



Homes and Community Renewal

Kathy Hochul, Governor RuthAnne Visnauskas, Commissioner/CEO

Request for Proposals for Advertising Consultant Services

Issuance Date:

August 9, 2024

Submission Deadline:

August 30, 2024, 12pm, EDT

Number: HCR-RFP-240809

STATE OF NEW YORK MORTGAGE AGENCY
641 LEXINGTON AVENUE • NEW YORK, NEW YORK 10022
www.hcr.ny.gov

Table of Contents

I.	Introduction.....	3
II.	Overview.....	4
2.1	State of New York Mortgage Agency	4
III.	Purpose and Assignment of Work	4
3.1	Purpose.....	4
3.2	Assignment of Ad Services.....	5
IV.	Assessment of Practices relating to Diversity and Service-Disabled Veteran Owned Business (“SDVOBs”).....	5
4.1	Minority and/or Women Owned Business Enterprise Participation (“Diversity”).....	5
4.2	Service-Disabled Veteran-Owned Business Enterprise Participation	5
4.3	MWBE and SDVOB Partner/Subcontractor Interest	6
V.	Calendar of Events and Milestones	6
VI.	Scope of Services (“Scope of Work”)	7
6.1	Background	7
6.2	Respondent Requirements.....	7
VII.	Proposal Requirements.....	8
VIII.	Contents of Proposals	8
8.1	TAB 1: Proposal Coversheet, Cover Letter and Proposal Certification Cover Letter	9
8.2	TAB 2: Technical Proposal.....	10
8.2.1	Overview and Experience	11
8.2.2	Capacity.....	12
8.2.3	Approach to Meeting the Functional and Technical Requirements	12
8.3	TAB 3: Cost Proposal	13
8.4	TAB 4: Administrative Proposal	13
8.4.1	Insurance Requirements	13
8.4.2	Financial Capacity	16
8.4.3	Licenses, Certifications and other Credentials	16
8.4.4	Disclosure of Proceedings by Governmental Agencies or Oversight Bodies	17
8.5	TAB 5: Diversity and SDVOB Proposal	17
IX.	Questions and Answers	17
X.	Amendments and Addenda.....	17
XI.	Proposal Submission Requirements	18
XII.	Evaluation of Proposals	19
12.1	The Evaluation and Criteria for Selection:	20
12.2	Interviews:.....	20
12.3	Selection and Notification Process:.....	21
XIII.	Contract.....	21
	Attachment A: Proposal Checklist.....	22
	Policies, Standard Clauses and Requirements	23
	Attachment I- Proposal Checklist & Certification	24
	Attachment II- Tab 3: Cost Proposal Template	28
	EXHIBIT B- Confidentiality Pledge	29

STATE OF NEW YORK MORTGAGE AGENCY

REQUEST FOR PROPOSALS FOR ADVERTISING CONSULTANT SERVICES

IMPORTANT NOTICE: A Restricted Period under the Lobbying Procurement Law is currently in effect for this procurement process and will remain in effect until approval of the Contract(s). Proposers are prohibited from Contacts related to this procurement process with any employee of the State of New York Mortgage Agency (“Agency”) or their Affiliates¹, other than the Designated Contact Officer listed below.

Lobbying Law Designated Contact Officer:

Michael Vayser, Assistant Counsel
New York State Homes & Community Renewal
641 Lexington Avenue, 5th Floor
New York, New York 10022
Michael.Vayser@hcr.ny.gov

If you have inquiries regarding this request for proposal or would like to contact the Agency regarding issues not relating to Lobbying Procurement Law Contacts, please forward inquiries via electronic email to Vanessa Lepe-Mora, Lisa G. Pagnozzi, Jerome White and/or Anne Agnelli at contractunitinfo@hcr.ny.gov.

Further information regarding the Agency’s Lobbying Procurement Law policies is available in the [Agency’s Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Exhibit A.

I. Introduction

[New York State Homes and Community Renewal](#) (“HCR”) consists of all the major housing and community renewal agencies of the State of New York (“State”), including the State of New York

¹Affiliates shall mean the other agencies comprising New York State Homes and Community Renewal being the New York State Housing Finance Agency, Housing Trust Fund Corporation, New York State Affordable Housing Corporation, State of New York Municipal Bond Bank Agency, and Tobacco Settlement Financing Corporation.

Mortgage Agency (“SONYMA” or “Agency”). HCR includes other agencies (“Affiliates”) not involved in this request for proposals (“RFP”) process.

II. Overview

The Agency is a public benefit corporation of the State of New York, co-located and co-administered from its New York City (“NYC”) office. The Agency actively participate in the issuance of its bonds and the Agency’s staff supervises each step of the financing process.

More detailed information relating to the Agency and its programs may be found at the [Agency’s website](#), hyperlinked herein.

2.1 State of New York Mortgage Agency

The [State of New York Mortgage Agency](#) is a public benefit corporation, created in 1970, to provide single-family homeownership opportunities for low- to moderate-income New Yorkers. The Agency funds its mortgage lending activities through the issuance of taxable and tax-exempt bonds under two resolutions: (i) The Homeowner Mortgage Revenue Bond Resolution; and (ii) Mortgage Revenue Bond Resolution. The Agency is the only State issuer of single-family housing bonds.

In 2023, the Agency issued over \$275 million in bonds and funded over 1,701 mortgages. Together with its sister agency, the New York State Housing Finance Agency, the two agencies combined were one of the top four largest housing issuers in the nation last year.

III. Purpose and Assignment of Work

3.1 Purpose

The State of New York Mortgage Agency requests proposals and statements of qualification from qualified firms (referred to hereinafter as “Proposers” or “Respondents” or “Firms”) for the provision of advertising placements, marketing and consultant services (“Ad Services”). The purpose of this RFP is to pre-qualify at least two firms as eligible to provide Ad Services to the Agency, from time to time, on an as-needed basis. Qualified firms will be eligible to enter into a contractual agreement with the Agency during the next five years with two optional one-year renewals. The general scope of services for Ad Services is more fully explained in the Scope of Services section of this RFP.

This solicitation seeks to replace, not supplement, the Agency’s contracts with vendors for the provision of Ad Services. Accordingly, vendors with any existing contracts with the

Agency for Ad Services must respond to this RFP if they wish to continue to be eligible to provide Ad Services to the Agency.

3.2 Assignment of Ad Services

Ad Services will be assigned as follows:

The proposer with the highest score, resulting from the evaluation of the written proposal(s), together with interview(s), if applicable, will be assigned Ad Services. In the event that the proposer with the highest score is not able to provide Ad Services, the proposer with the next highest score will be assigned Ad Services.

IV. Assessment of Practices relating to Diversity and Service-Disabled Veteran Owned Business (“SDVOBs”)

The Agency has determined, pursuant to New York State Executive Law Article 15A (“Article 15-A”) and Veterans’ Law Section 3 (“Section 3”), that the assessment of participation by minority-and/or women-owned business enterprises (“MWBEs”) (assessment of participation by MWBEs hereinafter referred to as “Diversity”) and service-disabled veteran owned businesses (“SDVOBs”) practices of Proposers responding to this RFP is practical, feasible, and appropriate.

4.1 Minority and/or Women Owned Business Enterprise Participation (“Diversity”)

The Agency is committed to awarding contracts to firms that are dedicated to Diversity and provide high-quality services. The Agency strongly encourages firms that are certified by the State as MWBEs to submit responses to this RFP. All MWBE firms submitting proposals to this RFP should be registered as such with the State’s Empire State Development (“ESD”).

The Agency is required to implement the provisions of Article 15-A and 5 NYCRR Parts 142-144 (“MWBE Regulations”) for all contracts of the Agency, as defined therein, with a value in excess of \$25,000. The Agency strongly encourages the partnering of MWBE firms with majority firms and MWBE firms with other MWBE firms. For assistance identifying MWBE partners, review the list of certified State MWBEs, accessible at the following web address: <https://ny.newnycontracts.com/frontend/searchcertifieddirectory.asp>.

For purposes of this solicitation, the Agency hereby establishes an overall goal of 30% of total contract expenditures for MWBE participation, 15% for minority-owned business enterprises (“MBEs”) and 15% for women-owned business enterprises (“WBEs”).

4.2 Service-Disabled Veteran-Owned Business Enterprise Participation

The Agency is committed to awarding contracts to SDVOBs that provide high-quality services. The Agency strongly encourages firms that are certified as SDVOBs to submit responses to this RFP. All SDVOB firms submitting proposals to this RFP should be certified with the State’s Office of General Services (“OGS”).

The Agency is required to implement the provisions of Section 3 for all Agency contracts, as defined therein, with a value in excess of \$25,000. For assistance identifying SDVOB partners, review the list of certified State SDVOBs, accessible at the following address: <https://online.ogs.ny.gov/SDVOB/search>.

For purposes of this solicitation, the Agency hereby establishes a goal of 6% of total contract expenditures for SDVOB participation.

4.3 MWBE and SDVOB Partner/Subcontractor Interest

MWBEs and SDVOBs certified in the State may request that their firm’s contact information be included on a list of MWBE and SDVOB firms interested in serving as a subcontractor for contract(s) resulting from this RFP process. The listing will be publicly posted on the Agency’s website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its MWBE certification and/or SDVOB certification to ContractUnitInfo@hcr.ny.gov. Nothing prohibits an MWBE or a SDVOB firm from proposing as a prime contractor (i.e., a “Proposer”).

V. Calendar of Events and Milestones

It is anticipated that contract(s) resulting from this RFP process will be awarded based on the following schedule:

Event	Date
Issuance of Request for Proposals	August 9, 2024
Deadline for RFP Questions	August 19, 2024, 12:00pm EDT (“ Eastern Daylight Time ”)
Deadline for Responses to RFP Questions	August 23, 2024
Deadline for Submission of Proposals	August 30, 2024, 12:00pm EDT
Interviews/Demonstrations (if necessary)	To Be Determined
Anticipated Selection Date*	November 1, 2024

*Subject to the approval of the Agency’s Board of Directors (“Board”).

The Agency reserves the right to modify this schedule at its discretion. Notification of changes in connection with this RFP will be made available to all interested parties via the Agency’s web page at: <https://hcr.ny.gov/procurement-opportunities> .

VI. Scope of Services (“Scope of Work”)

6.1 Background

The Agency is required under State law to **advertise** in newspapers of general circulation in the State to generate "**maximum participation by potential mortgagors.**" Federal law requires that at least 20% of the lendable proceeds of every Agency tax-exempt bond issue must be made available (and applied with reasonable diligence) for owner-financing of residences in “targeted areas” (a federally defined term). Federal Regulations state that this requirement is satisfied if, in addition to making this 20% available, "the issuer attempts with **reasonable diligence** to place such proceeds in qualified mortgages." The Regulations go on to state that "**Reasonable diligence requires that the issuer and the loan originators use reasonable efforts in trying to place mortgages in targeted areas, such as by advertising that mortgage funds are available in targeted areas** (Agency emphasis).

In furtherance of the Agency’s mission to increase the affordability of homeownership for low-to- moderate income residents of New York State, and in order to comply with the above noted legal requirements, the Agency rigorously promotes and advertises homeownership opportunities within community newspapers to target specific demographic audiences within various counties of the State, in accordance with United States Housing and Urban Development (“HUD”) guidelines. Over the last decade, SONYMA has launched several reduced interest rate programs to increase homeownership opportunities among veterans and low-income homebuyers.

Widespread brand awareness of SONYMA and its programs throughout the State of New York is an indispensable component of carrying forward the Agency’s mission. In an effort to promote public awareness of affordable homeownership opportunities sponsored by SONYMA, exposure through strategic marketing programs and advertising across various media channels is necessary. SONYMA places print advertisements in newspaper publications and utilizes other marketing venues.

6.2 Respondent Requirements

The successful Respondent(s):

1. Will assist SONYMA in its efforts to maximize the effectiveness of SONYMA's statewide advertising campaign to promote its mortgages and handle direct contract negotiations. The advertising placement and consultant services may include, but are not limited to:
 - a) Creating strategic media plans based on research and data;
 - b) Recommending advertising channels across print, digital, social, broadcast and radio, based on research and SONYMA criteria;
 - c) Negotiating fees with selected publications and media outlets;
 - d) Placing ads with media outlets;
 - e) Processing payments to media outlets;
 - f) Submitting a monthly report listing all ad and media outlet placements, including the cost for each placement; and
 - g) Other related Ad Services.
2. Must be able to place advertisements with community-based newspapers throughout the Metropolitan and Non-Metropolitan counties of the State.
3. Must be able to provide or have access to translation services and provide rates.

Major considerations in the selection of advertising vendors include vendor location and the demographics of the population served by a vendor. Utilizing this information, SONYMA strategically places advertisements where they will effectively promote SONYMA's programs.

VII. Proposal Requirements

A complete proposal for this RFP is comprised of five (5) separate tabs: (i) Tab One: Proposal Cover Sheet, Cover Letter and Proposal Certification; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; (iv) Tab Four: Administrative Proposal; and (v) Tab Five: EEO, Diversity and SDVOB Proposal.

The Proposal must be complete and prepared in the format consistent with the instructions provided in this RFP. In all instances, the Agency's determination regarding a proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive at the Agency's sole discretion. Proposers should not refer to other parts of the proposal, to information that may be publicly available elsewhere, or to the Proposer's or other websites in lieu of answering a specific question.

VIII. Contents of Proposals

The Proposer must submit a proposal that clearly provides all the information required in this RFP. Emphasis should be made on conformance to the RFP instructions, responsiveness to the RFP

requirements, and clarity of content. The Proposer is advised to thoroughly read and follow all instructions contained in this RFP. Proposals that do not comply with these instructions, or do not meet the full intent of all the requirements of this RFP may be subject to scoring reductions during the evaluation process or may be deemed non-responsive.

The Agency does not require, nor desire, any promotional material that does not specifically address the proposal requirements in this RFP.

The proposal should demonstrate that the Proposer is qualified to perform the Scope of Work based upon prior relevant professional experience. The Agency will perform a comprehensive review of each proposal submitted.

Proposer is required to submit the information and documentation listed below in the order in which it is requested. A proposal that does not include all required information and completed forms may be subject to rejection.

The completed proposal will include Tabs One through Five, as described in the Proposal Submission Requirements section of this RFP. Each Tab must be electronically bookmarked as “Tab 1,” “Tab 2,” “Tab 3,” “Tab 4,” and “Tab 5,” and must be presented in the exact order requested in this RFP.

The Proposer’s proposal must contain responses to the items listed below.

8.1 TAB 1: Proposal Coversheet, Cover Letter and Proposal Certification Cover Letter

8.1.1 Proposal Coversheet

The Proposer shall complete and submit a Proposal Coversheet which contains identifying information for the firm. The Coversheet must be submitted utilizing the template provided in Attachment I.

8.1.2 Cover Letter with Executive Summary (3 pages)

The Proposer’s Cover Letter must (i) be on Proposer letterhead, (ii) not exceed two (2) pages, and (iii) include the following items:

- a) The Proposer’s name, address, telephone number, fax number, email address and web site address, if applicable;

- b) The names, titles, telephone numbers, fax numbers, and email addresses of the principals and the individual(s) within the Proposer’s organization who will be the Agency’s primary contact concerning the proposal;
- c) A summary of the Proposer’s organizational history and legal structure (*e.g. corporation, State of incorporation, authority to do business in the State of New York, evidence of MWBE and/or SDVOB certification status, etc.*);
- d) The location of the Proposer’s main business office. If there are other locations of the Proposer that may be involved in future Ad Services projects, identify those other locations and include names/telephone numbers/fax numbers/email addresses of contact persons in those locations;
- e) A statement affirming the number of years that the Proposer or its principals have provided similar Ad Services to those described in the Scope of Work section of the RFP; **AND** indicate at least one engagement completed within the past three years (*excluding engagements provided for the Agency*), comparable in nature, to the Ad Services described in the Scope of Work section of this RFP;
- f) The name(s) of the primary staff who will provide Ad Services to the Agency; and
- g) Indicate whether the Proposer will be subcontracting with an MWBE and/or SDVOB, and if so, provide the name of the MWBE and SDVOB entity(ies) and principal(s); if the Proposer will not be subcontracting/partnering with an MWBE and/or SDVOB, indicate the reason why there are no subcontracting/partnering opportunities for the Ad Services described in the Scope of Work section of this RFP.

8.1.3 Proposal Certification

Proposer shall complete and submit with their Proposal Submission a signed certification (“Proposal Certification”) which affirms that the information contained in the proposal is true and accurate and that the person signing the Proposal Certification is authorized to submit the proposal on behalf of the Proposer. The Proposal Certification must be submitted utilizing the template provided in Attachment I of Tab 1.

8.2 TAB 2: Technical Proposal

This section of the RFP provides instructions to Proposers regarding information that is to be included in the Technical section of the proposal. The content in Tab 2 is limited to 8 letter-size pages, double spaced, minimum 12-point font, and at least one-inch margins. The 8-page limit in Tab 2 does not include resumes, references, organizational chart, etc. Proposal documents must be complete, factual and as detailed as necessary to allow the Agency to adequately evaluate

capabilities and experience for the Ad Services required under the contract(s) awarded to the successful Proposer(s).

The purpose of the Technical portion of the proposal is to provide the Proposer an opportunity to demonstrate its qualifications, competence and capacity to undertake the Scope of Work described in the Scope of Services section of this RFP, in a manner which complies with the requirements in this RFP. Proposals must specifically detail a Proposer's qualifications and experience in providing services sought by the Agency. Your response must include responses to the items listed below.

8.2.1 Overview and Experience

- a) Provide a brief overview of your firm and regulatory authorities supervising the firm, if any. Include a summary of the structure and relevant management of your firm. Briefly describe any significant changes to the management and/or structure of your firm, including any mergers that occurred in the last three years or anticipated in the future.
- b) Provide a brief overview of your organization's experience and qualifications relating to the Scope of Work requirements described herein, including relationships established with publications and media outlets in New York State.
- c) Discuss the overall ad placement and marketing services that your firm provides including, but not limit to, translation services. Provide specific examples of the work that your firm performs.
- d) We are looking for evidence of your firm's experience in providing the Scope of Work described herein. List three engagements within the last five years that your firm has provided Ad Services similar in scope to those described in the Scope of Work section of this RFP, with particular emphasis on engagements with firms in the real estate and banking institutions, if any. For each engagement, provide the following information:
 - i. The name and location of the client;
 - ii. Type of entity (government, private, etc.);
 - iii. Dates of engagement;
 - iv. Description of the services provided under the engagement;
 - v. Describe any best practices or innovative techniques that were learned and/or applied under the engagement that may be useful in achieving outcomes described in the Scope of Work section of this RFP; and
 - vi. Provide the name, title and contact information for the individual that can provide a reference for the client and speak with authority to the Proposer's performance in the engagement.

- e) Why should the Agency select your firm? What can your firm do for the Agency that other firms cannot?
- f) A description of the instances, if any, in which the Firm has worked with MWBE and/or SDVOB firms on previous engagements by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated.
- g) A statement of the Firm's willingness, if any, to engage MWBE partnering or mentoring arrangements with an MWBE and/or SDVOB firm of your choosing, and if so, a list of MWBE and/or SDVOB firms which the Firm is prepared to partner. Such statement should include an explanation of how the Firm would suggest structuring such an arrangement and allocating services and fees among the firms participating or mentoring arrangement.

8.2.2 Capacity

- a) Identify the location of your firm's main office. If there are other locations of your firm that will be involved in the provision of Ad Services, identify these other location(s) and include names, telephone numbers and email addresses of contact persons in those locations.
- b) Identify the principals and key staff who will be primarily responsible for providing Ad Services to the Agency and include location of principals and key staff. For each staff member listed, provide the number of years of relevant experience, and attach a resume. Provide a flow chart describing how the work will be carried out among your staff in a manner that best serves the Agency together with a detailed statement setting forth your firm's proposed staffing plans for the Agency's account, including qualifications.
- c) Provide an organizational chart for your firm and subcontractors, if any.

8.2.3 Approach to Meeting the Functional and Technical Requirements

- a) Identify your firm's approach and the common procedures that would be involved in executing the Scope of Work for the Ad Services.
- b) Discuss how the approach will meet the requirements in the Scope of Work and include the methodology (i.e., approach, project plan, etc.).
- c) Provide a detailed description of your firm's systems capabilities to provide the Scope of Work described herein.

- d) Discuss how your firm will ensure the security of all Agency information.
- e) Describe the availability and type of support and maintenance to be provided to the Agency.

8.3 TAB 3: Cost Proposal

The Proposer must provide a Cost Proposal in the format outlined in Attachment II of this RFP for costs of the firm’s Ad Services for a five-year period with two optional one-year renewals. The Cost Proposal should include all costs required to complete the Scope of Work and requirements in this RFP. The Agency reserves the right to further negotiate fees with the firm(s) selected.

8.4 TAB 4: Administrative Proposal

Proposers are subject to the requirements indicated in the Agency’s [Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Exhibit A. Such requirements include, but are not limited to, submission of the following information and forms: (a) [Vendor Information FORM](#); (b) [Lobbying Procurement Law FORM 1](#) and [Lobbying Procurement Law FORM 2](#) ; (c) [Non-Collusive Bidding Certification FORM](#); (d) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#) , e) [Vendor Assurance of No Conflict of Interest and Detrimental Effect](#), and f) [Executive Order #16 – Prohibiting Contracting with Businesses Conducting Business in Russia](#).

In addition to completion of the forms hyperlinked in the paragraph above, Proposers must provide all other information indicated in this Section 8.4 for Tab 4.

8.4.1 Insurance Requirements

The successful Proposer(s) (“Contractor(s)”) and its subcontractors, if any, are required to provide and maintain, at its (their) sole cost and expense, the insurance requirements at the minimum limits specified herein during the term of the contract and for two (2) years after completion of work. All required insurance policies shall be maintained with insurance companies licensed within the State of New York and holding an AM Best rating of no less than A- VIII. Said policies shall contain a provision that coverage will not be canceled, non-renewed or materially changed, until at least thirty (30) days’ prior written notice has been provided to the Agency. The Agency and any and all other parties-in-interest as the Agency may designate in writing from time to time (collectively, the “Additional Insureds”), all as their interests may appear, shall be named as additional insureds. Contractor (*and its subcontractors, if any*) agrees to have included in each of the above policies for Contractor’s Parties², a waiver of the insurer’s right of subrogation against the Additional Insureds.

² Contractor’s Parties shall mean Contractor and those working on its behalf including, but not limited to, subcontractors and vendors.

The Contractor (*and its subcontractors, if any*) shall furnish to the Agency evidence of the following insurance requirements prior to execution of awarded Agreement:

- a) Workers' Compensation Documentation. The successful Proposer(s) will be required to provide the Agency with written evidence of their workers' compensation insurance coverage utilizing ONE of the following forms:
- ✓ **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-124** – Certificate of Workers' Compensation Self-Insurance; **OR**
 - ✓ **Form GSI-105.2** - Certificate of Participation in Workers' Compensation Group Self- Insurance; **OR**
 - ✓ **CE-2006** – Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage.
- b) Disability Benefits Documentation. The successful Proposer(s) will be required to provide the Agency with written evidence of disability benefits insurance coverage utilizing ONE of the following forms:
- ✓ **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.

For additional information regarding workers' compensation and disability benefits requirements, please refer to www.wcb.ny.gov.

- c) Professional Errors and Omissions Liability – Errors and Omissions (*or Professional Liability*) insurance with limits of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) in the general aggregate. The coverage must include the following:

- Insure loss arising from any claim or claims made arising out of the scope of services during the policy period by reason of any covered error, omission or negligent act committed in the conduct of the insured's professional business during the policy period;
- If coverage is written on a claims-made policy, the Contractor warrants that any applicable retroactive date precedes the start of work; and that continuous coverage will be maintained, or an extended discovery period

exercised, throughout the performance of the services and for a period of not less than three years from the time work under the Contract resulting from this RFP process is completed; Written proof of this extended reporting period must be provided to the Agency prior to the policy's expiration or cancellation; and

- The policy shall cover professional misconduct or lack of ordinary skill for the positions defined in the scope of services of the Contract(s) resulting from this RFP process.

This policy requirement applies to both primary and excess liability policies, as applicable.

- d) Data Breach and Privacy/Cyber Liability Insurance, in an amount not less than One Million U.S. Dollars (\$1,000,000) each claim, Contractor is required to maintain coverage during the term of the Contract and as otherwise required herein, Data Breach and Privacy/Cyber Liability Insurance, including coverage for failure to protect confidential information and failure of the security of the Contractor's computer systems due to the actions of the Contractor which results in unauthorized access of the data. Required insurance coverage limits may be provided through a combination of primary and excess/umbrella liability policies.

Said insurance shall provide coverage for damages arising from, but not limited to, the following:

- Breach of duty to protect the security and confidentiality of nonpublic proprietary corporate information;
- Personally identifiable nonpublic information (e.g., medical, financial, or personal in nature in electronic or non-electronic form);
- Privacy notification costs;
- Regulatory defense and penalties;
- Website media liability; and
- Cyber theft of customer's property including, but not limited to, money and securities.

If the policy is written on a claims made basis, the Contractor must submit to the Agency an Endorsement providing proof that the policy provides the option to purchase an Extended Reporting Period ("tail coverage") providing coverage for no less than one (1) year after work is completed in the event that coverage is cancelled or not renewed. This requirement applies to both primary and excess liability policies, as applicable.

Certificates of Insurance, presented on Acord form 25, accompanied with additional insured endorsement CG2010 (1001) and CG2037 (0704), if determined it is necessary, or, if acceptable

to the Agency, their equivalent, shall be delivered to the Agency, prior to beginning the Scope of Work, evidencing the coverage required hereunder and showing all such coverages as noted above being in force. All insurance policies provided by the Contractor's Parties shall be maintained under terms and conditions reasonably satisfactory to the Agency, and Contractor's Parties shall provide such other insurance coverage as the Agency may reasonably request from time to time. The Agency will not accept any exculpatory language such as "endeavor to" and "but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives" on the Certificate of Insurance, i.e., the certificates shall meet the insurance requirements above.

In the event, any insurance coverage is cancelled, the Agency must be notified immediately.

In addition to the foregoing, Contractor and any subcontractors, if any, shall procure and maintain any and all insurance which is required by any applicable current or future law, rule, regulation, ordinance, permit, license, order or other legal requirement.

All insurance shall be primary and non-contributory and shall waive subrogation against the Agency and all of either of their former, current, or future officers, directors, and employees. No deductible of more than \$50,000 shall be permitted without advance written approval by the Agency, which the Agency may withhold, condition or deny in its sole and exclusive discretion.

The Contractor shall provide Certificates of Insurance to the Agency prior to the commencement of work and shall provide full and complete copies of the actual policies and all endorsements upon request. Subcontractors, if any, shall be required to maintain insurance meeting all of the requirements set forth above for items a) to d); however, Contractor shall require subcontractors, if any, to maintain greater limits and/or other or additional insurance coverages if greater limits and/or other or additional insurance coverages are (1) generally imposed by the Contractor given its normal course of business for subcontracts for similar work or services to those being provided by the subcontractor at issue; or (2) reasonable and customary in the industry for similar work or services to those anticipated hereunder.

8.4.2 Financial Capacity

The Proposer must provide the last two years of their firm's most recent tax returns or, if available, audited financial statements.

8.4.3 Licenses, Certifications and other Credentials

The Proposer must respond affirmatively that it, and its subcontractors (if any), will have, prior to commencement of work under the contract resulting from this RFP, all necessary licenses, certifications, approvals, and other needed credentials to perform the Scope of Work in the RFP, if applicable.

8.4.4 Disclosure of Proceedings by Governmental Agencies or Oversight Bodies

Provide the Agency with a list and description of any pending or anticipated proceedings by private parties against your firm (*individually or in the aggregate*) that your firm has determined may have a material adverse impact on the current financial status or operations of your firm.

8.5 TAB 5: Diversity and SDVOB Proposal

For Tab 5, submission of the following information and forms, hyperlinked herein, is required: (a) [EEO Staffing Plan, PROC-1](#); (b) [MWBE & EEO Policy Statement, PROC-4](#); (c) [Company Demographic Profile PROC-7](#); (d) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees; (e) [Diversity Practices Questionnaire, PROC-9](#) and (f) [Utilization Plan, PROC-2 Form](#) OR [Request for Waiver Form, PROC-3 Form](#) AND [Certification of Good Faith Efforts, PROC-10 Form](#).

IX. Questions and Answers

Any questions or requests for clarification regarding this RFP must be submitted via email to Nyhomes.Proposal@nyshcr.org, citing the RFP page and section, no later than the date identified in the “*Calendar of Events and Milestones*” section of this RFP. The “Subject” line of the email should indicate “Ad Services RFP.”

Questions will not be accepted orally, and any question received after the deadline may not be answered. The list of questions/requests for clarifications and the official Agency responses will be posted in a timely manner on [HCR’s Procurement Opportunities” webpage](#).

Proposers should note that all clarifications and exceptions are to be resolved prior to submission of the proposal.

An electronic version of this RFP will be posted on [HCR’s website](#) in addition to any subsequent changes, additions or deletions to the RFP, including the timelines and target dates. **Proposers are encouraged to check HCR’s website frequently for notices of any clarifications, changes, additions or deletions to the RFP.**

X. Amendments and Addenda

The Agency reserves the right to modify any part of this RFP including, but not limited to, the date and time by which proposals must be submitted and received by the Agency, at any time prior to the Deadline for Submission of Proposals date listed in the “*Calendar of Events and Milestones*”

section of this RFP. Modifications to this RFP will be made by issuance of amendments and/or addenda. Any amendment or addendum to this RFP will become part of this RFP.

Prior to the Deadline for Submission of proposals' date, any such clarifications or modifications as deemed necessary will be posted to [HCR's website](#).

If the Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Proposer will immediately notify the Agency of such error in writing and request clarification or modification of the document.

There are no designated dates for release of addenda; therefore, interested Proposers should check the Agency's website frequently through the Deadline for Submission of Proposals' date. It is the sole responsibility of the Proposer to be knowledgeable of all addenda related to this RFP process.

XI. Proposal Submission Requirements

Proposals must be delivered, by email, no later than the proposal due date and time indicated in the "*Calendar of Events and Milestones*" section of this RFP.

Proposals must be submitted by email to Nyhomes.proposal@nyshcr.org in searchable portable document format ("**PDF**") compatible with Adobe Reader XI. The Agency will not accept discs, flash drives, or FTP file references that require the Agency to download information from the Proposer's or a third party's site. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable) and "1 of X", "2 of X", etc., and the last email as "X of X – Final" for each additional email.

The proposal must be bookmarked and divided into five parts: (i) Tab One: Proposal Cover Sheet, Cover Letter and Proposal Certification; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; (iv) Tab Four: Administrative Proposal; and (v) Tab Five: EEO, Diversity and SDVOB Proposal. Proposals must be sent in two emails and labeled as follows: (a) one email to include Tabs One, Two and Three with the subject line of the email labeled: "2024 Ad Services RFP: Tabs 1 and 2"; and (b) the other email must include Tabs Four and Five and the subject line of the email labeled "2024 Ad Services RFP: Tabs 4 and 5".

Any proposal delivered after the date and time designated as the proposal submission deadline listed in the "*Calendar of Events and Milestones*" section of this RFP may be deemed ineligible. It is the Proposer's sole responsibility to ensure that all emails and attachments are delivered on time in a legible format. Proposers assume all risk for proposal delivery.

A proposal may be deemed to be non-responsive because it is materially incomplete. The Agency reserves the right to seek clarification or request additional information.

The determination of whether any proposal is complete or was received on time is at the sole discretion of the Agency.

All submitted proposals shall become the property of the Agency.

XII. Evaluation of Proposals

The Agency reserves the right to reject all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Incomplete proposals may be rejected.

12.1 The Evaluation and Criteria for Selection:

The evaluation process will begin with the review and evaluation of each of the written proposals. The purpose of the evaluation is two-fold: (1) to examine the responses for compliance with the requirements of this RFP; and (2) to identify the complying firm(s) that have the highest probability of satisfactorily performing the Scope of Work, described herein. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

Proposals will undergo an evaluation process conducted by an Agency committee (“Committee”). The Committee will evaluate proposals based on the qualifications of both the firm and its current personnel utilizing the following criteria:

- Demonstrated experience and ability to provide the services in the Scope of Work;
- Demonstrated competence, knowledge and technical expertise and capacity to perform the services in the Scope of Work;
- Cost effectiveness;
- Presence of an office in the State of New York;
- Diversity and commitment to equal employment opportunity and MWBE and SDVOB participation/programs;
- Avoidance of any potential conflict of interest or appearance of impropriety and policies designed to ensure the avoidance of such conflicts in the future;
- Financial stability;
- Overall completeness of all information provided in the proposal; and
- Interviews to clarify or expand on the RFP response (to be conducted at the discretion of the Agency).

12.2 Interviews:

The Agency reserves the right to determine whether interviews will be necessary and the number of firms to be interviewed. If the Agency deems interviews necessary, selected firms will be notified. The Proposer’s primary staff person who would be responsible for the Agency’s relationship with the Proposer, as well as other key personnel proposed to provide services, including its subcontractor’s primary staff person, if any, must be present and participate in the interview. The purpose of the interview is to further document the Proposer’s ability to provide the required services, and to impart to the Agency’s Committee an understanding of how specific services will be furnished. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the Proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

The Agency reserves the right to negotiate or hold discussions with any Proposer.

12.3 Selection and Notification Process:

The selected Proposer will be notified via U.S. mail or email. Proposers who are not selected will be notified of the Agency's decisions via U.S. mail or email.

XIII. Contract

The contract(s) resulting from this RFP process will be to provide the Agency with Ad Services for a five-year period with two optional one-year renewals, subject to approval by the Agency's Boards. The Agency, at their discretion, may exercise its option to modify any provision in the contract including, but not limited to, the scope of services and compensation, on an as needed basis, with the mutual written consent of the contracting parties. Any contract that exceeds a five-year period will require the affirmative concurrence of the Agency's Board to extend the term of the contract beyond a five-year period without undergoing a new solicitation process.

The successful Proposer(s) will be required to execute a contract with the Agency that incorporates the Agency's [Standard Clauses for Contracts](#) and [MWBE Participation Requirements and Procedures for Contracts](#), hyperlinked herein as Appendices I and II, respectively. The successful Proposer(s) will also be required to execute a Confidentiality Pledge, attached hereto as Exhibit B.

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Attachment A: Proposal Checklist

CHECKLIST FOR VARIOUS REQUIRED FORM RELATED ITEMS TO BE COMPLETED AND RETURNED:

- Tab 1 - Proposal Coversheet, Cover Letter and Certification, Attachment I

- Tab 2 – Technical Proposal

- Tab 3 – Cost Proposal, Attachment II

- Tab 4 - Administrative Proposal
 - [Vendor Information Form](#)
 - [Lobbying Reform Law Form 1](#)
 - [Lobbying Reform Law Form 2](#)
 - [Non-Collusive Bidding Certification Form](#)
 - Vendor Responsibility Questionnaire for [For- Profit Business Entity](#) OR [Not-For-Profit Business Entity](#)
 - [Vendor Assurance of No Conflict of Interest and Detrimental Effect](#)
 - [Executive Order #16 – Prohibiting Contracting with Businesses Conducting Business in Russia](#)
 - Proposer’s most recent two years of financial statements or federal tax returns
 - Evidence of Insurance (required upon contract award)
 - [W-9 Form](#) (required upon contract award)

- Tab 5 - Diversity and SDVOB Proposal
 - [EEO Staffing Plan, PROC-1](#)
 - [MWBE & EEO Policy Statement, PROC-4](#)
 - [Company Demographic Profile, PROC-7](#)
 - [EEOC Statement, PROC-8](#)
 - [Diversity Practices Questionnaire, PROC-9](#)
 - [Utilization Plan, PROC-2](#) OR
 - [MWBE Waiver Form, PROC-3](#) AND
 - [Certification of Good Faith Efforts, PROC-10](#)

Policies, Standard Clauses and Requirements

- [Standard Clauses and Requirements for Solicitations, Exhibit A](#)
- Confidentiality Pledge, Exhibit B, attached hereto
- [Standard Clauses for Contracts, Appendix I](#)
- [MWBE Participation Requirements and Procedures for Contracts](#), Appendix II

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Proposal Coversheet

Attach this form to the top of your Proposal Submission.

ALL PROPOSAL SUBMISSIONS MUST BE ELECTRONICALLY MAILED TO THE E-MAIL ADDRESS SPECIFIED IN THE PROPOSAL SUBMISSION INSTRUCTION SECTION OF THE AD SERVICES RFP.

GENERAL INFORMATION ON FIRM:

Legal Name of Firm:

Firm's Mailing Address:

Firm's Website:

Firm's Main Telephone Number (including area code):

Federal Tax ID Number:

Data Universal Numbering System Number (DUNS) (if applicable):

SEC Registration Number (if applicable):

Statewide Financial System (SFS) Vendor ID Number (if applicable):

MWBE Registration Number (if applicable):

Indicate name(s) of MWBE subcontractor(s) (if applicable):

Service-Disabled Veteran Owned Business (SDVOB) Control/Registration Number (if applicable)

Indicate name(s) of SDVOB subcontractor(s) (if applicable):

MAIN CONTACT INFORMATION FOR THIS PROPOSAL:

Please list the individual that will be the main contact *regarding this proposal*:

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

PRINCIPAL IN CHARGE:

Please list the primary staff person(s) who will provide services to the Agency. Attach additional sheets if necessary.

Contact Name:

Contact Telephone Number (including area code)

ADDITIONAL CONTACTS (if applicable):

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

Proposal Certification

The Proposal Submission must be fully and properly executed by an authorized person. By signing this Proposal Certification you certify your express authority to sign on behalf of the Proposer and acceptance of the terms included in (i) this RFP, (ii) Appendix A (Agency’s Standard Clauses For New York State Contracts) and (iii) State Finance Law §139-j and §139-k (Procurement Lobbying), and that all information provided in the proposal is complete, true and accurate. By signing this Proposal Certification, the Proposer affirms that it understands and agrees to comply with Agency procedures relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b). Proposer also affirms that it has reviewed the requirements within the RFP and agrees to be bound by said terms.

Legal Business Name of Proposer:	D/B/A Name of Proposer:
Federal Tax Identification Number:	New York State Identification Number:
Printed or Typed Name of Authorized Firm Signatory:	Proposer Signature:
Title:	Date:

Attachment II

TAB 3: Cost Proposal Template

Firm's Name: _____

Type of Services	Fee* For Years 2025-2029	Fee For Year 2030	Fee For Year 2031
Media Commission (Percentage of monthly gross cost of advertising and/or media placements)			
Translation Services (hourly rate)			
Additional Ad Services, if any, to be indicated below (indicate whether fee is based on an hourly rate, percentage basis, etc.):			

*The fee must remain the same for the first five years of the contract (2024 – 2029)

Proposer's Authorized Signatory (print and sign and date). Print Name_____

By:_____

Date: _____

Signature

EXHIBIT B

CONFIDENTIALITY PLEDGE

I, [_____], am an employee of _____ with an office at _____ (the “Employer”) and I am not an employee of the New York State Housing Finance Agency, State of New York Mortgage Agency or New York State Affordable Housing Corporation (singularly or collectively, “Agency”).

In the course of my employment with Employer, I will perform certain official duties for the Agency and have executed this Confidentiality Pledge (“Pledge”) as of this [____] day of _____, 202__ in order to induce the Agency to allow me to access Data so that I may use such Data in the performance of my official duties for the Agency while an employee of Employer.

“Data”, as used in this Pledge, means any and all records, data, or any other information not generally known to the public belonging to, generated by, provided to me by, or otherwise related to any Agency (whether in written, oral or electronic form), whether of a technical, business or other nature, that I may access, read, become aware of, or otherwise come into contact with in any way in the performance of my official duties for the Agency or for Employer.

1. I will use the Data only as may be required for the performance of my official duties for the Agency, and not for any other purpose.
2. I understand that applicable laws and regulations require the Agency to safeguard the confidentiality of certain information contained in the Data.
3. I will exercise extreme caution to safeguard the confidentiality of the Data and will not release, reveal, publish, or permit the public to obtain access to any portion of the Data without the prior written consent of the Agency.
4. I will exercise extreme caution to safeguard the confidentiality of any password that may be issued by any Agency. I will not permit any person, other than myself (including, but not limited to, any other employee of Employer), to use any such password at any time.
5. I will not attempt to copy any Data (other than as may be required for the performance of my official duties for the Agency) nor will I create any record, public or private, from which any Data could be regenerated.
6. This pledge shall continue indefinitely and shall survive the termination of my employment with Employer and any date on which I may cease to perform any official duties for any Agency.

In addition, in the course of my employment with Employer, I will perform certain official duties for the Agency (“Agency’s Engagement”). I shall not accept any engagement in conflict with the Agency’s or Agency’ interest in the subject matter of the Agency’ Engagement.

I shall not offer to any employee, member or director of the Agency any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

In witness whereof, I have executed this Pledge as of the date and year first above written.

_____, SERVICER AND EMPLOYER
Print Name of Vendor/Servicer

Signature

Printed Name

Phone Number

_____, EMPLOYEE OF SERVICER/EMPLOYER
Employee’s Signature

Print Name of Employee

Employee’s Phone Number