

Robert Doar  
Commissioner

June 20, 2013

Roy A. Esnard  
General Counsel

Dear Prospective Bidders:

Vincent Pullo  
Agency Chief  
Contracting Officer

For your information, this **Addendum #2** for the contract to provide **Right To Know/Hazard Communication Training** (PIN 069-13-310-0012/EPIN 09613B0002) contains the "**Hiring Requirement Exemption Request Form**" (attached hereto as **Exhibit 1**) from HRA's hiring requirement delineated in **Article 19** of the contract.

180 Water Street  
New York, NY 10038

Pursuant to Article 19 of the contract, the contractor can make a request for an exemption within thirty (30) days after the commencement date of this contract. Please note that the form does not have to be submitted with your bid.

212 331 3434

*Attached as Exhibit 2 is a copy of the attendance sheet from the pre-bid conference held on Wednesday, June 5, 2013.*

*Attached as Exhibit 3 is the pricing information for the previous vendor, Executive Safety and Health Consultants, Inc ("Executive Safety"). Please note this contract expired on July 13, 2012.*

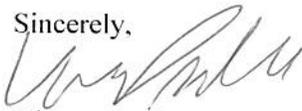
*Attached as Exhibit 4 is a revised page 84-R of the Specifications which now mentions (top paragraph) the PowerPoint presentation. Vendors are to replace the existing page 84 with this version.*

**The answers to questions from prospective bidders is on Attachment A.**

Please be advised that the last day for questions was **Friday, June 7, 2013**.

In addition, the bid due date is **Friday, June 28, 2013 at 3:00 p.m.** Bids received after the bid due date and time are late and shall not be considered. Your interest in doing business with the City of New York is appreciated.

Sincerely,



Vincent Pullo

- Exhibits:
1. Hiring Requirement Exemption Request Form
  2. A copy of the attendance Sheet from the pre-bid conference held on Wednesday, June 5, 2013.
  3. A copy of pricing information for Executive Safety and Health Consultants, Inc
  4. A copy of revised page 84-R of the Specifications

**Right to Know/Hazard Communication Training  
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**Question 1**

First of all is this something that you would consider as an E-learning opportunity. Where employees can take their courses online? Or is this classroom only training?

**Answer 1**

**This is not an e-Learning opportunity. It is a classroom only training.**

**Question 2**

Who is the existing Contractor for this competitive sealed bid contract?

**Answer 2**

**The previous Contractor is Executive Safety and Health Consultants, Inc. and the contract expired on July 13, 2012. (See Exhibit 3)**

**Question 3**

What is the current contract pricing structure under the current Contractor competitive sealed bid contract?

**Answer 3**

**The previous contract amount is \$314,000.00 (See Exhibit 3)**

**Question 4**

Can the City of New York – HRA provide a project estimate for this contract?

**Answer 4**

**The estimate for this project is estimated to be approximately \$390,000.00.**

**Question 5**

Can this contract be performed as a joint venture to complete all parts of services?

**Answer 5**

**Joint ventures are permissible as long as performance of the contract is in accordance with the terms and conditions of the contract and is bid as a joint venture.**

**Question 6**

Is prevailing wage a mandatory under this contract?

**Answer 6**

**The prevailing wage is not a requirement for this contract. Refer to Appendix I of the solicitation documents.**

**Question 7**

Is there a performance bond allowed for this contract?

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**Answer 7**

A performance bond is not required for this contract. The bond requirements are discussed in Section 37: Schedule of Insurance, Liquidated Damages and Bonds section of the solicitation documents.

**Question 8**

Is there a bid bond allowed for this contract?

**Answer 8**

A performance bond is not required for this contract. The bond requirements are discussed in Section 37: Schedule of Insurance, Liquidated Damages and Bonds section of the solicitation documents.

**Question 9**

When do you anticipate the performance of this contract to begin?

**Answer 9**

We are hoping to start the contract in August; however it all depends on how fast the procurement moves through the process.

**Question 10**

Who shall be responsible to training logistics within this contract as it pertains to coordination of scheduling of classes and notification to employees?

**Answer 10**

The General Support Services (GSS) Health & Safety Division will be responsible for coordinating the scheduling of classes. Training sessions and scheduling are discussed in Section 4 (6) of the specifications.

**Question 11**

Please specify where would the training sessions take place? Will it be onsite at HRA multisite facilities or one specific site only?

**Answer 11**

The training classes shall be held at locations in all boroughs of New York City as directed by the Human Resources Administration (HRA).

**Question 12**

Will Contractor be using the currently available PowerPoint presentation?

**Answer 12**

HRA is providing an updated version of the PowerPoint presentation and related handouts-Quick Cards from DCAS plus HRA's Workplace Violence Prevention Program document and accompanying risk factor chart. These training materials will be provided in advance of the scheduled training. However, the Contractor is

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responsible for updating the manual to be distributed to the approximate 350 non-office personnel to be trained.

**Question 13**

Is Contractor responsible for updating the current PowerPoint presentation to meet the new standards?

**Answer 13**

Contractor is not responsible to update the current PowerPoint presentation in the first year. As indicated above, HRA has prepared the updated version. However, the Contractor will be responsible for reproducing and making a sufficient number of copies of the PowerPoint presentation for use in training HRA staff, as required under this contract. Each staff member trained must receive his/her own copy of the presentation. In addition, the Contractor will be responsible for updating the PowerPoint presentation to meet any new standards in subsequent years. And, if such updating is necessary the Contractor will be responsible for reproducing and making a sufficient number of copies, in those subsequent years, of the updated PowerPoint presentation for each staff member required to be trained under this contract.

**Question 14**

Is there currently a training manual and/or handouts being used?

- a. If so, is it required that this training manual be used for this contract?
- b. If so, will these training manuals and/or handouts require updating?

**Answer 14**

For the training of non-office staff, the Contractor will be required to prepare an updated version of the training manual that is in compliance with all current Federal/State/city requirements, as per recent governmental oversight revisions. The Contractor will also be responsible for making a sufficient number of copies of the training manual and providing each non-office staff member receiving training approximately 350 employees with his/her own copy of the manual.

The Contractor will also be responsible for making sufficient number of copies of the Power Point presentation for each employee in the non-office group. Each employee must also receive non-office group specific safety data sheet template charts and copies of the safety data sheets for the materials normally used by this non-office group.

**Answer 14a**

Yes, an updated version of the training manual must be prepared by the Contractor and used for training.

**Answer 14b**

Yes, an updated version of the training manual must be prepared by the Contractor and used for training.

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**Question 15**

Who supplies the training manual and/or handouts? (If Contractor supplies manual, one must be provided prior to bid due date to estimate costs.)

**Answer 15**

**The Contractor will update and supply copies of the training manual for non-office employee training (approximately 350 employees). This includes preparing a current, updated version of the manual and making sufficient number of copies of the manual and sufficient copies of the Power Point presentation for all staff who require the non-office employee training.**

**The Contractor will also supply the non-office employees specific safety sheet template charts and copies of the safety data sheets for materials normally used by all non-office employee groups. The scope of work is discussed in Section 4 of the specifications.**

**Question 16**

What equipment will the instructor are required to bring to the training programs (computer, projector, screen etc.)?

**Answer 16**

**The contractor shall furnish all labor, equipment and material necessary to provide annual training (i.e. laptop/projector and screen). The scope of work is discussed in Section 4 of the specifications.**

**Question 17**

Historically, what number of sessions were held per day?

**Answer 17**

**Approximately four (4) sessions per day were held. However due to the current agency need multiple sessions of up to twelve (12) sessions per day may be required.**

**Question 18**

Historically, what number of sessions were held per week?

**Answer 18**

**Approximately twenty (20) sessions per week were held. However due to the current agency need additional weekly sessions will be required.**

**Question 19**

Historically, how many days per week were sessions held?

**Answer 19**

**Sessions were held five days per week.**

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**Question 20**

Historically, how many people attended each session?

**Answer 20**

**Approximately 20 – 100 employees attended per session.**

**Question 21**

What handout materials are required?

**Answer 21**

**The handout materials for all HRA (both office and non-office) employees include a PowerPoint presentation, and related Quick Card handouts from DCAS, HRA's Workplace Violence Prevention Program document and accompanying risk factor chart.**

**For the agency non-office employees only, the handout materials also include a training manual (that will need to be updated) to be in compliance with all current Federal/State/City requirements, as per recent governmental oversight revisions, group specific safety data sheet template charts, and copies of the safety data sheets for the materials used by this group.**

**Question 22**

Will the Agency provide manuals and/or handout materials?

**Answer 22**

**The agency will provide one (1) master copy of the updated version of the PowerPoint presentation, related Quick Card handouts, HRA's Workplace Violence Prevention Program document with accompanying risk factor chart, group specific safety data sheet template charts, and copies of the safety data sheets for the materials used by both the office and non-office employees.**

**The manual for the non-office training requires updating by the Contractor as indicated. The Contractor is responsible to reproduce and provide copies of all materials to each HRA staff member being trained ensuring they have an individual copy for himself/herself.**

**Question 23**

If the Agency is providing handout materials will they be delivered to the particular venue for that days training? (i.e., will they be at the site available for handout)

**Answer 23**

**The printing, copying and distribution of materials for training use is solely the Contractor's responsibility.**

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**Question 24**

If we (the Contractor) are to provide the manual/handouts what are the requirements of the materials (i.e., Printed Power Points, or Summary of key points for each topic, etc.)-

**Answer 24**

**HRA will provide the contractor with a master copy of the updated version of the PowerPoint presentation, related Quick Card handouts, HRA's Workplace Violence Prevention Program document with accompanying risk factor chart, group specific safety data sheet template charts, and copies of the safety data sheets for the materials used by both the office and non-office employees. However, the contractor is responsible for reproducing sufficient materials for each employee trained whether they are office or non-office employees.**

**The contractor is also responsible for preparing an updated version of the non-office employee training manual that is in compliance with all current Federal/State/City requirements, as per recent governmental oversight revisions. The contractor will also be responsible for making a sufficient number of copies of the non-office employee training manual in order to provide each non-office staff member receiving the non-office employee training with his/her own copy of the manual.**

**Question 25**

What will be provided at the various training venues (sites) – (i.e., desk/table, screen and/or white board, projector?)

**Answer 25**

**Desks/tables will be at each training site. The contractor will be required to bring a screen, projector and laptop.**

**Question 26**

Will there be an Agency representative on-site and in the classroom during training to aid in “sign-in”, as well as to aid in managing the classroom (i.e., regulate “late comers”, correct disruptive individuals, etc.)

**Answer 26**

**There will be no Agency representative on-site and in the classroom during training to aid in “sign-in” as well as to aid in managing the classroom (i.e. regulate “late comers,” correct disruptive individuals etc.)**

**Question 27**

Will there be an Agency representative on site to aid in setting up (i.e., provide early access to the venue on the day of the scheduled training, outlet locations, tables/desks, chairs, etc.)

**Answer 27**

**There will be no Agency representative on site to aid in setting up (i.e., provide early access to the venue on the day of the scheduled training, outlet locations, tables/desks chairs, etc.)**

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**Question 28**

Please clarify the estimated number of students to be trained under this Contract in 2013- We understood from the pre-bid meeting that there will be approximately 12, 000.

**Answer 28**

**The estimated number of students to be trained under this Contract in 2013 is approximately 12,000. Training Sessions and Scheduling are discussed in Section 4(6) of the specifications. Three Hundred and Fifty (350) non-office employees of the approximate 12,000 are non-office employees that require training.**

**Question 29**

Every effort will be made to train the given number of student (12,000) however, since the Agency is responsible for “advertising” and/or notifying employees of the training, will we be held responsible in any way if all (12, 000) students are not trained by December 2013?

**Answer 29**

**The Agency will make every effort to ensure that our employees scheduled for training will attend the training.**

**Question 30**

Is there a list of anticipated training locations broken out by Borough?

**Answer 30**

**There is no list of anticipated training rooms broken down by borough. The Agency will provide the training room in one of our HRA facilities as made available.**

## HUMAN RESOURCES ADMINISTRATION

HIRING REQUIREMENT EXEMPTION REQUEST

Name of Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

MAIL COMPLETED FORM TO: BUSINESS LINK - CONTRACTOR HIRING UNIT (C.H.U.)  
348 WEST 34<sup>TH</sup> STREET  
NEW YORK, NY 10001

Requests should be submitted as soon as your documentation is ready. Select only **one** boxed section below, and **one** subsection. Use the appropriate language (Exemption or Partial Exemption) on all accompanying materials. This request must be signed by an officer of your organization and notarized.

The undersigned hereby requests the following for *Fiscal Year 2012*, from July 1, 2011 – June 30, 2012

**I. COMPLETE EXEMPTION** from the hiring requirement because:

- a) New York City workforce is less than 20. (**Attach** a list of your NYC staff by title.)
- b) We have no entry level workers on our payroll. (**Attach** a list of your NYC staff by title.)
- c) A valid collective bargaining agreement covers all of our entry-level positions and limits us to a hiring pool which does not include Cash Assistance recipients. (**Attach** a copy of the applicable provisions and a list of your NYC staff by title.)
- d) Complying with the hiring requirement would cause extreme hardship. (**Attach** a description of the hardship.)

**II. PARTIAL EXEMPTION / REDUCTION** in the hiring requirement to \_\_\_\_\_ workers because:

- a) Our New York City workforce totals \_\_\_\_\_. The current hiring requirement exceeds 10% of our workforce. (**Attach** a list of your NYC staff by title.)
- b) We have \_\_\_\_\_ entry level workers on our payroll. (**Attach** a list of your NYC staff by title.)
- c) A valid collective bargaining agreement covers \_\_\_\_\_ of our entry-level positions and limits us to a hiring pool which does not include Cash Assistance Recipients. (**Attach** a list indicating the entry-level positions covered and a copy of the applicable provisions.)
- d) Complying with the hiring requirement would cause extreme hardship. (**Attach** a description of the hardship.)

Your request will be processed in an expeditious manner, and you will be notified of the disposition. If you have any questions you may call the Contractor Hiring Unit at (212) 643-2881 ext. 3128.



PRE-BID/PROPOSAL CONFERENCE ATTENDANCE SHEET

EXHIBIT 2

PIN # 069-13-310-0012/EPIN 09613B0002  
DATE: June 5, 2013  
PLEASE PRINT CLEARLY

PROJECT NAME: Right to Know / Hazard Communication Training  
PROJECT DESCRIPTION: Right to Know / Hazard Communication Training

| COMPANY NAME                             | CERTIFIED<br>MBE WBE | STREET ADDRESS<br>CITY, STATE, ZIP            | NAME OF ATTENDEE  | PHONE #      | FAX#         | E-MAIL                                |
|--|----------------------|---|-------------------|--------------|--------------|---------------------------------------|
| OAK CONSULTING                           |                      | 641 East 116 St. Suite 3E<br>Bangor, ME 05601 | Diane D. Orr      | 646-691-7010 |              | ORRDIANE@OAKCONSULTING.COM            |
| JOE FLORENTINO & ASSOCIATES LLC          |                      | 40 Beechwood Ct.<br>Bangor, ME 05601          | Dobson Florentino | 610-599-0905 |              | JOE@FLORENTINO.COM                    |
| International Safety Training Corp / IFE |                      | 130 William St.<br>Bangor, ME 05601           | Scott Carothers   | 347-613-2135 |              | SCOTT@INTERNATIONALSAFETYTRAINING.COM |
| CONEXION SOLUTIONS CONCEPTS              | ✓                    | 17 KEBU ROAD<br>TREATING TOWN, NY 08833       | William Lee Brady | 732-789-4691 |              | WBRADY@CONEXIONSOLUTIONS.COM          |
| DR Sullivan & Associates                 |                      | 295 E. 35th St.<br>Brooklyn, NY 11218         | Franco Sullivan   | 212-574-6405 | 212-740-7505 | FRANCO@DRSULLIVAN.COM                 |
| DRCG, Inc.                               |                      | 60 Orange Court<br>Monticello, N.Y.           | Wood Rodgers      | 646-416-6988 | 646-416-6706 | Diamonds Power                        |
| Site Safety Solutions, LLC               | ✓                    | 3119 Grand Street Highway<br>Lynchburg, VA    | Jim Armstrong     | 845-625-8344 |              | ARMSTRONG@SITE-SAFETY.COM             |
| UNITED Alliance Services                 | ✓                    | 481 8th Ave, #551<br>New York, NY 10001       | Mark Hunt         | 877-399-1698 | 774-302-4307 | MARK@UNITEALLIANCE.COM                |
| EXECUTIVE SAFETY                         | ✓                    | PO Box 338<br>Brooklyn, NY 11553              | Alan Holt         | 212-564-9062 | 212-564-9068 | ALAN@EXECUTIVESAFETY.COM              |
| MCAI                                     |                      |   | Alan Holt         | 516-770-7973 | 516-780-5681 | MCAI@MCAI.COM                         |

Name \_\_\_\_\_ Title \_\_\_\_\_ Signature \_\_\_\_\_

It is hereby certified that all attendees were provided with the following information relating to MWBE contract requirements for the resulting contract from this solicitation: an explanation of MWBE contract requirements; a review of how to properly complete Schedule B to ensure a responsive bid and request a waiver; the consequences for prime contractors that demonstrate non-compliance; an overview of the Online Directory; and the SBS Prime contractor resource sheets: Assistance Contacts for Primes' and Online Directory tips.

(Statement of work and period of performance):

EXHIBIT 3

PIN #: 069-08-310-0002

SCOPE: RIGHT TO KNOW TRAINING - CITYWIDE

PERIOD OF PERFORMANCE: THIRTY SIX (36) MONTHS FROM DATE OF REGISTRATION

\$ 314,100.00 *[Signature]*

ESTIMATED CONTRACT COSTS: \$ \_\_\_\_\_ ; \_\_\_\_\_ (ENTER FROM PAGE 27A)

(ESTIMATED CONTRACT COST IN WORDS)

Three Hundred and fourteen thousand, one Hundred *[Signature]*  
DOLLARS

NOTE: In case of discrepancy between the amount in figures and the amount in words the lesser amount will apply.

2. THE UNDERSIGNED, in submitting this bid, expressly states and represents as set forth in Section C of this Part II;
3. THE UNDERSIGNED hereby certifies to the truth and accuracy of all figures and answers contained in the Application for Qualification (Section A hereof), and authorizes the Department to make any necessary examination of the books of account, records and vouchers of the bidder or other investigation to determine its responsibility.

BIDDER (Print) EXECUTIVE SAFETY AND HEALTH CONSULTANTS, INC.

BY *[Signature]*  
(Signature of Person Authorized to sign this bid)

VALMORE HOLT - PRESIDENT  
[Type name and title (if any)]

VALMORE HOLT

(Secretary of Corporate Bidder)

PIN#: 0690-08-310-0002

NYC/HRA  
**BID SUBMISSION PAGE**  
RIGHT TO KNOW

Date: 4/8/08

**COST OF TRAINING APPROXIMATELY 15,000 PERSONS IN THE  
RIGHT-TO-KNOW PROGRAM PER YEAR: (PLEASE TYPE)**

- (1). Cost of Right to Know Training Per Person X 15,000/Yr = \$ 104,700.00 ~~74,000~~
- (2). Cost of Training over Three Years = (1) x 3 = \$ 314,100.00 ~~222,000~~

**TOTAL COST OF TRAINING FOR THREE YEARS (IN WORDS):**

**VENDOR'S INFORMATION**

NAME OF BIDDER: EXECUTIVE SAFETY AND HEALTH CONSULTANTS, INC.

CONTACT PERSON: VALMORE HOLT

ADDRESS: 481 8<sup>th</sup> Ave, Suite 805, New York, NY 10001

TELEPHONE: 212-564-9062 FAX: 212-564-9068

during the course of this contract (i.e. a new additional health matter that has not been covered by this contract's specifications and or current law and regulations as they exist at the time of contract signing), besides the specified RTK/HCS 2012 Curriculum, the VDT Training Module and Workplace Violence Program. As such, the Contractor shall continually update these three (3) topics in order to stay current with real time working conditions. There shall be no additional charge for any new additional health matters that would be covered in the Contractor's presentations, which would include this new material. The Training conducted by a live instructor on the above-mentioned three (3) topics and any updates to those topics, shall generally be presented through a PowerPoint presentation as directed by HRA. The said Training is more particularly described in Section 3D below, titled "Technical Specifications".

**B. *Site Specific Right to Know/Hazard Communication Training***

Contractor shall:

1. According to Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York, §820.4(2), tailor the education and training program required by Labor Law, Section 878, to the individual workplace environment and include an oral explanation to accompany any written material.
2. Incorporate into the RTK/HCS 2012 Curriculum, the development of site/title or group specific Right to Know/Hazard Communication Standard Training. As an example, specific curriculum shall be developed for such titles such as but not limited to Building Maintenance (Plumber, Painter, Custodial), HIV/AIDS Services Administration ("HASA"), Graphic Artist, Office Workers, etc. (**See, Attachment # 1** for the List of HRA/DSS Title Codes and Title Names which lists additional titles for which curriculum shall be developed).
3. Integrate the training elements in 12 NYCRR Part 820.4, and Article 28 § 878 of the New York State Labor Law into the training program.
4. Pay special attention for training requirements for Office Personnel (not routinely exposed to toxic substances) and Non-Office Personnel (e.g. Custodial staff, Repair and Maintenance staff, Print shop staff). Any questions in this regard shall be **addressed to Lorraine Johnson, Director of Safety & Health.**

**C. *Written Hazard Communication Program***

The Contractor shall inform all employees/students during Training of the location and availability of HRA's written hazard communication program including the required list(s) of hazardous chemicals, and safety data sheets