

# **CITY OF NEW YORK**

**Date Issued: February 14, 2023**

**The Board of Elections in The City of New York  
(the “Agency”)**

## **REQUEST FOR PROPOSALS**

**TITLE: Board of Elections NYC – Employee Transportation Services  
EPIN#0032023003**

### **AUTHORIZED AGENCY/Department CONTACT PERSON**

**Proposers are advised that the Authorized Agency Contact Person for all matters concerning this Request for Proposals is:**

**Name: Sherwin Suss**

**Title: Agency Chief Contracting Officer**

**Mailing Address: 32 Broadway 7th Floor New York, New York 10004**

**Telephone #: 1- 212 - 487-7290**

**E-Mail Address: Ssuss@boe.nyc**

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## SECTION I - TIMETABLE

**A. Release Date of this Request for Proposals: February 14, 2023**

All questions and requests for additional information concerning this RFP must be in writing and should be directed to Procurement Department at:

**E-Mail Address:** [Bidresponse@Boe.nyc](mailto:Bidresponse@Boe.nyc)

*Proposers should submit questions no later than 5 days prior to the proposal due date since the Agency may be unable to respond to questions received after date.*

**Proposal Due Date and Time and Location:**

**Date:** March 14, 2023  
**Time:** 4:00 PM  
**Location:** Bidresponse@boe.nyc  
NYC Board of Elections, Procurement Department

Only E-mailed proposals will be accepted by the Agency.

Proposals received at this Location after the Proposal Due Date and Time are late and shall not be accepted by the Agency, except as provided under New York City's Procurement Policy Board Rules. The Agency will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless the Agency issues a written addendum to this RFP which extends the Proposal Due Date and Time for all proposers, the Proposal Due Date and Time prescribed above shall remain in effect.

**Anticipated Contract Start Date: June 1, 2023**

## SECTION II – SUMMARY OF THE REQUEST FOR PROPOSALS

### A. Purpose of RFP

The Agency/Department is seeking an appropriately qualified vendors to provide Transportation agency employees from borough offices within the city and to and from home when working outside of normal work hours Between 7:59PM and 6:01AM or as required

The service areas and facility sites are as follows:

|  |   |
|--|---|
| <b><u>General Office</u></b><br>42 Broadway,<br>New York, NY 10004   | <b><u>Bronx Borough Office &amp; Voting Machine Facility</u></b><br>1780 Grand Concourse,<br>New York, NY 10457 |
| <b><u>Manhattan Voting Machine Facility</u></b><br>450 W 33rd Street,<br>New York, NY 10001  | <b><u>Manhattan Office</u></b><br>200 Varick Street,<br>New York, NY 10014                                      |
| <b><u>Brooklyn Office</u></b><br>345 Adam Street,<br>Brooklyn, NY 11201  | <b><u>Brooklyn Voting Machine Facility</u></b><br>5112 2nd Avenue,<br>Brooklyn, NY 11232                        |
| <b><u>Queens Office</u></b><br>118-35 Queens Blvd.<br>Queens, NY 11375   | <b><u>Queens Voting Machine Facility</u></b><br>66-26 Metropolitan Avenue,<br>Queens, NY 11379                  |
| <b><u>Staten Island Office &amp; Voting Machine Facility</u></b><br>1 Edgewater Plaza, 4 <sup>th</sup> floor<br>Staten Island NY 10305 | <b><u>Storage Facility</u></b><br>4312 2nd Avenue,<br>Brooklyn, NY 11232  |
| <b><u>Storage Facility</u></b><br>645 Clinton Avenue, Brooklyn NY 11231  |   |

### Anticipated Contract Term

It is anticipated that the term of the contract awarded from this RFP will be from the agency's notice to proceed for two years. The contract will include a one (2) year option to renew at the BOE's discretion

### Anticipated Payment Structure

The payment structure of the contract awarded from this RFP will be a per ride charge tied to a not to exceed lump sum amount.

However, the Agency will consider proposals to structure payments in a different manner and reserves the right to select any payment structure that is in the City's best interest.

## **Minimum Qualification Requirements**

The following are the Minimum Qualification Requirements of this RFP:

The Board seeks bids from organizations that are registered and duly licensed by the Taxi and Limousine Commission of The City of New York (the “TLC” or “Commission”), to provide, such for-hire vehicle services, otherwise meeting the requirements specified in this Invitation for proposals. The vendor must operate a two-way radio or other communications system used for dispatching or conveying information to drivers. The proposer shall provide details for the services specified throughout the five boroughs of the City of New York. Services will be provided upon request of authorized Board staff only

### **SECTION III - SCOPE OF SERVICES AND M/WBE REQUIREMENTS**

#### **A. Agency Goals and Objectives for this RFP**

The Agency’s goals and objectives for this RFP are to identify one or more vendors that will enable the agency to provide authorized transportation to staff in an efficient, safe, and accountable manner.

#### **B. Agency Assumptions Regarding Contractor Approach**

**The contractor would:**

- Cover transportation between the hours of 7:59 PM and 6:01 AM when needed by agency 7 days a week
- Up to 9 Contracts may be awarded: 1 – Bronx, 2 - Brooklyn, 1- Staten Island 2 – Queens, 2 – Manhattan , 1 – General Office (Manhattan)
- Monthly Invoicing only
- Annual Report of rides completed
- Biannual contract vendor review / service score
- Whenever possible vehicle must have **at most** 2 passengers for Sedans and 3 passengers for SUVs
- SUV pricing used only when needed as approved by agency
- Vendors may be required to integrate with our car dispatching software for ordering, billing, and reporting
- Vendors should have a dashboard detailing current and historical rides
- Vendor must be able to send data back to BOE in CSV format
- Vendors must be able to receive orders via online portal
- Vendors must provide Dashboard to download usage reports via online portal
- Email confirmation of orders must be sent to each passenger
- Text message indicating driver, name, contact #, and car license plate and model must be sent to each passenger
- Tolls can be charged if it presents the fastest most efficient route for a passenger
- All employees are allowed a 15 min grace period at no cost
- No-show fees will be a flat \$25 after 15 min

- The board has an estimated trip volume of 8,000 to 9,000 rides per year
- Previous year volume broken down by borough is not guaranteed of future use, however may be used as an potential volume example

| <b>Borough</b> | <b>Approx. Trip Volume 2022</b> |
|----------------|---------------------------------|
| Bronx          | 535                             |
| Manhattan      | 5200                            |
| Queens         | 1200                            |
| Brooklyn       | 2000                            |
| Staten Island  | 100                             |

- Peak Seasons will be during the following months: March, June, November
- Honor system will be applied on No show Fee's however if at any time during or after contract a discrepancy in fee's charge is discover vendor will be held responsible for reimbursement and penalties
- The proposer is expected to have 24 Hour customer service with live dispatchers available in case issues arise

Vendor Must Provide

- Experience with government accounts
- Size of customer service staffing during the hours of use. (specified in this RFP)
- On-line ordering and dispatching software

**C. Agency Assumptions Regarding Payment Structure**

The Agency has determined that the performance-based payment structure that will most likely assure that the selected proposer will perform the work under the contract awarded from this RFP in a manner that is cost-effective for the Agency and most likely to achieve the Agency's goals and objectives set out above, is as follows:

- Unit prices based on time and distance per ride along with applicable New York City required New York State fees
- Board is Tax exempt and taxes cannot be charged

**D. Compliance with Local Law 34 of 2007**

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City established 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. For the purposes of the database, proposers are required to complete the attached Doing Business Data Form and return it with this - proposal should do so in a separate envelope. (If the proposer is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a proposer has failed to submit a Data Form or has submitted a Data Form that is not complete, the proposer will be notified by the Agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the Agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the proposer has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

**E. Whistleblower Protection Expansion Act Rider**

Local Law Nos. 30 and 33 of 2012, codified at sections 6-132 and 12-113 of the New York City Administrative Code, the Whistleblower Protection Expansion Act, protect employees of certain City contractors from adverse personnel action based on whistleblower activity relating to a City contract and require contractors to post a notice informing employees of their rights. Please read Attachment \_\_\_, the Whistleblower Protection Expansion Act Rider, carefully.

**F. Compliance with the Iran Divestment Act**

Pursuant to State Finance Law Section 165-a and General Municipal Law Section 103-g, the City is prohibited from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Each proposer is required to complete the attached Bidders Certification of Compliance with the Iran Divestment Act, certifying that it is not on a list of entities engaged in investments activities in Iran created by the Commissioner of the NYS Office of General Services. If a proposer appears on that list, the Agency/Department will be able to award a contract to such proposer only in situations where the proposer is taking steps to cease its investments in Iran or where the proposer is a necessary sole source. Please refer to Attachment\_ for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <http://www.ogs.ny.gov/About/regs/ida.asp> for additional information concerning the list of entities.

**G. Subcontractor Compliance Notice**

The selected vendor will be required to utilize the City's web based system to identify all subcontractors in order to obtain subcontractor approval pursuant to PPB Rule section 4-13, and will also be required to enter all subcontractor payment information and other related information in such system during the contract term.

Please read Attachment \_\_\_, the subcontractor compliance notice as it relates to competitive solicitations. The City's new web based subcontractor reporting system will be located on line at the Payee Information Portal at: <https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService>.

## SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL

### 1. Program Proposal

The Program Proposal is a clear, concise narrative which addresses the following:

#### a. Experience

Outline the Proposer's must adequate experience in the taxi service industry. List all previous/current track record of doing business with government entities. All Drivers must be licensed and authorized to work by the TLC of NYC

In addition:

Attach a listing of at least three relevant references, including the name of the reference entity, a brief statement describing the relationship between the proposer or proposed sub-contractor, as applicable, and the reference entity, and the name, title and telephone number of a contact person at the reference entity, for the proposer and each proposed sub-contractor if any.

#### b. Organizational Capability

Demonstrate the proposer's organizational capability to provide the work described in Section III. (Specifically address the following:

- Average amount of drivers during the primary services hours mentioned (e.g. between 7:59pm - 6:01am )
- Online portal to reserve cars for passengers
- Live customer service available during above mentioned hours

#### c. Proposed Approach

- Describe how ordering and tracking rides is performed
- Demonstrate how the charges are itemized and provide real time reports of all bookings and charges
- Board reserves the right to request a demonstration of dashboard and reporting

The Agency's/Department's assumptions regarding contractor approach represent what the Agency believes to be most likely to achieve its goals and objectives. However, proposers are encouraged to propose an approach that they believe will most likely achieve the Agency's goals and objectives.

Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section IV of this RFP.



## 2. Price Proposal

Proposers are encouraged to propose innovative payment structures. The Agency reserves the right to select any payment structure that is in the City's best interest.

### a. Proposed Pricing

The Price Proposal should include each of the following for providing the work described in Section III of this RFP:

The proposed fare per ride and total offering price and how fare is calculated per ride.

### b. Performance Base Payment Structure

Proposers are encouraged to propose measures, incentives and disincentives that they believe will most likely achieve the Agency's goals and objectives in a cost-effective manner. Proposers may also propose more than one approach. While the proposer's proposed performance-based payment components may not be scored by the Agency's Evaluation Committee, they will be considered by the Agency in awarding the contract and structuring its payments to contractors.

## **SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES**

### A. Evaluation Procedures

All proposals accepted by the Agency will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that are determined by the Agency to be non-responsive will be rejected. The Agency's Evaluation Committee will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. The Agency reserves the right to conduct site visits and/or interviews and/or to request that proposers make presentations and/or demonstrations, as the Agency deems applicable and appropriate. Although discussions may be conducted with proposers submitting acceptable proposals, the Agency reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer's initial proposal should contain its best and price terms.

The award will be made based on best value to the City. A vendor that is an M/WBE or State-certified M/WBE will be given a price preference of 10% and will be evaluated as if the bid price were 10% lower. If you are an M/WBE company and submitting a proposal, please include a copy of your current M/WBE Certification.

### B. Evaluation Criteria

Vendors will be chosen based on the following:

| <b>Criteria</b>                       | <b>Weight</b> |
|---------------------------------------|---------------|
| Experience                            | 30%           |
| Ease of Use of Car Dispatching Portal | 30%           |
| Reporting capability & transparency   | 20%           |
| Price                                 | 20%           |
| Total                                 | 100%          |

A contract will be awarded to the responsible proposer whose proposal is determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria which are set forth in this RFP. Contract award shall be subject to the timely completion of contract negotiations between the Agency and the selected proposer.

## SECTION VI - GENERAL INFORMATION TO PROPOSERS

A. **Complaints.** The New York City Comptroller is charged with the audit of contracts in New York City. Any proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 1005, New York, NY 10007; [contract@comptroller.nyc.gov](mailto:contract@comptroller.nyc.gov), or at (212) 669-2323. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.

B. **Applicable Laws.** This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-0010 or at: <http://www.nyc.gov/html/mocs/ppb/html/home/home.shtml>.

C. **General Contract Provisions.** Contracts shall be subject to New York City's general contract provisions, in substantially the form that they appear in "Appendix A—General Provisions Governing Contracts for Consultants, Professional and Technical Services" or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency's general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.

D. **Contract Award.** Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.

E. **Proposer Appeal Rights.** Pursuant to New York City's Procurement Policy Board Rules, proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency's determination regarding the solicitation or award of a contract.

F. **Multi-Year Contracts.** Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor's performance is not satisfactory. The Agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.

- G. Prompt Payment Policy.** Pursuant to the New York City’s Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.
- H. Prices Irrevocable.** Prices proposed by the proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.
- I. Confidential, Proprietary Information or Trade Secrets.** Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.
- J. RFP Postponement/Cancellation.** The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.
- K. Proposer Costs.** Proposers will not be reimbursed for any costs incurred to prepare proposals.
- L. Vendex Fees.** Pursuant to PPB Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the Vendex system, including the Vendor Name Check Process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350. The estimated value for each contract resulting from this RFP is estimated to be (less than or equal to \$1million) (above \$1million).

### **Message from the New York City Vendor Enrollment Center**

**Get on mailing lists for New York City contract opportunities!**  
**Submit a NYC-FMS Vendor Application - Call 212/857- 1680**

Message from New York City’s Department of Small Business Services

The Department of Small Business Services (SBS) offers One-on-One Technical Assistance to businesses that are interested in bidding on City contracts for the following goods and services: construction, construction related, standardized and architectural and engineering. If you plan on bidding on this or any other City contract, contact SBS to schedule an appointment. The Department of Small Business Services will meet with you to review your particular proposal or submission, and provide feedback and guidance to help you submit the best proposal possible.

To schedule One-on-One Technical Assistance, email [techassist@sbs.nyc.gov](mailto:techassist@sbs.nyc.gov) and an SBS representative will contact y