

Steven Banks  
Commissioner

August 12, 2014

Martha A. Calhoun  
General Counsel

Dear Prospective Bidders:

Vincent Pullo  
Agency Chief  
Contracting Officer

For your information, this **Addendum #1** for the contract to provide **Personal Emergency Response Services (PERS)** (PIN 15BHEHC00301/EPIN 09614B0019) 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  
929 221 6347

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.

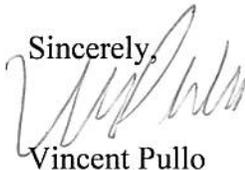
*Attached as Exhibit 2 is a copy of the attendance sheet from the pre-bid conference held on Wednesday, August 6, 2014.*

*Attached as Exhibit 3 is a copy of Building Code 14.09 entitled Smoke Detectors Required.*

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

Please be advised that the last day for questions was **Friday, August 8, 2014**. In addition, the bid due date is **Wednesday, August 27, 2014 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, August 6, 2014
  3. Building Code 14.09 entitled Smoke Detectors

**Question 1**

As the existing vendor, is a letter identifying the deposit and date of the deposit we already have on file sufficient?

**Answer 1**

**A letter identifying the deposit and date of the deposit on file is not required.**

**Question 2**

Is the DLS (Division Labor Services) certification /approval required prior to submitting the bid?

**Answer 2**

**No, the Supply and Service Employment Report does not have to be submitted prior to submission of the bid. The Contractor that is under consideration for the contract award will be notified to submit it.**

**Question 3**

What is the industry code? Or where can it be found?

**Answer 3**

**The industry code for this contracted service is 34015. In addition, the commodity code listing is available on nyc.gov on the Department of Citywide Administrative Services website under Doing Business With The City/Commodity Code Enrollment Guide.**

**Questions 4**

Can you please provide a contact name and phone number at the Vendex Unit?

**Answer 4**

**The contact information for the Vendex Unit is as follows:**

**Mayor's Office of Contract Services**

**Vendex Unit**

**253 Broadway, 9<sup>th</sup> Floor, New York, NY 10007; Telephone: (212) 341-0933**

**Question 5**

If the client receiving PERS is in the hospital or away from home for over 30 days, does the vendor need to credit the monthly service fee for the respective months?

**Answer 5**

**If a PERS client is hospitalized, the PERS provider should not bill for the service. The Home Care Services Provider will notify HRA/Home Care Services Program and the PERS Provider when clients receiving services are hospitalized.**

**Question 6**

What was the lowest rate proposed (install and monthly monitoring) in the previous responses submitted in June?

**Answer 6**

**All of the bid responses for the previous solicitation were rejected and as a result there was no vendor selected.**

**Question 7**

How many smoke detectors are required per residence? Previously HRA directed the vendors to the Department of Housing regulations, but it is unclear. Please provide the specific website link or document that we should reference.

**Answer 7**

**The link is as follows:**

**<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1458671&GUID=EBA326CF-7BC8-4923-9B33-458E8919257B&Options=&Search=> In addition, Building Code 14.09 entitled Smoke Detectors Required is attached to this addendum #1 (See Exhibit 3). However, if the client already has a smoke detector installed, an additional one is not needed. If no smoke detector is installed, it should be installed as part of the PERS installation.**

**Question 8**

How soon after the contract is awarded, does the vendor need to hire the public assistance candidate? Does the candidate need to be hired on a full time basis of 40 hours/week with benefits? Or is part time acceptable?

**Answer 8**

**The Contractor awarded the contract will be notified by the Business Link Division after the contract is registered. As a condition of this contract, the Contractor agrees to hire at least one (1) public assistance recipient for each \$250,000.00 in value of this contract. Such hiring shall be for full-time employment of at least a minimum of 35 hours per week. The Contractor's Hiring Commitment is discussed in Article 19 of the contract book.**

**Question 9**

What is the start date of the contract?

**Answer 9**

**The contract is expected to start on January 1, 2015.**

## 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.

**ATTACH ALL REQUIRED DOCUMENTS  
OR YOUR REQUEST WILL NOT BE PROCESSED**

I affirm that the above information is true under the penalties of perjury.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

State of { \_\_\_\_\_ }

County of { \_\_\_\_\_ }

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came  
\_\_\_\_\_, known to be the individual described herein  
and who executed the foregoing instrument.

\_\_\_\_\_  
Notary Public



**14.09 SMOKE DETECTORS REQUIRED.** (1) DEFINITIONS. (a) Smoke Detector. A device which detects particles or products of combustion other than heat.

(b) Sleeping Area. The area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas, but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas.

(c) Interconnected System. Two or more interconnected smoke detectors.

(2) BUILDINGS AFFECTED. Any building which is used for sleeping or lodging purposes is subject to the rules and regulations contained in this section and includes, but is not limited to, by reason of enumeration, to a building, all or part of which contains dwelling units, including single-family dwellings, 2-family dwellings and multi-family dwellings; hotels and motels; mobile homes; nursing homes and convalescent homes; licensed half-way houses; and licensed rooming houses. All owner occupied single-family dwellings built prior to October 24, 1986, are exempt from the provisions of this section.

(3) LOCATION OF SMOKE DETECTORS. (a) Regular Installations. 1. Except for one- and 2-family dwellings, as provided in subpar. 2. below, the owner of a residential building, as defined in sub. (2) above, which construction was commenced on or after October 24, 1986, shall install and maintain a smoke detector in each sleeping area of each unit, in each basement unit and at the head (top) of the stairway of each floor level of the building. All existing residential property defined in sub. (2) above shall be equipped with smoke detectors.

2. Smoke detectors in one- and 2-family dwellings shall be installed as provided in Wis. Adm. Code COMM 21.09.

3. The owner is responsible to notify the tenant of the tenant's responsibility to replace batteries. Upon original occupancy or reoccupancy, the owner must notify the tenant in writing that the smoke detector in individual units are operable and make the tenant aware of the manufacturer's recommendation for testing. The tenant must acknowledge this written notification by written signature.

4. The tenant is responsible for testing of smoke detector according to manufacturer's recommendations. Periodic battery replacement is the responsibility of the tenant. If the tenant finds through testing that a defect exists, he shall notify the owner immediately and the owner shall correct the defect. The owner shall have 72 hours from receipt of written notice from the tenant to repair or replace the smoke detector.

(b) Special Installations. 1. In addition to the provisions of sub. (2) above, in buildings defined in sub. (2) where a common hallway is used, smoke detectors shall be spaced not more than 30 feet apart in such hallways in addition to basement and stairway installation pursuant to par. (a) above. Hallway, stairway and basement detectors shall be installed as part of an interconnected system.

2. In occupancies set forth in sub. (2) above where the basement is served by 2 or more required standard exits, the area between the exits shall be considered as a common hallway and shall meet requirements of spacing as described in subpar. 1. above.

3. If the owner of any building described in sub. (2) above has improperly installed smoke detectors, he shall be allowed a 5 day period from date of receipt of written orders in which to comply.

(4) APPROVAL. A smoke detector required under this section shall be approved by Underwriters Laboratory or other comparable testing firm.

(5) EQUIPMENT, INSTALLATION AND MAINTENANCE. Ionization type or photo-electric type detectors may be used. AC or DC power may be used. If AC powered, detectors must be directly attached to a junction box not controlled by any switch other than the main power supply. The installation of AC powered detectors shall conform to all electrical standards adopted by the Village. A smoke detector required under this section shall be installed according to the directions and specifications of the manufacturer, but if in conflict with the Village's Electrical Code, the Electrical Code shall take precedence.

(6) DEPARTMENT INSPECTION AND ORDERS. The Fire Inspector may inspect all residential buildings and may issue orders as may be necessary to ensure compliance with this section. The Fire Inspector may be contacted for recommendations when an owner is concerned about installation and number of detectors. Inspection of hallway, stairway and basement detectors shall be routine in buildings inspected by the Fire Inspector. Inspection of new construction shall be carried out by the Building Inspector on his final inspection.

(7) TAMPERING PROHIBITED. (a) No person shall tamper with a smoke detector or its electrical supply or remove or disconnect the battery in a detector.

(b) If the Fire Department responds to a smoke detector alarm and no cause for the system or detector to be activated is found, the possibility exists that batteries shall be removed or other measures taken to silence the detector or system. Such action shall in no way place liability on the Fire Department. The owner or manager of the building shall be notified immediately by the officer in command concerning the condition and he shall have the system or detector operable within 72 hours thereafter.

(8) PENALTY. Any violation of or noncompliance with any of the provisions of this section shall subject the violator to a forfeiture of not less than \$50 nor more than \$250, together with the costs of prosecution and, in default of payment thereof, to imprisonment in the County Jail until such forfeiture and costs are paid, but not to exceed 15 days. Each day of violation or noncompliance shall constitute a separate offense.