Via E-Mail

September 15, 2017

To All Prospective Vendors

Re: PIN: 156 18P00001-R2

Dear Sir or Madam:

The New York City Taxi and Limousine Commission ("TLC") is seeking proposals for an economic impact study. Said services must meet the requirements detailed in the attached Scope of Work. The vendor must also comply with the attached Terms and Conditions. The resulting contract, if any is awarded, will be for a term of one (1) year.

Please submit your proposal in accordance with Section VIII of the attached Scope of Work. Proposals must be submitted via fax or email to Jeremy Halperin at (212) 676-1206 or halperinj@tlc.nyc.gov. Proposals are due on or before Friday, September 22, 2017 at 5:00 PM EST. Proposals that are not specifically compatible with the attached Scope of Work and Terms and Conditions, or that do not meet TLC's needs, will not be considered.

Pursuant to Local Law 34 of 2007, which amends the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the City" as such terms are defined in the Local Law. In order for the City to obtain the necessary information to establish the required database, vendors responding to this solicitation are required to complete the "Doing Business Data Form" provided by TLC and return it with their bid, and should do so in a separate envelope. If the City determines that a vendor has failed to submit a Data Form or has submitted a Data Form that is not complete, the vendor will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and to return a complete Data Form to the agency. Failure to do so will result in a determination that the bid submission is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed, or no later than five (5) days from the date of mailing or upon delivery, if delivered.

Any question(s) concerning this solicitation should be addressed to no individual other than me. Please submit any question(s) in writing only via e-mail or fax no later than Tuesday, September 19, 2017 at 12:00 PM EST.

Sincerely,

Jeremy Halperin
Agency Chief Contracting Officer

Attachments (4)
The New York City Taxi and Limousine Commission
Economic Impact Study
PIN: 156 18P00001-R2

Scope of Work

The New York City Taxi and Limousine Commission (TLC) is the City agency that regulates the taxi and for-hire transportation industries, which include traditional car services and app-based services like Lyft and Uber, in New York City. TLC is seeking the services of an economic research consultant ("the Consultant") to study the impact of policies under development that aim to establish minimum earnings for for-hire vehicle (FHV) drivers.

I. Description of TLC-Regulated Industries

Drivers. TLC licenses 163,800 drivers, approximately 60% of whom are active in a given month. Approximately 27% drive more than 35 hours per week. These drivers hold a single license that authorizes them to operate either yellow taxis or FHVs. There is no limit on the number of drivers and TLC issues licenses to all applicants who meet the qualifications.

FHVs. There are 98,200 FHVs licensed by TLC in NYC, approximately 70% of which provided trips in a given month. There are three types of FHVs: liveries, black cars, and luxury limousines. Liveries are also referred to as "community car services." They generally accept cash and provide rides at affordable rates based in a few neighborhoods. Black cars are required to accept non-cash payment (e.g., credit cards or corporate accounts) for at least 90% of rides. They traditionally served high-end and corporate clientele; however, since 2013 the sector has come to be dominated by vehicles that work for mass-market apps such as Uber, Lyft, Via, Juno and Gett. Luxury limousines continue to be a relatively small and high-end segment, with vehicles frequently rented by the hour rather than the trip. There are currently 20,400 liveries, 73,200 black cars, and 4,600 luxury limousines licensed by TLC. The 5,100 green taxis in service, which are dedicated to providing street hail and call-ahead service in the outer boroughs and Northern Manhattan, are a type of FHV, most often licensed as liveries but sometimes as black cars. There is no limit on the number of FHVs. TLC issues licenses to all applicants who meet the qualifications. FHVs, with the exception of green taxis, may only respond to dispatches and may not pick up street hails.

FHV Bases. FHV bases connect passengers seeking rides with available drivers. Every car licensed as an FHV must be affiliated with an FHV base.1 Most FHV bases

1 An affiliation is the official establishment of a relationship between a vehicle and a base. Bases have certain responsibilities for vehicles associated with them, such as paying into funds that provide workers' compensation for drivers of affiliated vehicles.

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do not own the vehicles affiliated with their bases. Most often it is the driver of the vehicle who controls the vehicle, either as its owner or as the lessee from a vehicle leasing company. The driver is responsible for his or her own expenses, such as vehicle purchase, repairs and maintenance, insurance, and gasoline. The vast majority of drivers who perform trips dispatched by FHV bases function as independent contractors.

FHV bases operate under a variety of business models. Some bases charge a flat “affiliation fee” each week or month. After paying that fee, drivers keep all of the fare revenue they earn. Other bases operate on a commission basis. Instead of charging a flat fee, they take a share of the fare revenue. FHV drivers may only affiliate with one base at a time, but they may respond to trips dispatched to them from other bases. Approximately 33,000 drivers work for more than one base in a given month.

FHV bases vary in other ways. Some are small “mom and pop” shops serving local neighborhoods, booking trips via phone calls, and some only recently adopting technologies like computers. Others are highly sophisticated, venture-backed multinational companies with cutting-edge technology, allowing booking only by smartphone app. There are also many bases along the spectrum between these two extremes. 565 bases have fewer than 25 cars, 240 of bases have 26 to 100 cars, and 123 bases have more than 100 cars. Some companies do more business than their number of affiliated vehicles would suggest, because they focus on sending trips to vehicles affiliated with other bases. Some bases, particularly those that dispatch through apps, have begun arranging for shared rides in which passengers receive discounts in exchange for their willingness to share their rides with strangers.

Yellow Taxis. There are 13,587 yellow taxis in NYC, approximately 97% of which are active in a given month. Yellow taxis require a special license, called a medallion, to operate. There are currently 13,587 issued medallions, and issuing more (the City is authorized to sell 1,650 more) would require a public sale, such as an auction. The last such auction was in 2014. About one third of taxis are operated out of garages in which the driver leases the vehicle and the medallion on a daily or weekly basis from a TLC-licensed agent, who runs the garage. In addition to a flat lease payment, these “fleet drivers” are usually responsible for their own fuel expenses. Another third of taxis are driven by individuals who own the medallion and vehicle personally (“owner-drivers”), often parking the vehicles near their homes when not in service and leasing out to second-shift drivers when the owner isn’t working. Another third of taxis are referred to as driver-owned vehicles (DOVs). DOVs operate similarly to owner-drivers, except that they do not own the medallion personally and instead lease it from an agent. Generally the garage or the vehicle owner earns income from the lease fee (and from fare revenue if the owner personally drives), and the driver keeps all of the fare revenue he
takes in. Taxi drivers who are not the proprietors of their own taxi businesses function as independent contractors.

TLC already uses its regulatory authority to attempt to ensure fair earnings for each trip and that a fair share of those earnings are retained as driver income. The agency sets fares and limits the amount a taxi/medallion owner can charge a driver to use a medallion/taxi for a shift or a week (i.e., the “lease cap”). TLC fare-setting ensures that on any given trip the driver receives a minimum earnings, and by setting a lease cap, TLC helps control driver expenses.

**Passengers.** Car ownership in NYC is very low (46% of households), and many residents are reliant upon a combination of public transportation and for-hire service to meet their regular needs. Therefore access to for-hire transportation in NYC is important not only to tourists, but also to residents of all income levels across the five boroughs.

**Recent Trends**

The introduction of app-based for-hire services, such as Uber, Lyft, Via, and Juno, and the shift of drivers to the FHV sector, have caused TLC to evaluate industry trends and driver earnings beyond the yellow taxi. Recent industry trends include:

- **Increase in FHVs:**

  **Vehicle License Counts**

  ![Vehicle License Counts Graph](image)

  - Black Car
  - Livery
  - Luxury Limo

- **Increase in drivers:**
The competitive marketplace for passengers has placed downward pressure on passenger rates of fare, which may be negatively impacting driver earnings. The growing number of drivers and vehicles, which may not be accompanied by a
proportionate increase in available trips, may also be leading to lower earnings for each driver.

Drivers have expressed strong concerns about their ability to earn, including in the FHV sector, where 45,000 drivers work more than 35 hours per week on a monthly basis and there is currently no regulation of most factors that impact driver income, such as fares, commissions, vehicle expenses, and affiliation fees. In a recent survey completed by several thousand taxi and for-hire vehicle drivers, 61% reported that their expenses had increased over the previous six months and 68% reported that their revenue had fallen in that same period. These concerns were reiterated in an April 2017 public hearing on the topic, which yielded more than 2,300 comments from the public and more than 100 speaker sign-ups. A major theme expressed by commenters and speakers was that driver income was too low because revenue was down and expenses were increasing.

II. Policy Proposal Description

Pursuant to its New York City Charter authority to exercise broad supervision and control of the business of transportation for hire within the City of New York, TLC is considering a policy that would help ensure minimum earnings for drivers of for-hire vehicles. Drivers would receive a minimum payment per mile and per minute spent transporting passengers. FHV bases would be required to ensure that drivers to whom they dispatch trips do not fall below these minimums over a set period of time.

III. Analysis Needed

TLC seeks a study of the major impacts of the policy under consideration on a variety of factors, which may include:

- Effects on drivers, which may include number of drivers receiving pay increases, size of pay increases, impacts on number of jobs in the TLC-regulated sectors, work hours, taxes paid, and public benefits received
- Effects on consumers, which may include service prices and service availability. Evaluation of service availability effects may include factors such as response times and access for neighborhoods across the five boroughs
- Effects on businesses such as FHV bases, which may include impacts on operating costs, number and size of businesses, labor supply, productivity, worker turnover and adoption of automation. Business impacts may need to be calculated for several industry sub-segments.
- Effects on local economy, driven by factors such as consumer demand generated by drivers receiving pay increases
The proposer should evaluate the policy under consideration and, in his or her proposal, should provide recommendations regarding which of these analyses are essential and which might be non-essential but supplementary, taking into account factors such as the size of the industry that would be impacted and its share of the overall NYC economy.

Although many of the questions and impacts of interest are similar to those that would be considered in a study of the impact of a minimum wage proposal, this analysis will be distinctive because the policy under consideration would not set a minimum wage. Instead, it seeks to create a system of minimum earnings for work completed using the mechanism described under Policy Proposal Description.

IV. Deliverables and Services

TLC seeks the following deliverables and services from the selected proposer:

Deliverables

- A preliminary findings presentation containing results of the analysis described above
- Analysis of up to three alternative policy formulations
- A final findings paper

All deliverables must be based upon sound economic principals, contain defensible logic and be able to withstand public scrutiny.

Services

- Availability for regular project team status meetings, either in-person or by phone
- Following submission of final paper, availability for discussions with TLC staff and stakeholders, public testimony, discussions with media, and preparation for and assistance with any potential litigation

V. Resources Available for Analysis

TLC will provide significant resources to assist the consultant in performing the analysis. These resources include:

Expertise: TLC staff members have extensive knowledge of the taxi and FHV industries and will be a primary resource to the consultant for this information. TLC’s Data and Analytics Unit, which sits within its Office of Policy and External Affairs, is experienced analyzing taxi and FHV datasets and staff members will be available to
work in close collaboration with the consultant to familiarize him or her with TLC datasets and perform some analysis to support the project.

**Data:** TLC has the following data available to assist in the analysis:

- **Vehicle characteristics:** make, model, year, mileage
- **Taxi trip sheet data:** fare, driver, vehicle, method of payment, trip length, trip time, date, time, location of each pickup and drop-off since 2009
- **FHV trip sheet data:**
  - Driver, vehicle, pickup date, time and location for each trip since April 2015
  - Starting with the June 2017 data month, the above pickup information plus drop-off date, time, and location, along with whether the ride was shared, will also be available for all trips
  - Passenger fare paid and amount driver paid will be available, in addition to the above data points, for a sample of recent trips
- **Licensing data:** database of licensed vehicles, drivers, and FHV bases, with some data available longitudinally
- **Timelines:**
  - Timeline of initiation of service by large industry players
  - Timeline of known changes in rates of fare and known changes in driver commission structures or lease rates across industries
- **Driver expenses:** information on TLC licensing fees and other common vehicle ownership expenses (derived from vehicle characteristics information referenced above)
- **Survey:** driver survey information on other sources of income, vehicle ownership, expense growth, and revenue growth

The consultant's use of TLC data will be subject to applicable restrictions to protect privacy and data security, such as potential non-disclosure agreements.

**Access to Stakeholders and Information:** TLC has relationships with many stakeholders in the FHV industries and can facilitate conversations or information-gathering necessary to support the analysis. TLC also has the ability to contact drivers and other TLC licensees to request information from them to support the analysis.

**VI. Experience Requirements**

The consultant shall:

- Be a professionally trained economist, or an experienced researcher from a closely related discipline who has the level of expertise in economic research and
quantitative modeling such that his or her skills are similar to those of a professionally trained economist

- Have three (3) or more years of experience within the past ten (10) years conducting analysis of the economic impacts of policies designed to set minimum earnings levels for workers
- Have experience within the past ten (10) years explaining economic analysis to lay audiences, including stakeholders, elected officials, and the media

VII. Timeline

The work should be completed as quickly as it can be capably and accurately done. The industries that TLC oversees change quickly, so the agency requires that analysis be done quickly enough and with enough foresight that any conclusions remain applicable for policymaking in this dynamic environment. The general timeframe TLC is seeking is:

- Preliminary findings: December 15, 2017
- Final findings: February 28, 2018
- Follow up discussions of the findings with staff, stakeholders and the media likely to take place through July 2018, though the majority of these discussions are expected to take place in spring 2018

TLC is open to reasonable proposals of alternative timeframes from proposers based on their experience conducting this type of analysis, the resources they have available to them, and their assessment of the complexity of analysis.

VIII. Proposal Contents

The proposal must include the following:

- A narrative describing the proposer’s intended approach to address Section IV, Deliverables and Services, of this Scope of Work
- A professional resume demonstrating the experience requirements of Section VI of this Scope of Work
- Three (3) references, at least one (1) of which must be from a client for whom the proposer has performed work similar to that described herein
- Pricing based on Section IV, Deliverables and Services, of this Scope of Work (the attached Price Proposal Form must be used)
TLC welcomes proposals that provide multiple pricing options based on factors such as different combinations of core versus supplementary analysis, various levels of reliance on TLC analytical staff support, and timeline options. However, the attached Price Proposal Form must be used for each option.

IX. Evaluation Criteria

- Demonstrated quantity and quality of relevant experience/expertise (45%)
- Quality of proposed approach (45%)
- Ability to conduct the work within the preferred timeline (10%)

X. Basis for Contract Award

A contract will be awarded to the responsive and responsible proposer whose proposal is determined to be the most advantageous to the City, taking into consideration price and such criteria which are set forth in this solicitation.
The New York City Taxi and Limousine Commission
Economic Impact Study
PIN: 156 18P00001-R2

Addendum #1

The following are questions that were received from respondents and respective answers from the Taxi and Limousine Commission (TLC):

1. Q: I did not see any guidelines for the proposal's length nor any suggested limits on the proposal budget. Please advise.
   A: TLC is not setting guidelines on proposal length. The respondent's proposal should be of a length that adequately addresses Section VIII of the Scope of Work. The proposed budget should be an amount that realistically covers the cost of all deliverables and services, including any overhead and/or profit, but should not exceed $100,000.00.

2. Q: I see that consultants must maintain Professional Liability insurance of at least $1 million. Would the costs of such insurance be allowable as a budget item?
   A: No. It is the responsibility of the proposer to obtain the required insurance at his/her own expense if the proposer does not already possess such insurance coverage. However, the insurance is required before not at the time of proposal submission, but before contract registration.

3. Q: Has the TLC released a specific draft proposal regarding earnings for FHV drivers? And if so, can that be circulated?
   A: No, TLC has not released a specific draft proposal yet. The details of the proposal will be shared with the selected consultant prior to beginning the study. It will fall under the general framework of a minimum amount the driver would be paid per mile and per minute he or she spends transporting passengers.

4. Q: Will the earnings proposal factor in the cost of driver health insurance, and any other fringe benefits?
   A: The proposal will not include fringe benefits. However, TLC may take the costs of these benefits into account as typical expenses when determining proposal details.

5. Q: Will the earnings proposal allow for variation in the employment status (employee vs. independent contractor, e.g.) of drivers?
   A: The proposal assumes a continuation of the independent contractor status under which most FHV drivers currently operate.
6. Q: The RFP indicates that the potential impacts on businesses should include the adoption of automation. Was this meant to include the potential introduction of self-driving FHVs?
A: TLC does not expect the selected consultant to conduct an extensive study of vehicle automation as part of this study; however, some assessment of the extent to which TLC's proposal would or would not cause deviations from existing trajectories towards automation could be beneficial to understanding the potential impacts of the proposed policy.

This addendum is hereby incorporated into the original solicitation.
The New York City Taxi and Limousine Commission  
Economic Impact Study  
PIN: 156 18P00001-R2  
Terms and Conditions

a) Payment will be made in accordance with the deliverable schedule set forth on the Attachment A – Price Proposal Form. Upon completion of each deliverable and its acceptance by the TLC project manager, the Consultant must submit an invoice to TLC. Payment will be made to the consultant within 30 days of receipt of a properly submitted invoice.

b) The Consultant shall maintain and submit evidence of Professional Liability Insurance appropriate to the type(s) of such services to be provided under this Agreement in the amount of at least One Million Dollars ($1,000,000) per claim. The policy or policies shall include an endorsement to cover the liability assumed by the Consultant under this Agreement arising out of the negligent performance of professional services or caused by an error, omission or negligent act of the Consultant or anyone employed by the Consultant.

Such Insurance shall name the City, together with its officials and employees, as an Additional Insured with coverage at least as broad as the most recently issued ISO Form CG 20 10.

c) The Consultant shall defend, indemnify and hold the City, its officers and employees harmless from any and all claims or judgments for damages on account of any injuries or death to any person or damage to any property and from costs and expenses to which the City, its officers and employees may be subjected or which it may suffer or incur allegedly arising out of or in connection with any operations of the Consultant to the extent resulting from any negligent act of commission or omission, any intentional tortious act, or failure to comply with the provisions of this Agreement or of the Laws. Insofar as the facts or Law relating to any claim would preclude the City from being completely indemnified by the Consultant, the City shall be partially indemnified by the Consultant to the fullest extent permitted by Law. In the event the Consultant fails to provide a defense of the City of a claim upon demand, the Consultant shall reimburse the City for all reasonable attorney’s fees and expenses. Notwithstanding the above, where a claim relates exclusively to the negligent performance of professional services, the Consultant is not obligated to provide the City or its officers and employees with a defense or reimbursement for attorney’s fees.

d) No subcontracting will be permitted for this solicitation.

e) The Consultant must comply with all applicable provisions of federal, state, and local laws.
f) The Consultant agrees that any and all claims asserted by or against the City arising under or related to this contract shall solely be heard and determined either in the courts of the United States located in the City or in the courts of the State located in the City and County of New York. The parties shall consent to the dismissal and/or transfer of any claims asserted in any other venue or forum to the proper venue or forum. If the Consultant initiates any action in breach of this Section, the Consultant shall be responsible for and shall promptly reimburse the City for any attorneys’ fees incurred by the City in removing the action to a proper court consistent with this Section.

g) The Consultant agrees to hold confidential, both during and after the completion or termination of this contract, all of the reports, information, or data, furnished to, or prepared, assembled or used by, the Consultant under this contract. The Consultant agrees that such reports, information, or data shall not be made available to any person or entity without the prior written approval of the Agency. The Consultant agrees to maintain the confidentiality of such reports, information, or data by using a reasonable degree of care, and using at least the same degree of care that the Consultant uses to preserve the confidentiality of its own confidential information. In the event that the data contains social security numbers or other personal identifying information, as such term is defined in NYC Administrative Code Section 10-501, the Consultant shall utilize best practice methods (e.g., encryption of electronic records) to protect the confidentiality of such data. The obligation under this Section to hold reports, information or data confidential shall not apply where the City would be required to disclose such reports, information or data pursuant to the State Freedom of Information Law (“FOIL”), provided that the Consultant provides advance notice to the City, in writing or by e-mail, that it intends to disclose such reports, information or data and the City does not inform the Consultant, in writing or by e-mail, that such reports, information, or data are not subject to disclosure under FOIL.

h) The Consultant shall provide notice to the Agency within three (3) days of the discovery by the Consultant of any breach of security, as defined in Admin. Code § 10-501(b), of any data, encrypted or otherwise, in use by the Consultant that contains social security numbers or other personal identifying information as defined in Admin. Code § 10-501 (“Personal Identifying Information”), where such breach of security arises out of the acts or omissions of the Consultant or its employees, or agents. Upon the discovery of such security breach, the Consultant shall take reasonable steps to remediate the cause or causes of such breach, and shall provide notice to the Agency of such steps. In the event of such breach of security, without limiting any other right of the City, the City shall have the right to withhold further payments under this Agreement for the purpose of set-off in sufficient sums to cover the costs of notifications and/or other actions mandated by any Law, or administrative or judicial order, to address the breach, and including any fines or disallowances imposed by the State or federal government as a result of the disclosure. The City shall also have the right to
withhold further payments hereunder for the purpose of set-off in sufficient sums to cover the costs of credit monitoring services for the victims of such a breach of security by a national credit reporting agency, and/or any other commercially reasonable preventive measure. The Agency shall provide the Consultant with written notice and an opportunity to comment on such measures prior to implementation. Alternatively, at the City’s discretion, or if monies remaining to be earned or paid under this Agreement are insufficient to cover the costs detailed above, the Consultant shall pay directly for the costs, detailed above, if any.

i) The Consultant shall restrict access to confidential information to persons who have a legitimate work related purpose to access such information. The Consultant agrees that it will instruct its officers, employees, and agents to maintain the confidentiality of any and all information required to be kept confidential by this Agreement.

j) The Consultant, and its officers, employees, and agents shall notify the Agency, at any time either during or after completion or termination of this Agreement, of any intended statement to the press or any intended issuing of any material for publication in any media of communication (print, news, television, radio, Internet, etc.) regarding the services provided or the data collected pursuant to this Agreement at least twenty-four (24) hours prior to any statement to the press or at least five (5) business Days prior to the submission of the material for publication, or such shorter periods as are reasonable under the circumstances. The Consultant may not issue any statement or submit any material for publication that includes confidential information as prohibited by this contract.

k) At the request of the Agency, the Consultant shall return to the Agency any and all confidential information in the possession of the Consultant.

l) All work performed by Consultant in furtherance of this contract remains the sole property of the Agency.

m) At any time during the period of this contract, the Agency, upon thirty (30) days written notice to the Consultant, may cancel the contract and terminate the service. In such event the Consultant shall be paid whatever sum has become due to him for services performed prior to the effective date of the cancellation without further liability to the City.
The New York City Taxi and Limousine Commission
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Price Proposal Form

Deliverables

Deliverable 1: A preliminary findings presentation containing results of the analysis described in Section III of the Scope of Work
Proposed Price for Deliverable 1: $__________

Deliverable 2: Analysis of up to three alternative policy formulations
Proposed Price for Deliverable 2: $__________

Deliverable 3: A final findings paper
Proposed Price for Deliverable 3: $__________

Services

• Availability for regular project team status meetings, either in-person or by phone
• Following submission of final paper, availability for discussions with TLC staff and stakeholders, public testimony, discussions with media, and preparation for and assistance with any potential litigation

Note: The cost of these services should be built into the pricing of the Deliverables

Total Proposed Price for All Deliverables, including Services: $_______________

Total Proposed Price in Words:______________________________________________

Name of Individual or Firm:________________________________________________

Taxpayer Identification Number:___________________________________________

Name & Title of Authorized Representative (print):____________________________

Signature of Authorized Representative:____________________________________

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Price Proposal Form – PIN: 156 18P00001-R2
Doing Business Data Form

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. This Data Form is not related to the City’s VENDEX requirements.

Please return the completed Data Form to the City office that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

Section 1: Entity Information

Entity Name: ____________________________________________

Entity EIN/TIN: _________________________________________

Entity Filing Status (select one):

☐ Entity has never completed a Doing Business Data Form. Fill out the entire form.

☐ Change from previous Data Form dated _____________. Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.

☐ No Change from previous Data Form dated _____________. Skip to the bottom of the last page.

Entity is a Non-Profit: ☐ Yes ☐ No

Entity Type: ☐ Corporation (any type) ☐ Joint Venture ☐ LLC ☐ Partnership (any type)
☐ Sole Proprietor ☐ Other (specify): _____________________________

Address: ______________________________________________________

City: __________________________ State: __________ Zip: __________

Phone: _________________________ Fax: _________________________

E-mail: __________________________

Provide your e-mail address and/or fax number in order to receive notices regarding this form by e-mail or fax.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.
Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the Doing Business Database, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: __________________________ MI: _______ Last: __________________________

Office Title: __________________________

Employer (if not employed by entity): ________________________________________________

Birth Date (mm/dd/yy): ____________ Home Phone #: __________________________

Home Address: __________________________

☐ This person replaced former CEO: __________________________ on date: ____________

Chief Financial Officer (CFO) or equivalent officer

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name: __________________________ MI: _______ Last: __________________________

Office Title: __________________________

Employer (if not employed by entity): ________________________________________________

Birth Date (mm/dd/yy): ____________ Home Phone #: __________________________

Home Address: __________________________

☐ This person replaced former CFO: __________________________ on date: ____________

Chief Operating Officer (COO) or equivalent officer

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name: __________________________ MI: _______ Last: __________________________

Office Title: __________________________

Employer (if not employed by entity): ________________________________________________

Birth Date (mm/dd/yy): ____________ Home Phone #: __________________________

Home Address: __________________________

☐ This person replaced former COO: __________________________ on date: ____________

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.
Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means, own or control 10% or more of the entity. If no individual owners exist, please check the appropriate box to indicate why and skip to the next page. If the entity is owned by other companies, those companies do not need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit
- There are no individual owners
- No individual owner holds 10% or more shares in the entity
- Other (explain): ________________________________

Principal Owners (who own or control 10% or more of the entity):

First Name: ______________________ MI: ____ Last: ______________________
Office Title: ______________________
Employer (if not employed by entity): ______________________
Birth Date (mm/dd/yy): _____________ Home Phone #: ______________________
Home Address: ______________________

First Name: ______________________ MI: ____ Last: ______________________
Office Title: ______________________
Employer (if not employed by entity): ______________________
Birth Date (mm/dd/yy): _____________ Home Phone #: ______________________
Home Address: ______________________

First Name: ______________________ MI: ____ Last: ______________________
Office Title: ______________________
Employer (if not employed by entity): ______________________
Birth Date (mm/dd/yy): _____________ Home Phone #: ______________________
Home Address: ______________________

Remove the following previously-reported Principal Owners:

Name: ______________________ Removal Date: _____________
Name: ______________________ Removal Date: _____________
Name: ______________________ Removal Date: _____________

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.
Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. **At least one senior manager must be listed, or the Data Form will be considered incomplete.** If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

**Senior Managers:**

First Name: ______________________ Mi: __________ Last: ______________________

Office Title: ______________________

Employer (if not employed by entity): ______________________

Birth Date (mm/dd/yy): ____________ Home Phone #: ____________

Home Address: ______________________

First Name: ______________________ Mi: __________ Last: ______________________

Office Title: ______________________

Employer (if not employed by entity): ______________________

Birth Date (mm/dd/yy): ____________ Home Phone #: ____________

Home Address: ______________________

First Name: ______________________ Mi: __________ Last: ______________________

Office Title: ______________________

Employer (if not employed by entity): ______________________

Birth Date (mm/dd/yy): ____________ Home Phone #: ____________

Home Address: ______________________

Remove the following previously-reported Senior Managers:

Name: ______________________ Removal Date: ____________

Name: ______________________ Removal Date: ____________

Certification

I certify that the information submitted on these four pages and additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name: ______________________

Signature: ______________________ Date: ____________

Entity Name: ______________________

Title: ______________________ Work Phone #: ______________________

Please return this form to the City agency that supplied it to you, not to the Doing Business Accountability Project.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.
DOING BUSINESS ACCOUNTABILITY PROJECT
QUESTIONS AND ANSWERS ABOUT THE DOING BUSINESS DATA FORM

What is the purpose of this *Data Form*?
To collect accurate, up-to-date identification information about organizations that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), a campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of entities doing business with the City and mandates the creation of a *Doing Business Database* to allow the City to enforce the law. The information requested in this *Data Form* must be provided, regardless of whether the organization or the people associated with it make or intend to make campaign contributions. No sensitive personal information collected will be disclosed to the public.

Why have I received this *Data Form*?
The contract, franchise, concession, grant or economic development agreement you are proposing on, applying for or have already been awarded is considered a business dealing with the City under LL 34. No proposal or application will be considered and no award will be made unless this *Data Form* is completed. Most transactions valued at more than $5,000 are considered business dealings and require completion of the *Data Form*. Exceptions include transactions awarded on an emergency basis or by “conventional” competitive sealed bid (i.e. bids that do not use a prequalified list or “Best Value” selection criteria). Other types of transactions that are considered business dealings include real property and land use actions with the City.

What individuals will be included in the *Doing Business Database*?
The principal officers, owners and certain senior managers of organizations listed in the *Doing Business Database* are themselves considered to be doing business with the City and will also be included in the *Database*.

- **Principal Officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer (COO), or their functional equivalents. See the *Data Form* for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% of more of the organization. This includes stockholders, partners and anyone else with an ownership or controlling interest in the entity.
- **Senior Managers** include anyone who, either by job title or actual duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any contract, concession, franchise, grant or economic development agreement with the City. At least one Senior Manager must be listed or the Data Form will be considered incomplete.

I have already completed a *Doing Business Data Form*; do I have to submit another one?
Yes. An organization is required to submit a *Doing Business Data Form* each time it enters into a transaction considered a business dealing with the City, including contract, concession and franchise proposals. However, the *Data Form* has both a Change option, which requires only information that has changed since the last *Data Form* was filed, and a No Change option. No organization should have to fill out the entire *Data Form* more than once.

If you have already submitted a *Data Form* for one transaction type (such as a contract), and this is the first time you are completing a *Data Form* for a different transaction type (such as a grant), please select the Change option and complete Section 4 (Senior Managers) for the new transaction type.

Will the personal information on this *Data Form* be available to the public?
No. The names and titles of the officers, owners and senior managers reported on the *Data Form* will be made available to the public, as will information about the organization itself. However, personal identifying information, such as home address, home phone and date of birth, will not be disclosed to the public, and home address and phone number information will not be used for communication purposes.
I provided some of this information on the VENDEX Questionnaire; do I have to provide it again?

Yes. Although the Doing Business Data Form and the VENDEX Questionnaire request some of the same information, they serve entirely different purposes. In addition, the Data Form requests information concerning senior managers, which is not part of the VENDEX Questionnaire.

What organizations will be included in the Doing Business Database?

Organizations that hold $100,000 or more in grants, contracts for goods or services, franchises or concessions ($500,000 for construction contracts), or that hold any economic development agreement or pension fund investment contract, are considered to be doing business with the City for the purposes of LL 34. Because all of the business that an organization does or proposes to do with the City will be added together, the Data Form must be completed for all transactions valued at more than $5,000 even if the organization doesn’t currently do enough business with the City to be listed in the Database.

No one in my organization plans to contribute to a candidate; do I have to fill out this Data Form?

Yes. All organizations are required to return this Data Form with complete and accurate information, regardless of the history or intention of the entity or its officers, owners or senior managers to make campaign contributions. The Doing Business Database must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

My organization is proposing on a contract with another firm as a Joint Venture that does not exist yet; how should the Data Form be completed?

A joint venture that does not yet exist must submit a Data Form for each of its component firms. If the joint venture receives the award, it must then complete a form in the name of the joint venture.

How long will an organization and its officers, owners and senior managers remain listed on the Doing Business Database?

- **Contract, Concession and Economic Development Agreement holders**: generally for the term of the transaction, plus one year.
- **Franchise and Grant holders**: from the commencement or renewal of the transaction, plus one year.
- **Pension investment contracts**: from the time of presentation on an investment opportunity or the submission of a proposal, whichever is earlier, until the end of the contract, plus one year.
- **Line item and discretionary appropriations**: from the date of budget adoption until the end of the contract, plus one year.
- **Contract proposers**: for one year from the proposal date or date of public advertisement of the solicitation, whichever is later.
- **Franchise and Concession proposers**: for one year from the proposal submission date.

For information on other transaction types, contact the Doing Business Accountability Project.

How does a person remove him/herself from the Doing Business Database?

When an organization stops doing business with the City, the people associated with it are removed from the Database automatically. However, any person who believes that s/he should not be listed may apply for removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manager of the organization. Organizations may also update their database information by submitting an update form. Removal Request and Update forms are available online at www.nyc.gov/mocs (once there, click MOCS Programs) or by calling 212-788-8104.

What are the new campaign contribution limits for people doing business with the City?

Contributions to City Council candidates are limited to $250 per election cycle; $320 to Borough President candidates; and $400 to candidates for citywide office. Please contact the NYC Campaign Finance Board for more information at www.nyccfb.info, or 212-306-7100.

The Data Form is to be returned to the City office that issued it.

If you have any questions about the Data Form please contact the Doing Business Accountability Project at 212-788-8104 or DoingBusiness@cityhall.nyc.gov.