



901 New York Ave NW, Suite 300W
Washington, DC 20001
(855) PAINT09 paintcare.org

Request for Proposal, Advertising Agency of Record PaintCare New York Program Public Outreach Support July 15, 2021

1. CONTACT

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2. SUMMARY

PaintCare is a nonprofit organization that develops and operates paint recycling programs on behalf of manufacturers in states that pass paint stewardship laws. PaintCare seeks an advertising agency contractor to support the operation of its statewide public education campaign in New York about postconsumer (leftover) paint recycling.

3. ABOUT PAINTCARE

PaintCare is a nonprofit, 501(c)3 organization based in Washington, D.C. It was established by paint manufacturers through the American Coatings Association to implement paint stewardship programs in states that pass paint stewardship laws. Currently, PaintCare operates programs in California, Colorado, Connecticut, the District of Columbia, Maine, Minnesota, Oregon, Rhode Island, Vermont, and Washington. Additionally, New York passed a paint stewardship law in 2019 and PaintCare is developing a program in that state to launch May 1, 2022.

The New York paint stewardship program is required by [the Postconsumer Paint Collection Program Law](#), signed by Governor Andrew Cuomo on December 16, 2019. On October 30, 2020, PaintCare submitted a draft program plan to the New York State Department of Environmental Conservation (DEC), which will serve as the state's oversight agency for the PaintCare program. The draft program plan can be reviewed on PaintCare's [New York program webpage](#). The New York PaintCare program is expected to begin on November 1, 2021, pending approval of the program plan by the DEC. This Request for Proposal document pertains only to the upcoming PaintCare program in New York.



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New York's paint stewardship law requires manufacturers to develop a system for managing leftover paint from households and businesses. This includes providing convenient locations to drop off paint, transporting it to processors to be recycled into new paint products or put to another beneficial use, and educating the public about leftover paint reduction, reuse, and recycling.

In states where PaintCare operates stewardship programs, it contracts with paint retailers, government-run household hazardous waste programs, and other organizations to serve as year-round paint drop-off sites. All paint drop-off sites will be listed on PaintCare's site locator map on its website. In some areas where PaintCare may also supplement year-round sites with one-day drop-off events.

The paint stewardship program will be funded by a fee placed on sales of new paint in New York, called the PaintCare fee. The fee is remitted to PaintCare by manufacturers, who pass the cost to distributors and retailers. Retailers in turn add the PaintCare fee to the purchase price of new paint products. The PaintCare fee is used in the state where the fee was collected to fund paint collection, transportation, and processing, as well as public education and administration.

The products that are subject to the PaintCare fee are the same products that are accepted at drop-off sites for management and recycling. Detailed information related to paint products covered by PaintCare programs can be found at <https://www.paintcare.org/products>.

4. PAINTCARE'S PUBLIC OUTREACH STRATEGY

PaintCare's public education activities provide the public with general information about the paint stewardship law and the reasons for the program, details about products accepted by PaintCare, fee amounts, descriptions of PaintCare's services, recommendations on how to reduce paint waste and use up leftovers, and opportunities to drop off leftover paint for recycling.

The organization's message platform tailors the commonly known waste hierarchy of "reduce, reuse, recycle" to paint stewardship with "buy right, use it up, and recycle the rest." The key message points, crafted to support the required goals set forth in paint stewardship laws, are defined as follows:

- **Buy right:** Consult with a paint retailer or professional contractor to plan the right amount and type of paint for the job to reduce overall paint waste.
- **Use it up:** Reduce the need for transportation and processing by using up leftover on additional projects or giving it away to others in the community that may benefit from the resource.
- **Recycle the rest:** If you have leftover paint that can't be used up, drop it off at a PaintCare location for recycling or proper management if it's ineligible for recycling.
- **Store right:** PaintCare promotes an additional message encouraging the public to extend the life and usability of paint by storing it properly.

PaintCare's public education campaigns are developed around its message platform and include a call-to-action to visit PaintCare's website to learn more and find a paint drop-off site. Typical activities in other



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states include but are not limited to writing and distributing press releases; advertising campaigns via print media, TV, radio, out-of-home, digital channels, online video, etc.; publishing and distributing print-based materials such as flyers and direct mail; producing informational video content; and social media marketing.

In some states, PaintCare supplements its network of drop-off sites with one-day collection events. In these cases, PaintCare works with its advertising agencies to promote the events to households and businesses based in the event vicinity via direct mail, local advertising, flyers, and social media. It has not yet been determined if PaintCare will hold one-day drop-off events in New York and, if so, where they will take place and how often they will be held.

PaintCare's public education strategy targets the following audiences with tailored messaging for each group:

- Households
- Businesses and organizations that generate paint (e.g., professional painters, contractors, property managers, schools and universities, hotels)
- Relevant trade groups (e.g., associations that serve professional painters, contractors, realtors, and building managers)
- Paint retailers
- HHW programs and solid waste facilities
- Non-English speakers

Most creative development of ads, print materials, web and social content, and other outreach materials is handled by PaintCare's in-house communications and design staff. Occasionally, PaintCare seeks some support from its agencies for creative, audio, and video production from its media agency partners.

5. SCOPE OF WORK

Following are the activities included within the scope of this request:

- A. Develop media strategy:
 - a. Develop and implement a comprehensive media strategy with an integrated approach that fulfills PaintCare's communications goals and objectives by incorporating exposure across paid media channels including traditional outlets, print advertising, outdoor advertising, digital, social, and other media opportunities
 - b. Provide ongoing evaluation of the media strategy's effectiveness and regularly implement improvements as needed
 - c. Utilize secondary research to clearly define target audiences to align communication objectives
- B. Develop Media Plan:
 - a. Perform analysis to identify specific media platforms, projected reach, and identify opportunities to educate and increase awareness



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- b. Propose media buys, analyses, projections, and estimated costs
- C. Produce and Execute Media Buy:
 - a. Obtain prior approval from PaintCare for all proposed media buys
 - b. Confirm proposed and execute media buys to achieve program projections
 - c. Negotiate added value for media placements
 - d. Provide distribution instructions to PaintCare in advance for all creative assets needed to fulfill media tactics
- D. Track and Report Results:
 - a. Track and verify all media buys to confirm budget agreements and placement
 - b. Provide annual recaps that provide key performance indicators by medium
 - c. Review secondary data to determine effectiveness of media buys; refine as needed
 - d. Procure evidence of placement
- E. Consult on Social Media:
 - a. Provide on-call consultation for organic social media projects managed by PaintCare
- F. Develop and Execute Public Relations Plan:
 - a. Develop a public relations plan inclusive of goals, strategy, and proposed timing for each tactic by quarter
 - b. Execute all PaintCare-approved public relations tactics or partner with necessary vendors to do so
 - c. Draft press releases and/or media advisories for PaintCare campaigns, events, sites, and other related initiatives
 - d. Form and leverage relevant media relationships to secure interviews, segments, and photo shoots
 - e. Provide PaintCare with public relations recaps inclusive of any requested metrics
 - f. Generate and pitch state-based newsworthy event ideas or partnerships
 - g. Provide PR staff representation on status calls with PaintCare team and provide updates as needed
 - h. Provide media preparation/training and coordinate press interviews of PaintCare staff
- G. Support Drop-off Site Advertising:
 - a. Provide plan for advertising PaintCare drop-off sites individually or in groupings as directed by staff
 - b. Execute approved drop-off site advertising plan
 - c. Report on effectiveness and metrics of drop-off site advertising plan
- H. Support Drop-off Event Promotion:
 - a. Provide plan for advertising and promoting PaintCare drop-off events as directed by staff
 - b. Execute approved drop-off site advertising and promotion plans
 - c. File metrics of drop-off site advertising and promotion plans for use in future planning

The contractor will work under the direction of PaintCare's director of communications, based in PaintCare's corporate office in Washington, D.C. The contractor will work with other communications staff in Washington, D.C., as well as local state program staff in New York.



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6. BUDGET

In the first year of the New York PaintCare program, the communications budget is expected to be lower than following years because PaintCare intentionally phases in public outreach in new states gradually. This allows time for new paint drop-off locations to be onboarded and acclimate to accepting leftover paint from the public without being overwhelmed. During the first year, PaintCare plans to conduct outreach through press coverage and earned media along with mailing campaigns directed at paint retailers. Most paid advertising will not be phased in until the second year of the program.

As the program matures into its second year of operation, the communications budget is expected to be approximately \$3,000,000 annually. This estimate includes costs for activities conducted by in-house Communications staff (such as mailings, printing, consumer research, etc.), fees for the selected media agency's services, and all advertising costs. The final budget has not yet been determined and may vary from this estimate.

The communications budget may fluctuate each year.

7. CONTRACT TERMS

Some of PaintCare's expected terms for contracting a media agency follow. Additional terms may be included in a final contract between PaintCare and its media agency.

Insurance Requirements

The selected agency will be expected to maintain the following insurance coverage during the term of an agreement:

- Commercial General Liability Insurance—coverage with limits not less than \$2,000,000 per occurrence and \$4,000,000 in the aggregate
- Intellectual Property Insurance—coverage with limits not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate, specifically including broad form intellectual property coverage, and including but not limited to coverage for claims seeking damages for invasion of privacy, violation of publicity rights, libel, slander, defamation, false light, copyright infringement, unauthorized use of property rights, and breach of implied contract.
- Professional Liability (Errors and Omissions) Insurance—coverage with limits not less than \$1,000,000 for each claim and \$2,000,000 in the annual aggregate.
- Workers' Compensation Insurance as required under applicable law.
- Commercial Automobile Liability insurance (owned, non-owned, or hired) with limits not less than \$1,000,000 combined single limit.



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The Commercial General Liability insurance and Commercial Automobile Liability insurance policies must contain or be endorsed to contain PaintCare Inc., its officers, agents, and employees, as additional insureds. A waiver of subrogation in favor of PaintCare Inc., and its officers, agents, and employees must apply to the General Liability, Automobile, and Workers Compensation policies. Contractors are expected to obtain any endorsement that may be necessary to affect the waiver of subrogation. Such policies must contain (i) a written statement in the policies or in endorsements thereto that they are each primary insurance to any other insurance available to the policy holder or to any additional insureds or additional named insureds, and (ii) a separation of insureds provision stating that the insurance applies separately to each insured against whom a claim is made or a suit is brought and that the actions or omissions of any insured that might give rise to application of an exclusion to coverage apply only to that insured actually committing the actions or omissions.

Financial Management

The selected contractor will be asked to send electronic invoices for fees and media costs to PaintCare monthly. Each invoice must include: 1) a unique invoice number preceded by the state abbreviation NY; 2) the date of the invoice; 3) a payment remittance address; 4) a brief description of the services provided; 5) the number of hours incurred for the work performed, if applicable; 6) the date(s) on which the services were provided; 7) the total invoiced amount; and 8) PaintCare's accounting code for each type of service or media from a list that will be provided.

8. QUALIFICATIONS

The ideal agency will have the following experience:

- Working with nonprofits, government agencies, product stewardship organizations, or environmental groups
- Successful projects involving environmental issues such as recycling, product stewardship, conservation, public health, or other public education campaigns
- Planning, budgeting, evaluating, and reporting on the effectiveness of marketing
- Experience executing media strategies throughout New York
- Experience planning, purchasing, and measuring advertising
- Writing and distributing press releases resulting in news coverage
- Identifying and targeting specific populations based on language, age, stage of life, ethnicity, business type, and other factors, including identifying and working with specific types of small businesses (e.g., painting contractors, property managers)
- In-house skills or existing relationships with subcontractors for direct mail and printing
- Established relationships with journalists and media outlets based in the state of New York
- Experience working collaboratively with other media agencies retained by a client



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9. SCHEDULE

Event	Date
RFP distributed and advertised	July 15, 2021
Deadline for receipt of written inquiries regarding the RFP	August 20, 2021
Answers to written inquiries provided	September 3, 2021
Deadline for receipt of proposals	October 1, 2021
Presentations and discussions	October 15 – December 31, 2021
Notice of intent to award	January 28, 2022
Contract execution begins	February 7, 2022
Contract term begins ahead of program launch	March 10, 2022

10. PROPOSAL PREPARATION

Any written inquiries should be sent to Brett Rodgers at brodgers@paint.org.

Proposal submittals shall not exceed 25 pages and should be prepared as one PDF file. Please do not include supplements, multiple files, or appendices.

At a minimum include the following:

1. Cover letter introducing and describing your agency.
2. Descriptions of at least five relevant projects. Include client name, email and phone, total budget, and dates.
3. Resumes of three key staff members who would be working with PaintCare if your agency is selected. Each resume should be limited to one page.

Send proposal document to Brett Rodgers at brodgers@paint.org.