

**RFP#0167 - REQUEST FOR PROPOSALS**

**New York State Department of Agriculture and Markets**

**Event Booking and Related Services at the  
New York State Fairgrounds  
during Non-Fair Season**

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**EXHIBITS**

**Exhibit 1 – Scheduled Non-Fair Events 2015 - 2018**

**Exhibit 2 – Site Plan of Fairgrounds and List of Buildings and Facilities**

**Exhibit 3 – Facility Rental Rates 2015 - 2019**

**Exhibit 4 – Insurance Requirements**

**Exhibit 5 - Sample AGM Contract including Appendix A - Standard Clauses for New York State Contracts**

REQUEST FOR PROPOSALS  
New York State Department of Agriculture and Markets

**RFP#0167: Event Booking and Related Services at the New York State Fairgrounds  
during Non-Fair Season**

**1. INTRODUCTION**

**1.1 OVERVIEW:**

This Request for Proposal (RFP) is issued by the New York State Department of Agriculture and Markets (“AGM” or the “Department”) to invite qualified bidders (“Respondents”) to submit proposals to provide event booking and related services for the New York State Fairgrounds (“Fairgrounds” or “Premises”) during the non-Fair season. The “non-Fair” season comprises the months of January to July and September to December when the Fairgrounds is not in use for the Great New York State Fair (the “Fair”). The recipient of the contract award from this RFP (“Contractor”) shall book events at the Fairgrounds and work with AGM and AGM’s advertising contractor to advertise, market and promote the Fairgrounds as a premiere national venue during the term of the contract awarded from this RFP.

The Fairgrounds are located at 581 State Fair Boulevard, Syracuse (Town of Geddes, Onondaga County) New York. The property is a 375-acre site owned and operated by AGM which is home to the Great New York State Fair, a multi-day event ending on Labor Day each year. The outstanding venues at the Fairgrounds, including the new 133,000 square foot Expo Center scheduled to open in the summer of 2018, present many opportunities for vibrant and diverse event options throughout the year to both the million residents who live within an hour of the Fairgrounds as well as the 137 million people within 750 miles.

The Fairgrounds operate year-round and host approximately 140 non-Fair events encompassing over 600 event-days. A wide variety of non-Fair events benefit from the Fairgrounds’ expansive buildings, open space, central location and convenient highway access. Current non-Fair events include major entertainment such as festivals, equestrian competitions, RV rallies, consumer shows, community events and corporate or organization meetings. These events generate an estimated \$80 million in economic impact to the State. See Exhibit 1 for events held from 2015 through 2017, and future events already scheduled.

In addition, on August 23, 2017, New York State Governor Andrew Cuomo announced the issuance of a RFP for the construction of a 133,000 square foot Expo Center. This facility will be the largest Expo Center north of New York City between Boston and Cleveland, a new facility uniquely situated to attract events not previously accommodated by existing regional facilities, such as large car shows, major equestrian competitions, motocross races and other large-scale traveling events not currently visiting the region. The Expo Center is expected to be completed in August 2018.

**1.2 RFP GOALS:**

The goal of this RFP is to retain one Contractor to provide non-exclusive event-booking and related services for the venues at the Fairgrounds during the non-Fair season.

**1.3 ELIGIBLE BIDDERS:**

- Any Proposer that meets the minimum qualifications set forth in Section 3.3 of this RFP is eligible to submit a proposal.

**1.4 TERM:**

- The contract resulting from this RFP will be for a term of five (5) years. It is anticipated that the contract will be awarded on February 21, 2018. The contract term will commence in 2018 and end in 2023.
- Respondents should note that AGM intends to make one contract award from this RFP.
- Respondents should note that in all cases, AGM and the State will retain ownership of the Premises.

**1.5 RFP TIMELINE:**

RFP Posted:	<b>December 6, 2017</b>
Optional site visits	<b>December 13, 2017</b> <b>December 18, 2017</b> <b>January 10, 2018</b>
Questions regarding this RFP must be submitted on:	<b>January 17, 2018</b> by 3 p.m. (EST)
A Question-and-Answer document will be posted to <a href="http://www.agriculture.ny.gov/RFPS.html">http://www.agriculture.ny.gov/RFPS.html</a> no later than:	<b>January 24, 2018</b>
Bidders' Responses due on:	<b>January 31, 2018</b> by 3 p.m. (EST)
Tentative award date:	<b>February 21, 2018</b>
Tentative contract signed:	<b>June 22, 2018</b>
Tentative contract start date:	<b>July 1, 2018</b>

**1.6 OPTIONAL SITE VISIT**

Three non-mandatory tours of the Fairgrounds' facilities will be made available to prospective bidders on December 13, 2017, and December 18, 2017, and January 10, 2018. Prospective bidders are encouraged to attend at least one tour; prospective bidders are invited to attend more than one tour. To schedule a tour, please email [procurementinfo@agriculture.ny.gov](mailto:procurementinfo@agriculture.ny.gov) no later than 3:00 p.m. the day prior to the tour. No substantive questions may be asked during the tour. All questions must be submitted in writing as set forth in Section 3.1 of this RFP.

**2. DESCRIPTION OF WORK TO BE PERFORMED**

**2.1 PREMISES:**

The Fairgrounds covers 375 acres and has an indoor equine coliseum, two outdoor riding rings, boarding for 600 horses, seven major exhibit buildings encompassing 350,000 square feet, two permanent stages, a Broadway-style theater with seating for 200, a banquet facility with seating

for 300 and parking for 20,000 cars. Please see Exhibit 2 for a Site Plan of the Fairgrounds and a list of buildings and facilities, and Exhibit 3 for Facility Rental Rates 2015 - 2019.

In addition to the current facilities, a new Expo Center building is expected to open in August 2018. It will be a 133,000 square foot multi-purpose building available year-round for a variety of events and activities.

## **2.2 SCOPE OF WORK:**

### **A. Event Booking Services at the Fairgrounds during Non-Fair Season**

Contractor shall provide non-exclusive event booking services for events at the Fairgrounds during the non-Fair season for the term of the contract resulting from this RFP, or as otherwise requested by AGM. AGM shall have final approval of all events booked. Event booking services to be provided by the Contractor shall include, but not be limited to:

- 1) At a minimum, from the contract start date through December 31, 2019:
  - Book at least 20 new, multi-day events utilizing at least 60 show-days in the Expo Center, at least three of which use at least one additional building at the Fairgrounds. These have to be events not held at the Fairgrounds within the past 18 months. *Note that events are counted as of the dates they are held, not the dates they are booked.*
  - Book at least 5 new multi-day events utilizing at least 15 show-days in buildings and areas at the Fairgrounds other than the Expo Center. These have to be events not held in the Central NY region within the past 18 months (Central NY region comprises the counties of Cayuga, Cortland, Madison, Onondaga, Oswego). *Note that events are counted as of the dates they are held, not the dates they are booked.*
- 2) At a minimum, during each calendar year from January 1, 2020 through the end of the contract:
  - Maintain at least 75% retention of completed events booked by the Contractor in the Expo Center and held the previous year.
  - Book at least 10 new multi-day events utilizing at least 30 show-days in the Expo Center, at least five of which use at least one additional building at the Fairgrounds. These have to be events not held at the Fairgrounds within the past 18 months. *Note that events are counted as of the dates they are held, not the dates they are booked.*
  - Book at least 8 multi-day events utilizing at least 24 show-days in buildings and areas other than the Expo Center. These have to be events not held in the Central NY region within the past 18 months. *Note that events are counted as of the dates they are held, not the dates they are booked.*
- 3) Work with AGM to develop a strategic plan for establishing the Fairgrounds and the Expo Center as a premiere venue for multiple types of regional, national, and international events. This encompasses establishing target shows and event types as

well as establishing a record of success in securing those targeted shows and event types.

- 4) Meet monthly with AGM and its advertising contractor to plan a marketing and promotion campaign for the Fairgrounds and to advertise shows and events scheduled at the Fairgrounds.

#### **B. Marketing/Promotion Report**

The initial Report shall be due six months after contract execution and updates shall be provided annually for the term of the contract. At a minimum, the Report will include:

- 1) Recommended annual budget for marketing/promotion and strategic plan to attract new events with an emphasis on events that only the Expo Center can accommodate.
- 2) Building analysis: recommended type of events to pursue for each building, reasonable expectation of occupancy for each building, description of best use for each building, and recommended improvements to each building
- 3) Recommended strategy to attract multivenue events that would utilize other local assets, including opportunities to cross-market with local hotels and other tourist attractions
- 4) Description of opportunities for seasonal events, including expansion of the use of the RV park
- 5) Description of opportunities to use the venue to promote consumption of NY foods and beverages
- 6) Comparison of the Fair venue with other similar venues in terms of use
- 7) Recommended marketing/promotion plan to sell sponsorships and naming rights
- 8) Description of industry best practices and standards as they relate to the Fairgrounds

#### **C. Pricing/Sponsorship Report**

The Report shall be due three months after contract execution and updates shall be provided annually for the term of the contract. At a minimum, the Report will include:

- 1) Recommended rates for the buildings, facilities, and additional charges.
- 2) Recommended rates for sponsorship and naming rights, including those sold by event promoters.
- 3) Description of industry best practices and standards as they relate to sponsorship pricing and opportunities at the Fairgrounds.

### **2.3 AGM RESPONSIBILITIES:**

AGM will provide the following:

- Single contract manager to work directly with the Contractor on all aspects of the Contract.
- Licensing and rate sheet for buildings, facilities, and additional charges.
- Lead staff member to manage operations for each booked event.
- Janitorial, security, parking, and events staff as needed for each booked event.

### 3. PROPOSAL FORMAT, CONTENTS AND SUBMISSION

#### 3.1 SUBMISSION TIMELINE:

All required documents must be received by AGM no later than **3:00 p.m. (EST) on January 31, 2018** in order to be considered. AGM reserves the right to request any missing information from those items marked with an asterisk (\*) on the Submission Documents Checklist. Bidder will have three (3) business days to provide any missing information requested by AGM for those items marked with an asterisk (\*) on the Submission Documents Checklist. All remaining forms and documents required to be completed after notification of selection is made shall be submitted to AGM by the selected Contractor prior to execution of the contract.

Any questions concerning this RFP may be submitted at any time, but must be received by **3:00 p.m. (EST) on January 17, 2018**. Questions must be submitted in writing. E-mail is preferred and should be directed to [procurement.info@agriculture.ny.gov](mailto:procurement.info@agriculture.ny.gov). Please list RFP#**0167** in the subject line. Questions may also be mailed to: NYS Department of Agriculture and Markets, Fiscal Management, 10B Airline Drive, Albany, New York 12235 Attn: Carrie Lindemann (RFP#**0167**).

A Question-and-Answer document will be posted to the AGM website, <http://www.agriculture.ny.gov/RFPS.html> no later than **January 24, 2018**. No individual written responses will be provided.

Any revisions to this RFP will be posted on AGM's website, <http://www.agriculture.ny.gov/RFPS.html>. All bidders are responsible for keeping informed of any revisions to this RFP. All questions and answers shall be incorporated into the RFP which will be part of the awarded contract. If you are unable to access the AGM website, please contact [procurement.info@agriculture.ny.gov](mailto:procurement.info@agriculture.ny.gov) to arrange for alternate delivery. You may also contact Carrie Lindemann at the mailing address noted above.

#### 3.2 SUBMISSION METHOD:

Facsimiles or e-mailed copies are not acceptable. Materials received after the deadline shall be returned unopened to the sender. See Section 3.7, Submission Documents, for information on completing a bid response.

Mail or hand-deliver a bid response in **one package containing the following four (4) separately labeled and sealed envelopes:**

**Envelope 1, titled "RFP #0167 Minimum Qualifications and Forms and Assurances."**

Original plus one (1) paper copy of (See Submission Documents):

- Cover Sheet and Submission Documents Checklist
- Attachment 2 - Mandatory Contract Requirements Certification Form (Original

Signatures)

- Attachment 3 - Non-Collusive Bidding Certification (Original Signatures)
- Attachment 4 - MacBride Nondiscrimination Certification Form (Original Signatures)
- Attachment 5 - Procurement Lobbying Law Forms (Original Signatures)
- Attachment 6 - Vendor Responsibility (Original Signatures)
- Attachment 7 – Vendor Assurance No Conflict of Interest (Original Signatures)
- Attachment 8 - Substitute Form W-9, if SFS Vendor ID needed (Original Signatures)
- Attachment 9 - List of Events Booked Form demonstrating proof of having met the Minimum Qualifications as set forth in Section 3.3 of this RFP.

**Envelope 2, titled “RFP #0167 Technical Proposal – Do Not Open.”**

- Original plus four (4) paper copies of the completed Technical Proposal addressing the criteria set forth in Section 3.5 of this RFP.
- An electronic version of the Technical Proposal in MS Word, on either a CD or a flash drive.

**Envelope 3, titled “RFP#0167 Bid Form/Cost Proposal – Do Not Open.”**

- Original plus four (4) paper copies of Attachment 1 - Bid Form (Original Signatures)

**Envelope 4, titled “RFP#0167 MWBE Forms – Do Not Open.”**

- Original plus one (1) paper copy of Attachment 10 - MWBE Forms (Original Signatures)

Place the four (4) envelopes described above into one package and mail or hand-deliver to:

New York State Department of Agriculture and Markets

Fiscal Management

10B Airline Drive

Albany, New York 12235

ATTN: Carrie Lindemann (RFP#0167)

### **3.3 MINIMUM QUALIFICATIONS:**

Respondents are advised that AGM’s intent is to ensure that only qualified, responsive and responsible Contractors enter into a contract to provide event booking and related services as defined in this RFP. AGM considers the following qualification a pre-requisite in order to be considered a qualified Respondent for the purposes of this solicitation:

- The Respondent must demonstrate that it has booked or produced a minimum of twenty-five (25) events per year in each of the previous three (3) calendar years preceding submission of this bid (2014-2016) at a venue(s) with a minimum of 75,000 square feet of space. The Respondent must provide the name of the events booked or produced, the name of the venue(s), the size of the venue(s), the dates of the events, and the name of the event promoter or venue operator with a telephone number and email address (See Submission Documents, Attachment 9, List of Events Booked Form). AGM reserves the right to confirm the information provided.

### **3.4 MANDATORY CONTRACT REQUIREMENTS:**

Each bidder must certify that:

- 1) No other obligation or engagement, contractual or otherwise, will impact the selected Contractor's ability to provide event booking and related services during the contract period.
- 2) The selected Contractor will have full control of all services provided pursuant to this engagement and assumes total responsibility for financial loss, accident, injury, or death that may occur as a result of the services provided. The selected Contractor will indemnify and hold harmless the State of New York, the Department, its officers and employees, from all claims, demands, damages, expenses, liability or obligation for damages, loss or injury to, or of, any person or property arising out of the acts of the selected Contractor, its agents, servants, employees, and those acting for or on its behalf. Such indemnity shall not be limited by reasons of any insurance coverage provided.
- 3) The selected Contractor will obtain and maintain insurance policies that meet the requirements set forth in Exhibit 4.
- 4) The selected Contractor agrees to comply with "Appendix A, Standard Clauses for New York State Contracts," a copy of which is attached to this RFP within Exhibit 5.

### **3.5 TECHNICAL PROPOSAL (60 POINTS):**

See Section 3.2 Submission Method for information on packaging and submission of the Proposal.

The Technical Proposal should describe the Proposer's approach to event booking and related services and address each of the three (3) sections below and the criteria listed within each section:

#### **A. Event Booking Services at the Fairgrounds during Non-Fair Season (50 POINTS)**

The objective of this RFP is to retain one Contractor to provide comprehensive non-exclusive event booking and related services for events at the Fairgrounds during the non-Fair season. AGM is seeking one Contractor to book a wide variety of events that will attract new and returning visitors to the Fairgrounds and the region, that will make best use of the unique nature of the Expo Center, and that will increase use of the Fairgrounds' facilities year-round.

##### **1) Approach**

The Technical Proposal should describe the Respondent's approach to the following:

- Working with the State Fair and AGM personnel to build out an event schedule that will leverage the strengths of the Fairgrounds' facilities, with an emphasis

- on the new Expo Center. The description should demonstrate Respondent's understanding of how the Fairgrounds is different from other event venues;
- Meeting the contractual obligations set forth in Section 2.2 of this RFP;
- Booking equestrian events. Include specific examples of the events that the Respondent would seek to book and why these events would be best suited for the Fairgrounds; and
- Scheduling events in coordination with other venues in the vicinity of the Fairgrounds, and plans to leverage regional assets to maximize success of Fairgrounds' events.

## 2) Experience

The Technical Proposal should describe the qualifications of the team that will be assigned to the Fairgrounds and their experience in the following areas:

- Booking events at venues similar to the Fairgrounds
- Bringing a new venue, like the Expo Center, onto the market
- Breadth of diversity in types of events booked.
- Booking large-scale, festival-style events across multiple venues simultaneously

### **B. Market and Promotion Report (5 POINTS):**

The Technical Proposal should include a description of the Respondent's ability or Respondent's subcontractor's ability to promote venues and events through direct marketing and other means, as well as the Respondent's ability or Respondent's subcontractor's ability to develop, research, and write a Market and Promotion Report. The Technical Proposal may include a copy of any such report the Respondent or Respondent's subcontractor has developed or commissioned, along with the scope of work for which the Report was produced.

### **C. Pricing and Sponsorship Report (5 POINTS):**

The Technical Proposal should include a description of the Respondent's ability or Respondent's subcontractor's ability to develop, research, and write a Pricing and Sponsorship Report. Such report will include best practices and specific recommendations for the Fairgrounds on pricing for packages with various combinations of facilities, amenities, sponsorships, and price classes. The Technical Proposal may include a copy of any such report the Respondent or Respondent's subcontractor has developed or commissioned, along with the scope of work for which the Report was produced.

## **3.6 COST PROPOSAL (40 POINTS):**

AGM is seeking proposals for compensation to the Contractor that shall include all of the following (See Attachment 1 – Bid Form):

- 1) Booking Fee (30 Points): the fee must be a percentage of the price paid by the event promoter to use the premises.

- 2) Marketing and Promotion Report (5 Points): flat fee to include initial report and all annual updates.
- 3) Pricing and Sponsorship Report (5 Points): flat fee to include initial report and all annual updates.

### **3.7 SUBMISSION DOCUMENTS:**

The packet of submission documents is annexed to this solicitation and is also available at AGM's website, <http://www.agriculture.ny.gov/RFPS.html>.

Proposals should be prepared simply and economically, avoiding the use of elaborate promotional materials beyond what is required to provide a complete presentation. If supplemental materials are a necessary part of the proposal, the bidder should reference these materials in the technical proposal, identifying the documents and citing the appropriate sections of the pages to be reviewed. Any proprietary material considered confidential by the bidder must be specifically identified, and the basis for such confidentiality must be specifically set forth in the proposal. Be advised AGM is subject to the Freedom of Information Act as codified by the New York State Public Officers Law.

## **4. EVALUATION CRITERIA AND METHOD OF AWARD**

### **4.1 CONSIDERATION:**

For a bidder to be eligible for consideration, it must meet the minimum qualification. To be awarded a contract, the bidder must certify that it meets or will comply with the mandatory contract requirements.

### **4.2 CRITERIA FOR EVALUATING BIDS:**

All complete proposals received by the deadline will be reviewed using the following criteria and ratings.

A proposal will first be reviewed by AGM staff to ensure that the proposal is complete, and that the minimum qualification has been met. AGM reserves the right to request any missing information from those items marked with an asterisk (\*) on the Submission Documents Checklist. Bidder will have three (3) business days to provide any missing information requested by AGM for those items marked with an asterisk (\*) on the Submission Documents Checklist.

A technical evaluation committee will complete a review of the Technical Proposal for all complete proposals submitted. The technical evaluation committee will review each Technical Proposal to determine compliance with the requirements described in this RFP. The committee retains the right to determine whether any deviation from the requirements of the RFP is substantive in nature and may reject, in whole or in part, any and all proposals, and/or waive minor irregularities. The Technical Proposal represents 60 points of the overall score.

All proposals received by eligible and qualified bidders will be evaluated. AGM may request written clarifications during evaluations. In the event written clarifications are necessary, the evaluation committee will meet to discuss clarifications and any disparate scores. The evaluation committee will be permitted to review its scoring and to make corrections based upon written clarifications, errors discovered and/or disparate scores.

The Cost Evaluation will be conducted separately on all bids that are deemed to meet the minimum qualifications. **The Bid Form provided must be used, and not altered in any way (See Attachment 1 - Bid Form included in the Submission Documents packet which follows).** The Cost Proposal represents 40 points of the overall score. The Cost Score Calculation is determined by dividing the lowest bid by the bid being evaluated and then multiplying by the total points available for each section.

Cost Score Calculation: Points = (lowest bid divided by the bid being evaluated) X applicable points (rounded to two decimal points)

**5. METHOD OF AWARD**

The Department intends to make a single contract award to the eligible and qualified Bidder whose proposal results in the highest aggregate technical and cost score. The aggregate score of all the criteria listed will be calculated for each proposal received. The contract issued pursuant to this proposal will be awarded to the Proposer whose aggregate technical and cost score is the highest among all the proposals rated. In the case of a tie score, the bidder among the tied group with the highest cost score will be awarded the contract.

**6. CONSIDERATIONS**

**6.1 KEY PERFORMANCE INDICATORS (“KPIs”) AND INCENTIVE BONUS PAYMENTS**

In addition to the service fees set forth in Section 3.6 above, Contractor will be entitled to incentive bonus payments if the following KPIs are met in addition to providing the Scope of Work set forth in Section 2.2 of this RFP:

**Bonus payments available on December 31, 2019**

<b>KPI</b>	<b>Incentive Bonus Payment</b>
Five multi-day events booked and held in the Expo Center that have not been booked in the Central NY region in the past 18 months	\$10,000
25 multi-day events utilizing at least 75 show-days in the Expo Center	\$10,000

**Bonus payments available December 31, 2020, and each succeeding December 31  
through the end of the contract**

<b>KPI</b>	<b>Incentive Bonus Payment</b>
<ul style="list-style-type: none"> <li>• 5% increase in previous year's revenue (not attributable to any increase in rental rates)</li> <li>• 85% retention of prior-year events booked and held</li> <li>• At least 5 multi-day events new to the Central NY region booked and held in the Expo Center</li> </ul>	\$15,000
<ul style="list-style-type: none"> <li>• 10% increase in previous year's revenue (not attributable to any increase in rental rates)</li> <li>• 90% retention of prior-year events booked and held</li> <li>• At least 10 multi-day events new to the Central NY region booked and held in the Expo Center</li> </ul>	\$20,000
<ul style="list-style-type: none"> <li>• 15% increase in previous year's revenue (not attributable to any increase in rental rates)</li> <li>• 95% retention of prior-year events booked and held</li> <li>• At least 15 multi-day events new to the Central NY region booked and held in the Expo Center</li> </ul>	\$25,000

**PLEASE NOTE:**

- Revenue is defined as the aggregate contract amounts of events booked by the selected contractor and held during the calendar year.
- Central NY region comprises the counties of Cayuga, Cortland, Madison, Onondaga, Oswego.

**6.2 DEPARTMENT'S RESERVATION OF RIGHTS:**

The Department reserves the right to:

- Reject any or all proposals received with respect to this invitation;
- Withdraw the RFP at any time, at the Department's sole discretion or otherwise decline to award a contract from this invitation;
- Make an award in whole or in part;
- Require clarification from any bidder to assure a full understanding of the responsiveness to the requirements of the invitation;
- Disqualify any bidder whose conduct and/or bid response fails to conform to the requirements of the RFP;
- Use proposal information obtained through site visits, management interviews and the State's investigation of a bidder's qualifications, experience, ability or financial standing, and any material or information submitted by the bidder in response to the Department's request for clarifying information in the course of evaluation and/or selection under the RFP;
- Waive or modify minor irregularities in bids received;

- Request additional information from bidders as deemed necessary to more fully evaluate bids or to obtain omitted required forms. Bidders will have three (3) business days to respond to the request;
- Prior to the bid opening, amend this solicitation after its release, with appropriate written notice posted on the Department's website to correct errors or oversights, or to supply additional information, as it becomes available;
- Prior to the bid opening, direct bidders to submit bid response modifications addressing subsequent RFP amendments;
- Change any of the scheduled dates;
- Eliminate any minimum or mandatory non-material specifications that cannot be complied with by all of the bidders;
- Waive any requirements that are not material;
- Conduct contract negotiations with the next responsible bidder, should the Department be unsuccessful in negotiating with the selected bidder; and
- Unless otherwise specified in the solicitation, every offer is firm and not revocable for a period of 120 days from the bid opening.

### **6.3 SUBCONTRACTING**

No subcontracting is permitted for event-booking services. The successful bidder, with the Department's permission, may subcontract the preparation of the reports required in Section 2.2 (B) and (C). AGM will contract only with the successful bidder who is the Prime Contractor.

### **6.4 NOTIFICATION OF AWARD**

The Department will notify the selected bidder verbally, followed by a written confirmation. Unsuccessful bidders will be notified in writing by the Department within ten (10) business days after the award.

### **6.5 DEBRIEFING PROCEDURES**

Pursuant to section 163(9)(c) of the State Finance Law, any unsuccessful Bidder may request a debriefing regarding the reasons that the Bid submitted by the Bidder was not selected for award. Requests for a debriefing must be made within fifteen (15) calendar days of notification by AGM that the Bid submitted by the Bidder was not selected for award. Requests should be submitted in writing to [procurementinfo@agriculture.ny.gov](mailto:procurementinfo@agriculture.ny.gov).

### **6.6 BID PROTEST PROCEDURES**

Bidders who receive a notice of non-award may protest the award decision subject to the following:

- 1) The protest must be in writing and must contain specific factual and/or legal allegations setting forth the basis on which the protesting party challenges the contract award by the Department.
- 2) The protest must be filed within ten (10) business days of receipt of a debriefing, or ten (10) business days of receipt of the notice of non-award, whichever is later. The protest letter must be filed with Carrie Lindemann at:

NYS Department of Agriculture and Markets  
Fiscal Management  
10B Airline Drive  
Albany, NY 12235  
Or via email: [procurement.info@agriculture.ny.gov](mailto:procurement.info@agriculture.ny.gov)

- 3) Fiscal Management will convene a review team that will include at least one staff member from each of: the Department's Office of Counsel, the Department's Office of Fiscal Management, and Department's Division of the State Fair. The review team will review and consider the merits of the protest and will decide whether the protest is approved or denied. Counsel's Office will provide the bidder with written notification of the review team's decision within fourteen (14) business days of receipt of the protest. The original protest and decision will be filed with OSC when the contract procurement record is submitted for approval, and Fiscal Management will advise OSC that a protest was filed.
- 4) Fiscal Management in consultation with Counsel's Office may summarily deny a protest that fails to contain specific factual or legal allegations, or where the protest only raises issues of law that have already been decided by the courts. An unsuccessful bidder may also protest the award by filing a protest, in writing, with the Office of the State Comptroller, Bureau of Contracts, 110 State Street, 11<sup>th</sup> Floor, Albany, New York 12236. More information on the Office of the State Comptroller's (OSC) Contract Award Protest Procedures can be found in OSC's Guide to Financial Operations (GFO), Chapter XI.17, available on the internet at <http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>.

## **6.7 NEW YORK LAW**

The provisions of New York law shall apply to the contract and to all claims, actions and other proceedings arising out of the contract.

## **6.8 REQUIRED APPROVALS**

Any contract award resulting from this solicitation will be subject to the approval of the Office of the Attorney General of the State of New York and the Office of the State Comptroller of the State of New York.

## **6.9 VENDOR RESPONSIBILITY AND NYS VENDOR ID**

### **Prime Contractors:**

State law requires that the award of state contracts be made to responsible vendors. Before an award is made to a not-for-profit entity, a for-profit entity, a private college or university or a public entity not exempted by the Office of the State Comptroller, the Department must make an affirmative responsibility determination. The factors to be considered include legal authority to do business in New York State, integrity, organizational capacity, financial capacity, and previous performance. Before an award of \$100,000 or greater can be made to a covered entity, the entity will be required to complete and submit a Vendor Responsibility Questionnaire. Public Authorities, BOCES, and public colleges and universities are some of the exempt entities. For a complete list, see:

[http://www.osc.state.ny.us/vendrep/resources\\_docreq\\_agency.htm](http://www.osc.state.ny.us/vendrep/resources_docreq_agency.htm)

All bidders must fully and accurately complete the Vendor Responsibility Questionnaire (hereinafter the "Questionnaire"). All bidders acknowledge that the Department's execution of the Contract will be contingent upon the Department's determination that the bidder is responsible, and that the Department will be relying upon the bidder's responses to the Questionnaire in making that determination. If it is found by the Department that a bidder's responses to the Questionnaire were intentionally false or intentionally incomplete, the Department 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 Department be deemed a breach thereof, nor shall the Department be liable for any damages for lost profits or otherwise, which may be sustained by the Contractor as a result of such termination.

NOTE: Bidders are encouraged to file the Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep) or go directly to the VendRep System online at <https://portal.osc.state.ny.us/wps/portal>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk (866-370-4672 or 518-408-4672) or by email at: [ciohelpdesk@osc.state.ny.us](mailto:ciohelpdesk@osc.state.ny.us).

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website [www.osc.state.ny.us/vendrep](http://www.osc.state.ny.us/vendrep) or may contact the Department or the Office of the State Comptroller's Help Desk for a copy of the paper form.

**Subcontractors:**

For vendors using subcontractors, a Vendor Responsibility Questionnaire and a Department vendor responsibility review are required for a subcontractor where:

- the subcontractor is known at the time of the contract award;
- the subcontractor is not an entity that is exempt from reporting by OSC; and
- the subcontract will equal or exceed \$100,000 over the life of the contract

**Note: Bidders must acknowledge their method of filing their questionnaire by checking the appropriate box on the Response Sheet for Bids (Submission Documents).**

**6.10 COST LIABILITY**

The State of New York, the Department, and the Division of the New York State Fair assume no responsibility or liability for the costs incurred by the Bidders in preparing and submitting their bids in response to this solicitation.

**6.11 FREEDOM OF INFORMATION**

The selected Contractor's bid response and any Contract resulting from this solicitation are subject to the provisions of Article 6 of New York State Public Officers Law, the Freedom of Information Law (NY FOIL). It is the responsibility of the Bidder to designate which components

of the bid response are proprietary business information to be withheld from disclosure. A bidder may not designate its entire bid response as confidential, proprietary or copyrighted.

## **6.12 PROCUREMENT LOBBYING LAW**

Pursuant to State Finance Law Sections 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between the Department of Agriculture and Markets and an offerer/bidder during the procurement process. (See *Submission Documents Packet, Attachment 5* -- "Guidelines Regarding Permissible Contacts During a Procurement and the Prohibition of Inappropriate Lobbying Influence"). An offerer/bidder is restricted from making contacts from the earliest written notice, advertisement or solicitation of the RFP through final award and approval of the Procurement Contract by the Department, and, if applicable, 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 Section 139-j(3)(a). Designated staff, as of the date hereof, are identified in 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 within a four-year period, the offerer/bidder is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found in the Department's Guidelines, which are attached, and on the Office of General Services Website at

<http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>

The Department has designated the following staff member to receive contacts pertaining to this Bid:

Carrie Lindemann  
New York State Department of Agriculture and Markets  
Division of Fiscal Management  
10B Airline Drive  
Albany, New York 12235  
E-mail: [procurement.info@agriculture.ny.gov](mailto:procurement.info@agriculture.ny.gov)

## **6.13 CONTRACTOR REQUIREMENTS AND PROCEDURES FOR BUSINESS PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN**

### **NEW YORK STATE LAW**

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145 the Department of Agriculture and Markets ("Department") recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of Department contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state

contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of minority- and women-owned business enterprises in state procurement contracting versus the number of minority- and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that Agriculture and Markets establishes goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises ("MWBE") and the employment of minority groups members and women in the performance of New York State contracts.

### **Business Participation Opportunities for MWBEs**

For purposes of this solicitation, the Department hereby establishes an overall goal of 30% for MWBE participation, 15% for New York State certified minority-owned business enterprises ("MBE") participation and 15% for New York State certified women-owned business enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). A contractor ("Contractor") on the subject contract ("Contract") must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and the Contractor agrees that the Department may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how the Department will determine a Contractor's "good faith efforts," refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and the Department may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a bidder on the Contract ("Bidder") agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System ("NYSCS"), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a respondent may arrange to provide such evidence via a non-electronic method by contacting the Department's MWBE Liaison at 518-457-4619 or [mwbe@agriculture.ny.gov](mailto:mwbe@agriculture.ny.gov). Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. All MWBE Forms and Instructions are included in the Submission Documents.

Additionally, a Bidder will be required to submit the following documents and information as evidence of compliance with the foregoing:

- A. An MWBE Utilization Plan with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to the Department. The Department will review the submitted MWBE Utilization Plan and advise the Bidder of the Department's acceptance or issue a notice of deficiency within 30 days of receipt.
- B. If a notice of deficiency is issued, the Bidder will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the Department of Agriculture and Markets, 10B Airline Drive, Albany, New York 12235, phone (518) 457-4619, fax (518) 485-7750, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Department to be inadequate, the Department shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

The Department may disqualify a Bidder as being non-responsive under the following circumstances:

- a) If a Bidder fails to submit a MWBE Utilization Plan;
- b) If a Bidder fails to submit a written remedy to a notice of deficiency;
- c) If a Bidder fails to submit a request for waiver; or
- d) If the Department determines that the Bidder has failed to document good faith efforts.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the Department, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report to the the Department, by the 10<sup>th</sup> day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

### **Equal Employment Opportunity Requirements**

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions of Appendix A – Standard Clauses for All New York State Contracts including Clause 12 - Equal Employment Opportunities for Minorities and Women. The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 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, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

The Bidder will be required to submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, (See Submission Documents, Form MWBE EE01) to the Department with their bid or proposal.

If awarded a Contract, Bidder shall submit a Workforce Utilization Report and shall require each of its Subcontractors to submit a Workforce Utilization Report, in such format as shall be required by the Department on a Quarterly basis during the term of the contract.

Pursuant to Executive Order #162, contractors and subcontractors will also be required to report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the Workforce Utilization Report on a quarterly basis.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and subcontractors will 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.

**Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.**

#### **6.14 PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED SERVICE-DISABLED VETERAN-OWNED BUSINESSES**

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"), thereby further integrating such businesses into New York State's economy. AGM recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of AGM contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders/Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, AGM conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/veterans/>

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

## 7. REQUIRED ASSURANCES

### 7.1 SUBMISSION DOCUMENTS

The documents listed below are included in the **Submission Documents** section, which follows. All documents requiring signature must be signed by an authorized representative of the Bidding entity. Please review the terms and conditions. Certain documents will become part of the resulting contract that will be executed between the successful bidder and the New York State Department of Agriculture and Markets. Please refer to Section 3.2, "Submission Method" for more information on how to package your proposal:

- **Bid Form** (Signature Required - the form is included in the **Submission Documents as Attachment 1**)
- **Mandatory Requirements Certification Form** (Signature Required - the form is included in the **Submission Documents as Attachment 2**)
- **Non-Collusive Bidding Certification** (Signature Required - the form is included in the **Submission Documents as Attachment 3**)
- **MacBride Certification** (Signature Required - the form is included in the **Submission Documents as Attachment 4**)
- **Offerer Disclosure of Prior Non-Responsibility Determinations (Procurement Lobby Law Forms)** (Signature Required - the form is included in the **Submission Documents as Attachment 5**)
- **Vendor Responsibility** (Signature Required - the form is included in the **Submission Documents as Attachment 6**)
- **Vendor Assurance No Conflict of Interest** (Signature Required – the form is included in the **Submission Documents as Attachment 7**)
- **Substitute W-9 Form to obtain SFS ID** (Signature Required - Return if SFS Vendor ID is requested – the form is included in the **Submission Documents as Attachment 8**)
- **List of Events Booked** (the form is included in the **Submission Documents as Attachment 9**)

### 7.2 CONTRACT DOCUMENTS AND REQUIREMENTS

The successful bidder will be required to execute a written contract with the Department. A sample contract is attached to this RFP as Exhibit 5. By submitting a bid, bidder agrees to be bound by all terms and conditions in the Department's contract including: Appendix A "Standard Clauses for New York State Contracts" (January 2014); Appendix D "General Conditions for

Agreements New York State Department of Agriculture and Markets” and; Appendix E “Special Conditions for Agreements New York State Department of Agriculture and Markets.”

## 8. RECOMMENDED SUBMISSIONS

The following forms are not required to be submitted with the bid response, though each form will be required prior to contract execution. Bidders are encouraged to submit these forms in order to expedite contract execution if the bidder is awarded the contract.

### **Workers’ Compensation Coverage and Debarment**

New York State Workers’ Compensation Law (WCL) has specific coverage requirements for businesses contracting with New York State and additional requirements which provide for the debarment of vendors that violate certain sections of WCL. The WCL requires, and has required since introduction of the law in 1922, the heads of all municipal and State entities to ensure that businesses have appropriate workers’ compensation and disability benefits insurance coverage *prior* to issuing any permits or licenses, or *prior* to entering into contracts.

Workers’ compensation requirements are covered by WCL Section 57, while disability benefits are covered by WCL Section 220(8). The Workers’ Compensation Benefits clause in Appendix A – STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS states that in accordance with Section 142 of the State Finance Law, a contract shall be void and of no force and effect unless the contractor provides and maintains coverage during the life of the contract for the benefit of such employees as are required to be covered by the provisions of the WCL.

Under provisions of the 2007 Workers’ Compensation Reform Legislation (WCL Section 141-b), any person, or entity substantially owned by that person: subject to a final assessment of civil fines or penalties, subject to a stop-work order, or convicted of a misdemeanor for violation of Workers’ Compensation laws Section 52 or 131, is barred from bidding on, or being awarded, any public work contract or subcontract with the State, any municipal corporation or public body for one year for each violation. The ban is five years for each felony conviction.

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

### **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 contracting entity must obtain ONE of the following forms from the contractor and submit to OSC to prove the contractor has 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; or
- **Form SI-12**– Certificate of Workers’ Compensation Self-Insurance; or **Form GSI-105.2** Certificate of Participation in Workers’ Compensation Group Self-Insurance; or
- **CE-200**– Certificate of Attestation of Exemption from NYS Workers’ Compensation and/or Disability Benefits Coverage.

### **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 contracting entity must obtain ONE of the following forms from the contractor and submit to OSC to prove the contractor has appropriate disability benefits insurance coverage:

- **Form DB-120.1** - Certificate of Disability Benefits Insurance; or
- **Form DB-155**- Certificate of Disability Benefits Self-Insurance; or
- **CE-200**– Certificate of Attestation of Exemption from New York State Workers’ Compensation and/or Disability Benefits Coverage.

ALL OF THE ABOVE REFERENCED FORMS, EXCEPT CE-200, SI-12 & DB-155 MUST NAME: New York State Department of Agriculture and Markets, Division of the New York State Fair, 581 State Fair Boulevard, Syracuse, NY 13209 as the Entity Requesting Proof of Coverage (Entity being listed as the Certificate Holder).

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>. Alternatively, questions relating to either workers’ compensation or disability benefits coverage should be directed to the NYS Workers’ Compensation Board, Bureau of Compliance at (518) 486-6307.

### **Sales and Compensating Use Tax Certification (Tax Law § 5-a)**

Tax Law § 5-a requires contractors awarded State contracts for commodities or services valued at more than \$100,000 over the full term of the contract to certify to the New York State Department of Taxation and Finance (“DTF”) that they are registered to collect New York State and local sales and compensating use taxes, if they made sales delivered by any means to locations within New York State of tangible personal property or taxable services having a cumulative value in excess of \$300,000, measured over a specific period of time. The registration requirement applies if the contractor made a cumulative total of more than \$300,000 in sales during the four completed sales tax quarters which immediately precede the sales tax quarter in which the certification is made. Sales tax quarters are June – August, September – November, December – February, and March – May. In addition, contractors must certify to DTF that each affiliate and subcontractor of such contractor exceeding such sales threshold during a specified period is registered to collect New York State and local sales and compensating use taxes. Contractors must also certify to the

procuring State entity that they filed the certification with the DTF and that it is correct and complete.

The selected bidder must file a properly completed Form ST-220-CA (with OSC as the Contracting Agency within 48 hours of notification of selection for award) and Form ST-220-TD (with the DTF). These requirements must be met before a contract may take effect. Further information can be found at the New York State Department of Taxation and Finance's website, available through this link: [www.tax.ny.gov/pdf/publications/sales/pub223.pdf](http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf). Forms are available through these links:

- ST-220 CA: [http://www.tax.ny.gov/pdf/current\\_forms/st/st220ca\\_fill\\_in.pdf](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](http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf)

**Please note that although these forms are not required as part of the bid submissions, the Department encourages bidders to include them with their bid submissions to expedite contract execution if the bidder is awarded the contract.**