

ATTACHMENT 11 - FINANCIAL AND BUSINESS INFORMATION

Instructions for Attachment 11: Complete the contents of this Attachment, appending any additional documentation as needed. For the hard copy, combine all supporting documents in order behind the checklist. For the electronic copy, append any additional documentation into one file labeled “Att 11_Financial and Business Information_[Proposer Name]_Appended Documents” to be included in the Capacity & Operations folder.

Name of Proposer: _____

1) **Financial documents:** The Proposer should provide the following documents for the Proposer and for all Designated Carters (subcontractors). For each item, the Proposer must submit any new or updated information since the submission of the RFP Part 1. The Proposer does *not* need to re-submit any information that was submitted as part of the submission of RFP Part 1 if it is still accurate.

- a) Financial statements for calendar years 2018, 2019, and 2020. If the Proposer or Designated Carters are unable to provide financial statements for any of these years, they must include a detailed description regarding why they cannot provide the financial statement. Additionally, if a Proposer has been in existence for less than three years, then it may instead submit all of its completed annual financial statements.

The Department prefers to receive financial statements using the BIC Financial Statement Template for Licensees, which can be found at <https://www1.nyc.gov/assets/bic/downloads/pdf/financial-statement-licensees.pdf>. (Note: A Proposal submitted that does not use the BIC Financial Statement Template will not be deemed unresponsive.)

For Proposers who have business outside of New York City, please include separate financial statements specific to only NYC operations and revenue, and financial statements containing financial information for the Proposer’s entire (regional/national) operations and revenue.

- b) A certified audit of the 2019 financial statements that has been completed in accordance with Generally Accepted Accounting Principles. In lieu of the certified audit of 2019 financial statements, Proposers may instead submit 2019 and 2020 business tax returns, with supporting schedules. (Note: A Proposal submitted without an audited financial statement will not be deemed unresponsive.)

2) Beginning on the start date of the Transition Period, which is the same as the start date of the Agreement, the Awardee will be expected to be in full compliance with all minimum program requirements for Awardees, as summarized in Section II.E.1 of this RFP Part 2 (Overview of Minimum Program Requirements) and provided in full in LL 199 (Appendix A) and the Department’s rules (Appendix B). Awardees will also be required to meet all contractual obligations that commence on the Transition Period start date under the Agreement with the Department (Appendix C). As Awardees enter into customer service agreement with customers during the Transition Period, such customer service agreements must reflect all minimum program requirements for Awardees. During the Transition Period, it is assumed that Awardees will increase their customer base within

PART 2 OF THE RFP - NYC COMMERCIAL WASTE ZONES

the Zone and will gradually scale up the size of their operations. See Section II.F of this RFP Part 2 for more details on how the transition to the Commercial Waste Zones program will work, including timeframes in cases where an Awardee is selected for multiple Zones.

For Proposers applying for one or more Zone awards, provide a narrative describing the Proposer's plan for being financially ready to meet all minimum program requirements on the first day of the Transition Period, and any plans for scaling up the size of your operation during the Transition Period for each Zone or Zones for which you are applying. For financial scaling purposes, assume that you will need to meet full program requirements for customers representing at least 10% of the waste generated in each Zone on day one of the Transition Period and at least 30% by the end of the Transition Period. Then multiply by the maximum number of Zones that you have indicated you have the capacity to service, as noted in Question 4 of Attachment 12. The narrative may include references to documents provided in 1) above or provide additional relevant documents as support.

The narrative (*provided in a typed document, maximum 2 pages*) should address at least the following:

- A description of how the Proposer will deploy its existing assets at the beginning of the Transition Period through the end of the Transition Period, including references to relevant documents. (Note: Existing infrastructure is to be provided in Attachment 12: Capacity & Services.)
- If new or additional infrastructure will be needed, a description of how Proposer will use its financial resources or third-party relationships to obtain these resources by the end of the Transition Period, including references to relevant documents. Please report on figures (ex: proposed debt and/or revenue increases) as numbers rather than percentages.
- The nature and scope of the third-party relationships described above.

Example documents may include, but is not limited to:

- Financial statements showing sufficient financial strength to expand
- Equipment purchase orders contingent upon contract award
- Financing commitment letter from lending institutions for expansion
- Use of owned and available assets from Proposer's operations elsewhere outside of the City
- History of company growth or subcontractor arrangements
- Documentation of access to credit.

Note: If you are only applying for a Citywide Containerized Commercial Waste award, skip this question, and move on to Question 3.

- 3) **Citywide Containerized Commercial Waste only:** Provide a narrative describing your plan for being financially ready to meet all minimum program requirements on the first day of the Transition Period, and any plans for scaling up the size of your operation during the Transition Period. The narrative may include references to documents provided in 1) above or provide additional relevant documents as support.

The narrative (*provided in a typed document, maximum 2 pages*) should address at least the following:

- A description of how the Proposer will deploy its existing assets by the end of the Transition Period, including references to relevant documents. (Note: Existing infrastructure is to be provided in Attachment 12: Capacity & Services.)

PART 2 OF THE RFP - NYC COMMERCIAL WASTE ZONES

- If new or additional infrastructure will be needed, a description of how Proposer will use its financial resources or third-party relationships to obtain these resources by the end of the Transition Period, including references to relevant documents. Please report on figures (ex: proposed debt and/or revenue increases) as numbers rather than percentages.
- The nature and scope of the third-party relationships described above.

*Note: If you are **not** applying for a Citywide Containerized Commercial Waste award, skip this question, and move on to Question 4.*

- 4) Without disclosing and/or referring to any information presented in the Price Proposal, demonstrate that the Proposer has access to sources of working capital adequate to finance the execution of the Scope of Services. This could include, but not be limited to, letters from accredited/licensed financial institutions, or third-party guarantees. A narrative may be provided to assist in navigating these documents (*provided in a typed document, maximum 2 pages*).