

## QUESTIONS AND ANSWERS ABOUT THE DOING BUSINESS DATA FORM PENSION INVESTMENTS

### What is the purpose of this Data Form?

To collect accurate, up-to-date identification information about entities that have business dealings with the City of New York in order to comply with Local Law 34 of 2007 (LL 34), the recently passed campaign finance reform law. LL 34 limits municipal campaign contributions from principal officers, owners and senior managers of entities doing business with the City and mandates the creation of a *Doing Business Database* to allow the City to enforce the law. The information requested in this *Data Form* must be provided, regardless of whether the entity or the people associated with it make or intend to make campaign contributions. No sensitive personal information collected will be disclosed to the public.

### Why have I received this *Data Form*? What entities are considered to have business dealings with the City?

The contract you are proposing on, being considered for or have already been awarded is considered a business dealing with the City under LL 34. Contracts for, or related to, the investment of assets of the City's pension systems, including contracts for public market investments, alternative investments, real estate investments, and investment consultant contracts are covered by LL 34.

### What individuals are considered to be doing business with the City?

The principal officers, owners and certain senior managers of entities listed in the *Doing Business Database* are themselves considered to be doing business with the City and will also be included in the *Database*.

- **Principal Officers** are the Chief Executive Officer (CEO), Chief Financial Officer (CFO) and Chief Operating Officer (COO), or their functional equivalents. See the *Data Form* for examples of titles that apply.
- **Principal Owners** are individuals who own or control 10% or more of the entity. This includes stockholders, partners and anyone else with an ownership or controlling interest in the entity.
- **Senior Managers** include anyone who, either by job title or actual duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any covered transaction with the City. You must list at least one Senior Manager, or your *Data Form* will be considered incomplete.

### I provided some of this information on the VENDEX Questionnaire. Do I have to provide it again?

Although the *Doing Business Data Form* and the VENDEX Questionnaire request some of the same information, they serve entirely different purposes. In addition, the *Data Form* requests information concerning senior managers, which is not part of the VENDEX Questionnaire.

### Will the information on this *Data Form* be available to the public?

The names and titles of the officers, owners and senior managers reported on the *Data Form* will be made available to the public, as will information about the entity itself. However, personal identifying information, such as home address, home phone and date of birth, will not be disclosed to the public, and home address and phone number information will not be used for communication purposes.

### My organization is proposing on a contract with another firm as a Joint Venture that does not exist yet; how should the *Data Form* be completed?

A joint venture that does not yet exist must submit Data Forms from each of its component firms. If the joint venture receives the award, it must then complete a form in the name of the joint venture.

### What happens if I don't submit a complete and accurate *Data Form*?

LL 34 requires the City to collect the requested information. Failure to submit a *Data Form* or the submission of a *Data Form* that is not accurate and complete may result in appropriate sanctions.

**No one in my organization plans to contribute to a candidate; do I have to fill out this Data Form?**

Yes. All entities are required to return this *Data Form* with complete and accurate information, regardless of the history or intention of the entity or its officers, owners or senior managers to make campaign contributions. The *Doing Business Database* must be complete so that the Campaign Finance Board can verify whether future contributions are in compliance with the law.

**I have already completed a *Doing Business Data Form*. Do I have to submit another one?**

Yes. An entity is required to submit a *Doing Business Data Form* each time it proposes on, is under consideration for, or enters into a transaction considered business dealings with the City. However, the *Data Form* has both a No Change option, which only requires an entity to report its EIN and sign the last page, and a Change option, which allows an entity to only fill in applicable information that has changed since the previous completion of the *Data Form*. No entity should have to fill out the entire *Data Form* more than once.

**How does a person remove him/herself from the Doing Business Database?**

Any person who believes that s/he should not be listed may apply for removal from the *Database* by submitting a Request for Removal. Reasons that a person would be removed include his/her no longer being the principal officer, owner or senior manager of the entity, or the entity is no longer doing business with the City. Entities may also update their database information by submitting an update form. Both of these forms are available online at [www.nyc.gov/mocs](http://www.nyc.gov/mocs) (once there, click MOCS Programs) or by calling the Doing Business Accountability Project at 212-788-8104.

**How long will an entity and its officers, owners and senior managers remain listed on the *Doing Business Database*?**

- **Contract, Concession and Economic Development Agreement holders:** generally for the term of the transaction, plus one year.
- **Pension Investment Contracts:** from the time of presentation of an investment opportunity or the submission of a proposal, whichever is earlier, until the end of the contract, plus one year.
- **Contract Proposers:** for one year from the proposal date or date of public advertisement of the solicitation, whichever is earlier.

For information on other transaction types, please contact the Doing Business Accountability Project.

**What are the new campaign contribution limits for people doing business with the City?**

Contributions to City Council candidates are limited to \$250 per election cycle; \$320 to Borough President candidates; and \$400 to candidates for citywide office. Please contact the NYC Campaign Finance Board for more information at [www.nyccfb.info](http://www.nyccfb.info), or 212-306-7100.

**The Data Form must be returned to the New York City Comptroller's Office by either:**

<b>Mail:</b>	Bureau of Asset Management, Compliance Department, 1 Centre Street, 8th Floor, New York, NY 10007
<b>Fax:</b>	212-815-8526
<b>E-mail:</b>	<a href="mailto:BAMDisclosures@comptroller.nyc.gov">BAMDisclosures@comptroller.nyc.gov</a>

If you have any questions about the *Data Form* please contact BAM Compliance at 212-669-7009 or at [BAMDisclosures@comptroller.nyc.gov](mailto:BAMDisclosures@comptroller.nyc.gov).

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