCONTRACTORS, ARE THEY NYC AND/OR NYS M/WBE CERTIFIED? 	<input type="checkbox"/> YES	<input type="checkbox"/> NO

EXCEPTIONS AND DEVIATIONS CHECKLIST

ARE YOU CLAIMING ANY EXCEPTIONS AND/OR DEVIATIONS FROM THIS RFP?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<ul style="list-style-type: none"> IF YES, DID YOU ADDRESS YOUR CLAIMS IN THE EXCEPTIONS AND DEVIATIONS FORM FURTHER BELOW? 	<input type="checkbox"/> YES	<input type="checkbox"/> N/A
<ul style="list-style-type: none"> IF NO, DID YOU SIGN ON THE APPROPRIATE SPACE ON THE EXCEPTIONS AND DEVIATIONS FORM FURTHER BELOW? 	<input type="checkbox"/> YES	<input type="checkbox"/> N/A

[NO FURTHER TEXT ON THIS PAGE]

APPENDIX D2: MINIMUM QUALIFICATIONS

Include below your responses to each Minimum Qualification requirement of **Section 2** of the RFP. Use as much space as necessary and/or attach any supporting documentation at the end of this section when submitting your response. **Proposers must address each Minimum Qualification requirement listed below. The entity submitting the Proposal must meet on their own, without the need to rely on any subcontractor(s) or other partners, all Minimum Qualifications. Proposals that fail to meet all Minimum Qualifications will not be considered.**

2.1 Proposer(s) may be a for-profit or not-for-profit institution. Individuals are not eligible to submit proposals for this RFP.

2.2 Proposer(s) must provide evidence of being actively engaged in providing the services or for projects of a similar nature and scope as those described in this RFP.

- 2.3 Proposer(s) must have a minimum of five (5) years of successful experience in providing, implementing and customizing an Audit Management Software Solution.**

- 2.4 Proposer(s) must provide three (3) letters of reference from recent clients (within the last five years), preferably from the public sector, with their contact information (client's name, contract person, title, address, telephone number, and email), for projects or services of a similar nature and scope as those required in this RFP. Each reference must state the dates, locations, description of the services provided, functional and technical abilities, deliverables, outcomes and results.**

APPENDIX D3: ORGANIZATIONAL CAPACITY

Please provide evidence of adequate human, organizational, technical, and professional resources and abilities to meet the needs of this RFP. Proposer must provide an overview of its organization and demonstrate the degree to which the organization is capable of successfully executing the required services. **Proposer must address each requirement as described in RFP Section 4.1.**

Organizational Charts

Provide a general organizational chart of the entity responding to this RFP (and that of any subcontractor, if applicable), as well as a program-specific organizational chart, including information corresponding to subcontractor's titles and roles, if applicable.

Resumes

For each key employee, please list names, titles and the estimated percentage of their time that will be spent providing the proposed services. Attach their resumes here.

Subcontractors

Subcontractor relationships must be identified in your proposal and must include:

1. A list of any proposed subcontractors, which must include:
 - (a) Legal company name, including D/B/A (doing business as), if applicable;
 - (b) Employer Identification Number (EIN) or Tax Identification Number (TIN);
 - (c) If applicable, evidence of New York City and/or New York State Minority- and Women-Owned Business Enterprise (M/WBE) Certification;
 - (d) Description of the services to be provided by the subcontractor(s), including their level of involvement and responsibility in the project; and
 - (e) Estimated dollar amount (US\$) of the proposed annual/total budget attributed to the subcontractor(s).
2. As necessary, provide an updated staffing plan which includes:
 - (a) An updated organizational chart, as necessary;
 - (b) Staff title, role, and responsibility. Include a brief description/definition of each role/title; and
 - (c) Proposed amount of time each staff member will be allocated to the project.

[NO FURTHER TEXT ON THIS PAGE]

APPENDIX D4: DEMONSTRATED EFFECTIVENESS

Detail your background, qualifications, and experience in providing the proposed services. Detail the methods used and results obtained by those methods. Provide objective data, if available. BERS reserves the right to verify any experience presented. **Proposer must address each requirement as described in RFP Section 4.2.**

Attached letters of references here.

Previous Government Contracts

If any, include a list of all Government contracts, including with BERS, held by your organization within the last ten (10) years, specifying the following information:

- Government entity and department that administered the contract;
- Contract number;
- Dollar amount (US\$) of the contract;
- Contract term – including dates and periods during which the contract was in effect;
- If applicable, reasons for any contract termination prior to expiration of the contract term – either for convenience or cause;
- A short description of the goods/services provided.

BERS reserves the right to verify a Proposer's performance on any government contract(s).

[NO FURTHER TEXT ON THIS PAGE]

APPENDIX D5: ACKNOWLEDGMENT OF ADDENDA AND Q&A DOCUMENT

RFP Number and Title: RFP # 2025-003: Audit Management Software Solution

Directions: Please complete Part I and Part II, as applicable.

PART I-A: Include the date of issue for each **Addendum** received in connection with the referenced RFP:

Addendum #1, Dated _____

Addendum #2, Dated _____

Addendum #3, Dated _____

Addendum #4, Dated _____

PART I-B:

_____ No addendum was received in connection with this RFP.

PART II-A: Include the date of issue of the **Questions and Answers (Q&A) document** received in connection with the referenced RFP:

Q&A Document, Dated _____

PART II-B:

_____ No Q&A document was received in connection with this RFP.

Company Name: _____

Authorized Person's Name and Title: _____

Authorized Person's Signature: _____

Date: _____

APPENDIX D6: DOING BUSINESS DATA FORM (DBDF)

The Doing Business Data Form can be found at the following link:

<https://www.nyc.gov/html/dot/weekendwalks/downloads/pdf/doing-business-data-form-2018.pdf>

Additional information on the DBDF may be found at:

<https://www.nyc.gov/site/mocs/opportunities/dba.page>

[NO FURTHER TEXT ON THIS PAGE]

APPENDIX D7: PRICE CERTIFICATION CLAUSE (REVISED 11/13/78)

The proposer certifies that the prices, warranties, conditions, benefits and terms quoted herein are at least equal or more favorable to the Board of Education Retirement System of the City of New York than the prices, warranties, conditions, benefits and terms currently quoted by the proposer to any customers for the same or a substantially similar quantity and type of item(s) or services as described herein. This certification shall not apply to prices, warranties, conditions, benefits and terms under contracts in effect between the proposer and other customers at the date of submission of the proposal within, except as provided herein.

The successful proposer (hereinafter called the "Contractor") further certifies that during the period between the proposal submission date and the completion of the term of this contract, should subcontractor offer prices, warranties, conditions, benefits, and terms more favorable than those quoted herein, or provide changed prices, warranties, conditions, benefits and terms more favorable than those quoted herein under a contract in effect at the proposal submission date with any customer, for the same or a substantially similar quantity and type of item(s) or services, then the contractor shall immediately thereafter notify the New York City Board of Education Retirement System, Contracts and Purchasing Department. Regardless of whether such notice is sent by the contractor or received by the New York City Board of Education Retirement System, this contract shall be deemed amended retroactively to the effective date of more favorable treatment, to provide the more favorable prices, warranties, conditions, benefits, and terms. The Board of Education Retirement System shall have the right and option to decline any such amendment.

If the contractor is of the opinion that an apparently more favorable price, warranty, benefit, condition, and term quoted, offered or provided to a customer is not more favorable treatment, the contractor shall immediately notify the Director of Contracts and Procurement of the Board of Education Retirement System, in writing, setting forth in detail the reasons why the contractor believes the apparently more favorable treatment is not in fact more favorable treatment. The Director of Contracts and Procurement, after consideration of the written explanation may, in their sole discretion, decline to accept the explanation and thereupon the terms will be at least equal to or more favorable to the Board of Education Retirement System than the prices, warranties, conditions, benefits and terms offered by the contractor to any customer for the same or substantially similar quantity and type of item(s) and/or services as of the effective date of the revision.

The contractor hereby authorizes the inspection, review and copying of contracts and documents that pertain or relate to the performance of this clause of the contract. The contractor shall be obligated to keep the contracts and documents referred to in the above paragraph during the effective period(s) of this contract and for a period of three years after the final payment of this contract.

PROPOSER (ORGANIZATION NAME)

AUTHORIZED SIGNATURE

DATE

PRINTED NAME

TITLE

APPENDIX D8: AFFIRMATION

The undersigned prospective awardee/contractor affirms and declares that said prospective awardee/contractor is not in arrears to the City of New York upon debt, contract or taxes and is not a defaulter, as surety or otherwise, upon obligation to the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York, nor is there any proceeding pending relating to the responsibility or qualification of the prospective awardee/contractor to receive public contracts except

Full name of prospective awardee/contractor:

Address: _____

City: _____ State: _____ Zip Code: _____

CHECK ONE AND INCLUDE APPROPRIATE NUMBER:

☐ A Individual or Sole Proprietorship
SOCIAL SECURITY NUMBER _____

☐ B Partnership, Joint Venture or other unincorporated organization
EMPLOYER IDENTIFICATION NUMBER _____

☐ C Corporation
EMPLOYER IDENTIFICATION NUMBER _____

By: _____
Signature

Title
(Must be signed by an officer or duly authorized representative.)

If a corporation, place seal here:

Under the Federal Privacy Act, the furnishing of a Social Security Number by prospective awardees/contractors on City contracts is voluntary. Failure to provide a Social Security Number will not result in disqualification. Social Security Numbers will be used to identify prospective awardees/contractors to ensure their compliance with laws and regulations and to assist the City in enforcement of these laws and regulations.

APPENDIX D9: IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR NEW YORK CITY CONTRACTORS

The Iran Divestment Act of 2012, effective as of April 12, 2012, is codified at State Finance Law (“SFL”) §165-a and General Municipal Law (“GML”) §103-g. The Iran Divestment Act, with certain exceptions, prohibits municipalities, including the City, from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Pursuant to the terms set forth in SFL §165-a and GML §103-g, a person engages in investment activities in the energy sector of Iran if:

(a) the person provides goods or services of twenty million dollars or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or

(b) The person is a financial institution that extends twenty million dollars or more in credit to another person, for forty-five days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to paragraph (b) of subdivision three of Section 165-a of the State Finance Law and maintained by the Commissioner of the Office of General Services.

A bid or proposal shall not be considered for award nor shall any award be made where the bidder or proposer fails to submit a signed and verified bidder’s certification.

Each bidder or proposer must certify that it is not on the list of entities engaged in investment activities in Iran created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. In any case where the bidder or proposer cannot certify that they are not on such list, the bidder or proposer shall so state and shall furnish with the bid or proposal a signed statement which sets forth in detail the reasons why such statement cannot be made. The City of New York may award a bid to a bidder who cannot make the certification on a case by case basis if:

(1) The investment activities in Iran were made before the effective date of this section (i.e., April 12, 2012), the investment activities in Iran have not been expanded or renewed after the effective date of this section and the person has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran: or

(2) The City makes a determination that the goods or services are necessary for the City to perform its functions and that, absent such an exemption, the City would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

APPENDIX D10: BIDDER'S CERTIFICATION OF COMPLIANCE WITH IRAN DIVESTMENT ACT

Pursuant to General Municipal Law §103-g, which generally prohibits the City from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

[Please Check One]

BIDDER'S CERTIFICATION

- ☐ By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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/proposer is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.
- ☐ I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: _____, New York
_____, 20 _____

SIGNATURE

PRINTED NAME

TITLE

Sworn to before me this

_____ day of _____, 20_____

Notary Public

Dated:

APPENDIX D11: ACKNOWLEDGMENT OF THE NEW YORK STATE FREEDOM OF INFORMATION LAW

To complete this form, please:

Section I - check either Claim A or Claim B.

Section II - complete this Section only if Claim B is checked.

Section III - sign and date this form.

Section I: Check one of the following:

Claim A ☐ The Vendor acknowledges that there are NO Trade Secrets contained in the proposal being submitted.

Claim B ☐ The Vendor acknowledges that there ARE Trade Secrets contained in the proposal being submitted.

Section II: (Use as much space for this section as needed. Separate page accepted)

Cite the specific portion(s) of the proposal for which an exemption is being requested.

Provide explicit justification for the exemption request.

Section III:

Company Name: _____ **Date:** _____

Authorized Signature: _____ **Title:** _____

All such materials so indicated shall be reviewed by BERS and any decision not to honor a request for confidentiality shall be communicated in writing to the vendor. For those proposals which are unsuccessful, all such confidential materials shall be returned to the vendor. Prices, makes and model, or catalog numbers of the items offered, deliveries, and terms of payment shall be publicly available after proposal opening regardless of any designation of confidentiality made by the vendor.

APPENDIX D12: EXCEPTIONS AND DEVIATIONS FORM

Please sign only one of the sections below and submit the form with your proposal package.

Any exceptions or deviations from requirements, Terms and Conditions, or anything included in this solicitation, or requirements that cannot be satisfied by the Proposer, must be clearly identified and noted below by referring to the Section # and Subsection # of the solicitation or Terms and Conditions and clearly stating the item that cannot be met. Significant material deviations to the Terms and Conditions set forth in this solicitation (including additional, inconsistent, conflicting, or alternative terms) may render the proposal non-responsive and may result in rejection.

Exceptions and deviations to the BERS' Terms and Conditions must be approved in writing by BERS' General Counsel and the Director of Contracts and Procurement. Exceptions and deviations are not deemed accepted as a result of recommendation of award or actual award of a contract. Finally, exceptions and deviations agreed to by the parties in any prior contracts shall not be binding on any future contracts, awards, or agreements emanating from this RFP.

1 – If No Deviations...

If there are no deviations from and exceptions to this RFP, please sign below:

Signature: _____

Name & Title: _____

Date: _____

Company Name: _____

2 – If Deviations...

If there are any exceptions and deviations, please describe them in the space below and sign where indicated:

Listed above are any and all deviations from and exceptions to the terms, conditions, requirements, and specifications furnished with the RFP:

Signature: _____

Name & Title: _____

Date: _____

Company Name: _____

APPENDIX D13: SIGNATURE PAGE

By signing this signature page, I am (we are) certifying that (i) I am (we are) authorized to submit this Proposal on behalf of this company, (ii) I (we) understand and accept all requirements, and Terms and Conditions included in this RFP, excluding the requirements, Terms and Conditions, or anything else noted in the Exceptions and Deviations (if any), (iii) the information provided is true and accurate to the best of my (our) knowledge, (iv) failure to specifically answer the requirement(s) or question(s) may result in disqualification of our Proposal, and (v) a materially false statement willfully or fraudulently made in connection with this RFP may result in being disqualified from this RFP process and future procurement opportunities with the New York City Board of Education Retirement System.

Note that our subcontractors (or “partners” etc.) identified in our Proposal also accept the above, to the extent that the Proposal relates directly to the subcontractor. *(If there are more subcontractors than lines provided herein, please copy and paste in blank rows at the end of this form).*

Signed and accepted this _____ day of _____, _____.

Signature: _____

Name & Title: _____

Date: _____

Company Name: _____

Signature: _____

Name & Title: _____

Date: _____

Company Name: _____

Signature: _____

Name & Title: _____

Date: _____

Company Name: _____

[END OF DOCUMENT]