

UNDC awarded a State contract to Schindler Elevator Corporation as described below. The utilization plan and waiver form submitted by Schindler are attached.

Name and address of the contractor:

Schindler Elevator Corporation
620 12th Avenue
New York, New York 10036

Contract name/number:

Elevator Maintenance - One, Two & Three UN Plaza

Contract award date:

February 9, 2012

Estimated date of completion:

February 2013, not including renewals.

Amount obligated under the contract:

\$423,225 for one year, not including renewals.

Description of work required by the contract:

Furnish all labor and material necessary to provide full maintenance services for 25 elevators located in three office buildings.

Description of any waivers granted:

Waivers of both the minority-owned business enterprise and women-owned business enterprise goals were granted due to the proprietary Schindler elevator technology employed at the three buildings which necessitates maintenance to be completed by Schindler-employed technicians and engineers. Accordingly, Schindler cannot subcontract or otherwise utilize MWBE providers for this contract. Schindler will make efforts to make local purchases of miscellaneous materials and supplies through MWBE providers as available.

MWBE UTILIZATION PLAN

INSTRUCTIONS:


Contractors must submit a utilization plan for achieving goals established for the participation of (1) minority-owned business enterprises, and (2) women-owned business enterprises in relation to a State contract. Upon execution of the contract, UNDC will post the utilization plan submitted by the winning bidder on its website. If a contractor changes its utilization plan after submission, it must notify UNDC in writing and obtain approval from UNDC.

Please complete parts I – IV below. Attach additional pages as necessary. Submit completed forms to: United Nations Development Corporation, Two U.N. Plaza, 27th Floor, New York, NY 10017.

PART I - PROJECT INFORMATION

Project name: UNDC Annual Elevator Maintenance

PART II - CONTRACTOR INFORMATION

Contractor's name: Schindler Elevator Corporation	Contractor's Federal identification number: 34-1270656
Contractor's address: 620 12th Avenue, 4th Floor, New York, NY 10036	Contractor's telephone number: 212-708-1000
Preparer's name and title: Kevin York, Sales Representative	Preparer's email address: kevin.york@us.schindler.com
Preparer's signature: 	Date: 12-28-2011
Is the contractor a New York State-certified MWBE: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, attach proof of NYS certification. If the contractor is certified as both an MBE and a WBE, indicate whether participation should be counted towards the MBE goal or the WBE goal.	

PART III - SUBCONTRACTOR INFORMATION

Does the contractor intend to subcontract with certified MWBEs to achieve the MWBE participation goals established on this contract: Yes No

If yes, provide the following information regarding each certified MWBE the contractor intends to subcontract with. Indicate whether the enterprise is certified as an MBE, a WBE, or both. If an enterprise is certified as both, indicate whether participation should be counted towards the MBE goal or the WBE goal. Attach proof of NYS certification for each enterprise.

MWBE name and address:	MWBE Federal I.D. number:	Contract scope of work to be performed by MWBE:	Amount to be paid to MWBE:	Dates of work to be performed by MWBE:
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PART IV - JOINT VENTURE INFORMATION

Is the contractor a joint ventureⁱ, teaming agreementⁱⁱ, or other similar arrangement that includes an MWBE: Yes No

If yes, specify whether the contractor is a joint venture, teaming agreement, or other similar arrangement and provide the following information:

1. The name, address, telephone number, and federal identification number of each partner or party to the agreement;
2. The federal identification number of the joint venture or entity established to respond to the solicitation, if applicable;
3. A copy or detailed summary of the joint venture, teaming agreement, or other similar arrangement, which describes the percentage of interest owned by each party to the agreement and the value added by each party;
4. A copy or detailed summary of the mentor-protégé agreementⁱⁱⁱ between the parties, if applicable, and if not described in the joint venture, teaming agreement, or other similar arrangement.

Attach proof of NYS certification, where applicable. Indicate whether participation should be counted towards the MBE goal or the WBE goal, where applicable.

ⁱ Joint venture. A contractual agreement joining together two or more business enterprises, one of which is a certified MWBE, for the purpose of working on a State contract to which each party provides a percentage of value added services representing that party's equitable interest in the joint venture. All parties agree to share in the profits and losses of the business endeavor according to the same percentages.

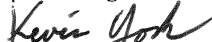
ⁱⁱ Teaming Agreement. An arrangement between two or more parties, one of which is a certified MWBE, to perform on a specific contract. The team itself may be designated to act as the prime contractor, or one of the team members may be designated to act as the prime contractor, and the other member(s) designated to act as subcontractors.

ⁱⁱⁱ Mentor-Protégé agreement. A contract between a prime contractor, the "Mentor," and a MWBE, the "Protégé," in which there is a transfer of knowledge, technology, or other resources, which promotes the economic growth of the MWBE or fosters the establishment of a long term business relationship between the parties.

WAIVER FORM

INSTRUCTIONS:

If a contractor has made a good faith effort to meet the goal requirements established on a State contract but is unable to fully comply, the contractor must submit a request for a partial or total waiver of the goal requirements. Requests for a waiver should be made simultaneously with the submission of a utilization plan. Upon execution of the contract, UNDC will post the waiver, if granted, on its website. Submit completed forms to: United Nations Development Corporation, Two U.N. Plaza, 27th Floor, New York, NY 10017.

Project Name: UNDC Annual Elevator Maintenance	Waiver Type: <input type="checkbox"/> Partial Waiver <input checked="" type="checkbox"/> Total Waiver
Contractor's name, address, and telephone number: Schindler Elevator Corporation 620 12th Avenue, 4th Floor, New York, NY 10036. 212-708-1000	Contractor's Federal Identification No.: 34-1270656
Preparer's name, title and email address: Kevin York, Sales Representative, kevin.york@us.schindler.com	Preparer's signature and date:  12-28-2011

Submit the following information. Attach additional sheets if necessary.

See Attachment

1. A statement setting forth the contractor's basis for requesting a partial or total waiver. *Specify whether the request is for a waiver of the MBE goal, the WBE goal, or both.*
2. The names of general circulation, trade association and minority- and women-oriented publications in which bids were solicited for purposes of complying with the MWBE participation goals, the dates bid solicitations were published, and the text of the bid solicitations;
3. A list of certified MWBEs which were solicited in writing to provide bids for purposes of complying with the MWBE participation goals;
4. A detailed summary of responses made by certified MWBEs to solicitations made by the contractor;
5. If responses to the contractor's solicitations were received, but a certified MWBE was not selected, the specific reasons that such enterprise was not selected;
6. A description of any contract documents, plans or specifications made available to certified MWBEs for purposes of soliciting their bids, and the dates and manner in which these documents were made available;
7. Documentation of any negotiations between the contractor and certified MWBEs undertaken for purposes of complying with the MWBE participation goals;
8. Information describing the specific steps undertaken to reasonably structure the contract scope of work for the purpose of subcontracting with, or obtaining supplies from, certified MWBEs;
9. Any other information deemed relevant by the contractor.

Attachment to Waiver Form.

1. The specifications for this project are limited to the original equipment manufactures and installers that preclude us from soliciting MBE/MBERS.
2. We will attempt to solicit MBE / MBERS for cleaning products, lubricants, and other elevator components / product companies that are certified MBWE vendors.
3. Listing was not made.
4. Responses were not received.
5. No reasons cited since solicitations were not made.
6. The contract documents were not provided since this is job specific.
7. We participate in utilizing MBWE and minority interest groups for other projects.
8. Schindler Elevator Corporation encourages and promotes participation but this work is job specific and we are compelled by the Local 1 Union agreement to engage union employees for elevator maintenance.
9. We will endeavor to make local purchases of miscellaneous materials and supplies through MBE and other minority interest groups.