

NEW YORK CITY DEPARTMENT OF DESIGN & CONSTRUCTION
30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101

OPEN MARKET - REQUEST FOR PROPOSALS

**TITLE: Website Building and Maintenance (Webmaster) Services for NYC Active Design Program
at the Department of Design and Construction**

BID SOLICITATION NUMBER: 2012-209 RAJ

SMALL PURCHASE SPECIFIC TERMS AND CONDITIONS

GENERAL INFORMATION

Type of Contract:

This purchase order shall be let in accordance with the definition of "small purchases", pursuant to §3-08 of the New York City Procurement Policy Board (PPB) rules. The purchase order resulting from this solicitation shall not exceed \$50,000.

Description of Services:

Services will include building, taking live, and maintaining a 10-20 page website on Active Design; working with the design and content teams to recommend then implement functionality; implementing a WCMS; and monthly maintenance and updates for the site.

Mission and audience:

The Center for Active Design is developing out of a City of New York project to improve public health by implementing strategies for buildings and streets (the built environment) that will encourage people to walk, run and climb more in their daily lives. Our audience is design professionals, funders, policy-makers and potential consulting clients, and facilities owners.

Goals:

- Advance Active Design/Spread the word
- Establish the Center for Active Design as a Center/Hub/Authority/Source in this area
- Attract funders
- Encourage uptake of the strategies
- Attract Clients
- Engage LEED projects
- Create community
- Communicate concept

And ultimately, contribute to a reduction in the obesity epidemic through a healthier built environment.

Content:

Seven sections, mostly providing information to the visitor. Currently this is envisioned with no secure areas: everything is open to the public. We may eventually need a password-protected area, possibly an FTP site. Media will be substantially text and images, with many linked .pdf files. No more than 2G of video.

Data and Connection:

Reports should include hits and users. Data-gathering is not expected to exceed visitor contact information. Up to 500 concurrent connections are currently imagined. Client will need reports that can be updated with live data. Client will regularly update content, and will require versatile and robust content management system.

Design:

Client will provide image of design to be built. The aesthetic design is being provided by other vendor.

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Compatibility:

Site must function smoothly on these platforms: Apple, Explorer, Firefox, and Chrome.

Term of Contract:

Contract shall include building the site, taking it live, and maintenance. The contract duration shall be one year from receipt of the purchase order. We reserve the right to renew this contract.

Contract Value:

Please provide a proposed fee. Also provide an hourly rate for services beyond this scope.

Changes of this award amount may be made only with the written authorization of the Agency Chief Contracting Officer or his/her designee. Separate reimbursement will not be made for costs incurred during the performance of this work. All costs should be estimated based on the proposer's understanding of the requirements of this solicitation including fees for design concept, approvals and production, , as well as hourly costs for monthly updates and additions.

Proposal Due Date:

Proposal documents shall be postmarked or electronically delivered no later than xx/xx/xx, or hand-delivered before 3:00 P.M. on December 2, 2011.

Delivery address is:

Rajinder Uppal
Department of Design and Construction
30-30 Thomson Avenue, Fourth Floor
Long Island City, New York 11101
Phone: 718-391-1750
uppalr@ddc.nyc.gov

All questions regarding this proposal should be emailed to Rajinder Uppal at:
uppalr@ddc.nyc.gov

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Minimum Proposal Submission Requirements (see Format of Response, page X, for detailed information):

- 1) Letter of Interest (1 page)
- 2) Four examples of other websites built and managed by proposer as it relates to this project
- 3) Resume including a list of previous clients
- 4) References (3) including name, address, email, and phone number
- 5) Proposal Sheet (page 8)
- 6) Proposer Tax Affirmation (page 9)
- 7) Doing Business Data Form (attached to original email)
- 8) Typical production schedule

TENTATIVE PROJECT SCHEDULE

Kick off phase

November 25 Kick-Off Meeting at DDC

Review scope and schedule
November 25 – December 10
Develop architecture, pages

Development phase

December 10 – January 20
Beta site review for approval
January 20 – February 20
Revision and finalization of launch site

Maintenance phase

Webmaster will be on a monthly retainer of equal sums payable every month over a one year period. Would include new pages and updates as needed. Maintenance in subsequent years to be paid separately.

Construction of the website will be focused in the first two months, and webmaster will be available in an on-call basis monthly for updates and adjustments to the site. Monthly work will not exceed 30 hours per month average. Vendor is expected to address technical support issues within one business day, 9-6 pm, M-F.

Ownership

Client (DDC) will retain full ownership and copyright of all material on the website. All content must be archived in both web and text format and returned to client at the termination of the contract.

MINIMUM VENDOR QUALIFICATIONS REQUIREMENTS:

A response shall be deemed nonresponsive and will not be reviewed or ranked if it fails to meet the minimum experience requirements below:

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- The vendor shall have at least five (5) years of well-documented experience BUILDING AND MAINTAINING WEBSITES. Vendor preferably shall have worked ON projects similar in size and scope.
- The vendor shall have knowledge and experience building and maintaining websites using the major WCMS systems.
- Proven website management experience.
- Ability to work build and maintain database and/or recommend backend technologies
- Strong web design skills
- Knowledge of Search Engine Optimization techniques.
- Excellent communication skills and attention to detail.
- Advanced expertise using Adobe CS5 suite
- Experience with web video & social media elements

MINIMUM PROJECT REQUIREMENTS

- The SITE shall be approximately 30 pages in its first launch. We anticipate that the majority of pages will be html.
- Site will require forms for data capture and the formation of a database
- Design will be provided as adobe CS files, and developed in consultation with webmaster.

FORMAT OF RESPONSE

Proposers should submit a letter of interest (no more than one page) outlining relevant experience and other qualifications that make the vendor uniquely qualified for this project. Proposers should also submit no fewer than four (4) samples of previous professional web work in relevant categories. Please indicate areas of responsibility on each cited project. Proposers are also requested to submit a standard business resume detailing education and experience, as well as a list of relevant past clients. Any subconsultants must be submitted for approval.

PROJECT SCOPE

The Webmaster/Developer will work in conjunction with the Active Design team and its associated design partners to build and subsequently maintain the website and associated assets. The Webmaster/Developer must be able to build a site that both adheres to the look and feel specifications outlined out by the design firm while at the same time suggesting web technologies that will allow the Active Design Center to manage information flow and updates in an efficient manner. After initial implementation the webmaster will be responsible for maintaining content and functionality and will oversee day-to-day management of the website and assure the quality of web pages for the Center for Active Design website.

- Responsible for building and delivering a fully functioning coded website that adheres to the look and feel as outlined by the design agency.
- Responsible for recommending appropriate web technologies
- Responsible for the upkeep and maintenance of the Center's web pages, including graphics, text and functionality.
- Should maintain web page infrastructure and application related to pages with advanced graphics and features

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- Monitor web server and site technical performance.
- Implement search engine optimization strategies.
- Promote website online to increase prominence within the web community where possible.

EVALUATION CRITERIA AND FINAL SCORE

This is a quality based selection project. The submissions will be scored and ranked based on their technical and financial merits. The proposer with the highest score will be selected for consideration for a contract. An evaluation committee will review, evaluate and score all submissions pursuant to the criteria prescribed below.

The technical and financial components of the proposals will be evaluated separately with a combined score of 100 points. The hourly rate shall not be part of the financial component as it is for work outside this scope. The two components are weighted as follows:

Technical Component = 80 points
Financial Component = 20 points

TECHNICAL COMPONENT

Technical is based on the following two criteria:

Quality and Relevance of Vendor's Experience (40 points)

Considerations will include the cogent functionality of submitted websites. Also relevant is the extent of the webmaster's experience working on completed sites of a similar type. Webmasters are requested to provide a minimum of four samples of previous projects demonstrating similar size and scope.

Consultant experience (40 points)

We are seeking a webmaster who can identify anticipated problems of such a project and offer practical solutions. We will consider the references and record of good client relations to be a important part of this ongoing relationship.

FINANCIAL COMPONENT

This information must also be included on the proposal sheet at the end of this document.

All questions regarding this proposal should be addressed to the contact person below. Email is strongly preferred.

Rajinder Uppal
Department of Design and Construction

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718-391-1782
uppalr@ddc.nyc.gov

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LEGAL AND ADMINISTRATIVE COMPLIANCE INFORMATION

RESERVATION: All proposals must be submitted on the attached Proposal Sheet. All proposal documents including the enclosed Tax Affirmation form, a transmittal letter on the company letterhead, and the Proposal Sheet, must be signed by an authorized employee of the firm submitting the proposal. The City reserves the right to reject any and all proposals.

TIME OF COMPLETION: The selected vendor should anticipate commencing services within 5 days after the order to work date.

INSURANCE: Vendors are advised that the insurance requirements contained herein are regarded as a material term of this contract. During performance and up to the date of final acceptance, the Consultant must effect and maintain with companies authorized to do business in the State of New York, the types and amounts of insurance specified below:

Consultant shall provide a Certificate of Insurance evidencing that it possesses and maintains during the Term of this Agreement professional liability insurance with a limit of not less than \$1,000,000.00 covering Consultant for any design errors or omissions in connection with this Agreement. Any subconsultants providing professional services under this Agreement shall also provide evidence of professional liability insurance at limits appropriate to the exposures of the subconsultant's work. In addition, the statutory limits for Workmen's Compensation Insurance is required.

INDEMNIFICATION: If the persons or property of others sustain loss, damage or injury resulting from the negligence or carelessness of the Consultant, in his performance of this contract, or from his failure to comply with any of the provisions of this contract or of law, the Consultant shall indemnify and hold the City harmless from any and all claims and judgments for damages and from costs and expenses to which the City may be subjected or which it may suffer and incur by reason thereof.

NO DISCRIMINATION: No discrimination shall be practiced against any citizen of the State of New York because of race, creed, color or national origin who is qualified and able to perform the work and the Consultant shall comply with the provision of Section 323-8.0 of the Administrative Code of the City of New York and Section 220E of the New York Labor Law.

MINIMUM WAGES: Consultant must pay minimum wages in accordance with the provisions of Section 343.9.0, Title A, Chapter 13 of the Administrative Code of the City of New York amended by Local Law 59 of 1969 if Section 220 of the Labor Law does not apply.

PROCUREMENT POLICY BOARD (PPB) RULES: This small purchase is subject to the provisions of the PPB Rules. If there is any conflict between the terms of this small purchase and the PPB Rules, the PPB Rules shall prevail.

STANDARD PROVISIONS: Please be advised that "The Department of Citywide Administrative Services (DCAS), For Open Market Orders – Bid Terms and Conditions (Rev. 3/00)" ("Open Market Terms") is hereby incorporated into this specification by reference, and will be included in the registered Purchase Order. In case of any conflicts between the Open Market Terms and the specification, the Open Market

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Terms shall prevail.

IRREVOCABILITY: The response to this solicitation cannot be revoked for 45 days after all responses are opened, or, if this solicitation is awarded to you, until satisfactory completion of the work required by this solicitation. After the 45 day period, a vendor may withdraw its response only in writing and in advance of an actual award. If, within sixty (60) days after the execution of the contract, the Commissioner fails to fix the date of commencement of work by written notice to the proposer, the proposer at their option may ask to be relieved of their obligation to perform the work called for by written notice to the Commissioner. If such notice is given and the request to withdraw is granted, the vendor waives all claims in connection with this agreement.

LOCAL LAW 34 OF 2007: Pursuant to Local Law 34 of 2007, amending 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 necessary information to establish the required database, vendors responding to this solicitation are required to complete the attached Doing Business Data Form and return it with this proposal and should do so in a separate envelope. (If the responding vendor 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 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 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 vendor 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.

EVALUATION AND AWARD: This solicitation shall be awarded, if at all, to the vendor whose response is the most advantageous to the City. Taking into consideration price and such other factors or criteria which are set forth in this solicitation. No negotiations with any proposer will be allowed unless permitted by the PPB Rules.

VENDEX QUESTIONNAIRES: In accordance with the Administrative Code and PPB Rules, you or your sub-consultants may be required to submit completed VENDEX questionnaires before this solicitation can be awarded to you. (Required when the sum of the current solicitation and all other contracts, OMBP's, concessions and franchises you have received from the City in the past 12 months, equals or exceeds \$100,000.)

LIMITATION OF ACTION: No action arising out of this solicitation for any cause whatsoever shall be maintained against the City by you or anyone claiming under you unless such action shall be commenced within one year after the date of the filing in the office of the Comptroller of the final payment voucher; except that an action or proceeding on a claim for moneys deducted, retained or withheld under the provisions of this contract or of law must be commenced within one year after the date of final payment hereunder or after such monies become due and payable, hereunder, whichever is later and further.

COPYRIGHTS: Upon execution of this Agreement, any reports, documents, data, photographs, deliverables, and/or other materials provided pursuant to this Agreement, and any and all drafts and/or

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other preliminary materials in any format related to such items, shall become the exclusive property of the City.

Any reports, documents, data, photographs, deliverables, and/or other materials provided pursuant to this Agreement ("Copyrightable Materials") shall be considered "work-made-for-hire" within the meaning and purview of Section 101 of the United States Copyright Act, 17 U.S.C. §101, and the City shall be the copyright owner thereof and of all aspects, elements and components thereof in which copyright protection might exist. To the extent that the Copyrightable Materials do not qualify as "work-made-for-hire," the Contractor hereby irrevocably transfers, assigns and conveys exclusive copyright ownership in and to the Copyrightable Materials to the City, free and clear of any liens, claims, or other encumbrances. The Contractor shall retain no copyright or intellectual property interest in the Copyrightable Materials, and they shall be used by the Contractor for no other purpose without the prior written permission of the City.

The Contractor acknowledges that the City may, in its sole discretion, register copyright in the Copyrightable Materials with the U.S. Copyright Office or any other government agency authorized to grant copyright registrations. The Contractor shall fully cooperate in this effort, and agrees to provide any further documentation necessary to accomplish this.

Contractor represents and warrants that the Copyrightable Materials: (a) are wholly original material not published elsewhere (except for material that is in the public domain); (b) do not violate any copyright Law; (c) do not constitute defamation or invasion of the right of privacy or publicity; and (d) are not an infringement, of any kind, of the rights of any third party. To the extent that the Copyrightable Materials incorporate any non-original material, the Contractor has obtained all necessary permissions and clearances, in writing, for the use of such non-original material under this Agreement, copies of which shall be provided to the City upon execution of this Agreement.

Notwithstanding any provision herein to the contrary, the Contractor shall defend, indemnify and hold the City harmless from and against any and all claims, suits, damages, judgments, liabilities, costs and expense, including reasonable attorneys' fees, to which it may be subject because of or related to any claim that the Intellectual Property infringes or violates the copyright, trademark, or any other property or personal right of any third party. This indemnification shall survive the termination or expiration of this Contract. This indemnification provision shall not be limited in any way by the Contractor's obligations to obtain insurance as provided under this Contract, provided that NYC promptly notifies the Contractor in writing of the claim and that NYC permits Contractor to defend or settle the action and cooperates and provides all available information, assistance and authority to enable the Contractor to conduct such defense. In such case where Contractor has agreed to defend or settle an action, Contractor shall not be liable for any costs, expenses, damages or fees incurred by NYC in defending such action or claim unless authorized in writing by Contractor. Further, the Contractor has no obligation for any claim based upon and as a result of NYC's modification to the Intellectual Property created under this Agreement or its combination or use with any other product, data or apparatus not intended by this Agreement. This paragraph states the Contractor's entire obligation to NYC with respect to any claim of infringement.

PAYMENT: Invoices shall be submitted for payments upon delivery only. The City does not allow advance payments prior to the delivery of goods or services.

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SUBSTITUTE FORM W-9: The City of New York, similar to all organizations that file return with the IRS, must obtain your correct Taxpayer Identification Number (TIN) to report income paid to you or your organization. The City uses the attached Substitute W-9 to obtain certification of your TIN. We ask for the information on Substitute W-9 to carry out the Internal Revenue laws of the United States. You are required to give us the information.

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DEPARTMENT OF DESIGN AND CONSTRUCTION
PROPOSAL SHEET (1 PAGE)

Provide cost breakdown for the items listed below:

Website building and maintenance: \$ _____

TOTAL, this scope \$ _____

Hourly rate for work outside of scope: \$ _____

PROPOSAL SUBMITTED BY:

COMPANY NAME: _____

EIN #: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE: _____

BY (Employee's Name) _____

TITLE: _____

REMINDER: Submit Doing Business Data Form (DBDF) with this proposal. The DBDF is attached to the original email.

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PROPOSER TAX AFFIRMATION

_____ (institution/vendor)
affirms that they are not in arrears to the City of New York upon debt or contract, or taxes, and is not a defaulter as surety or otherwise, upon obligation to the City of New York upon obligation to the City of New York, and has not been declared not responsible, or disqualified, by any agency of the City of New York or State of New York, nor is there any proceeding pending relating to the responsibility or qualification of the institution/vendor to receive public contracts.

SIGNATURE OF INSTITUTION/VENDOR

Full name of company: _____
Address of company: _____
Contact person and telephone number: _____

Signed by: (print) _____

Signature: _____

Title: _____

Subscribed and sworn to before me

This _____ day of _____ 20 _____

Notary Public