



**Homes and  
Community Renewal**

Andrew M. Cuomo, Governor

RuthAnne Visnauskas, Commissioner/CEO

# **Request for Proposals for Commercial Interior Architectural and Engineering Design Services**

## **Office Build-Out Project for NYC Location**

**Issuance Date:**

**March 14, 2017**

**Submission Deadline:**

**April 4, 2017, 12PM, EDT**

**NEW YORK STATE HOUSING FINANCE AGENCY  
STATE OF NEW YORK MORTGAGE AGENCY**

641 LEXINGTON AVENUE • NEW YORK, NEW YORK 10022  
[www.nyshcr.org](http://www.nyshcr.org)

# *Proposal Checklist*

## **CHECKLIST FOR VARIOUS REQUIRED FORM RELATED ITEMS TO BE COMPLETED AND RETURNED:**

- Intent to Bid form, attached hereto as Exhibit B, *Optional***  
**To be returned prior to the date of Deadline for Submission of Proposals**
  
- Tab 1 - Application Coversheet
  
- Tab 1 - Cover Letter
  
- Tab 2 – Technical Proposal
  - Office Facility Design Experience, Exhibit II
  - Office Facility Design Examples and References, Exhibit III
  - Team Member Matrices, Exhibit IV
  
- Tab 3 – Cost Proposal, Design Services and Anticipated Reimbursable Expenses by Phase, Exhibit V
  
- Tab 4 - Administrative Proposal
  - [Contractor and/or Vendor Information Form](#)
  - [Lobbying Reform Law Form 1](#)
  - [Lobbying Reform Law Form 2](#)
  - [Non-Collusive Bidding Certification Form](#)
  - [Vendor Responsibility Questionnaire – For Profit Business Entity OR Non-Profit Entity;](#)
  - [EEO Staffing Plan, PROC-1](#)
  - [Utilization Plan, PROC-2](#)
  - [MWBE & EEO Policy Statement, PROC-4](#)
  - [Company Demographic Profile, PROC-7](#)
  - [EEOC Statement, PROC-8](#)
  - [Diversity Practices Questionnaire, PROC-9](#)
  - Evidence of Insurance, Minimum Expected Insurance Coverage, Exhibit I
  - Conflict of Interest Statement
  - Statement regarding Disclosure of Commission Findings
  - Proposer’s most recent two years of financial statements or federal tax returns

# *Application Coversheet*

*Attach this form to the top of your proposal.*

**DATE OF APPLICATION:**

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**GENERAL INFORMATION ON FIRM:**

Legal Name of Firm:

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Firm's Mailing Address:

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Firm's Website:

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Firm's Main Telephone Number (including area code):

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Federal Tax ID Number:

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SEC Registration Number (if applicable):

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MBE Registration Number (if applicable):

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WBE Registration Number (if applicable):

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MWBE Registration Number (if applicable):

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SDVOB Registration Number (if applicable):

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**MAIN CONTACT INFORMATION FOR THIS PROPOSAL:**

Please list the individual that will be the main contact *regarding this proposal*:

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**PRINCIPAL IN CHARGE:**

Please list the primary staff person(s) who will provide services relating to the Housing Trust Fund Corporation. Attach additional sheets if necessary.

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**ADDITIONAL CONTACTS (if applicable):**

Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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Contact Name:

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Contact Telephone Number (including area code):

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Contact E-mail Address:

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Contact Facsimile Number (including area code):

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**New York State Housing Finance Agency  
State of New York Mortgage Agency**

**REQUEST FOR PROPOSALS**

**FOR**

**COMMERCIAL INTERIOR ARCHITECTURAL  
AND ENGINEERING DESIGN SERVICES**

**The Lobbying Law designated Contact Officer for this solicitation is:**

Alejandro J. Valella, Vice President and Deputy Counsel  
New York State Homes & Community Renewal  
HFA. SONYMA  
641 Lexington Avenue, 4<sup>th</sup> Floor New York, New York 10022  
[Alex.Valella@nyshcr.org](mailto:Alex.Valella@nyshcr.org)

## **1. Introduction**

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[New York State Homes and Community Renewal](#) (“**HCR**”) consists of all the major housing and community renewal agencies of the State of New York (“**State**” or “**NYS**”) including the New York State Housing Finance Agency (“**HFA**”) and State of New York Mortgage Agency (“**SONYMA**”) (individually, “**Agency**” and collectively, “**Agencies**” and individually or collectively, “**Agency(ies)**”). HCR includes other agencies not involved in this request for proposal (“**RFP**”) process.

## **2. Purpose**

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The Agencies are seeking commercial interior architectural and engineering design services from qualified architects (“**Firms**” or “**Proposers**”) for a build-out/renovation of (i) their existing space in New York City (“**NYC**”) or (ii) a new space at its existing building or (iii) another NYC building (“**Project**”). The successful Proposer will demonstrate qualifications that meet or exceed the minimum requirements in this RFP. The Housing Trust Fund Corporation (“**HTFC**”), a subsidiary of HFA, reserves the right to enter into a contract with the successful Proposer selected by the Agencies.

## **3. Confidentiality**

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The Agencies need for confidentiality requires that any information contained herein and/or divulged via any written and/or oral communication, such as Project specifications, program, scope, location, etc., be treated entirely as confidential. Violations of this confidentiality

requirement may result in disqualification from the Project. The successful Proposer and all parties of the successful Proposer, and applicable consultants, may be required to be signatories to a nondisclosure agreement.

## 4. Overview

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### 4.1 Overview of the Agencies

The Agencies are public benefit corporations of the State of New York, co-located and co-administered from their NYC offices at 641 Lexington Avenue, 4<sup>th</sup> Floor, New York, New York 10022 (“**Current Site**”).

#### 4.1.1 New York State Housing Finance Agency

The [New York State Housing Finance Agency](#) was created in 1960 to promote the production and preservation of affordable rental housing opportunities for low- to moderate- income citizens of the State. Today, HFA is one of the nation’s most prolific issuers of multifamily housing bonds. In furtherance of its mission, HFA is committed to preserving existing affordable rental housing while continuing to be a strong presence in the financing of new affordable housing throughout the State. In 2016, as one of the primary issuers of municipal bonds for housing in the nation, HFA issued approximately \$2 billion of bonds to finance nearly 7,845 units.

#### 4.1.2 State of New York Mortgage Agency

The [State of New York Mortgage Agency](#) was created in 1970 to provide single-family homeownership opportunities for low- to moderate-income New Yorkers. The Agency funds its mortgage lending activities through the issuance of taxable and tax-exempt bonds under two resolutions: the Homeowner Mortgage Revenue Bond Resolution and Mortgage Revenue Bond Resolution. SONYMA has approximately \$2.608 billion of bonds outstanding under its two resolutions. The Agency is one of the nation’s largest issuers of single family housing bonds and the only issuer of such bonds in New York State. In 2016, the Agency issued over \$390 million in bonds and funded over 1,898 mortgages.

More detailed information relating to the Agencies and their respective programs may be found at the Agencies’ website [www.nyshcr.org](http://www.nyshcr.org).

### 4.2 Overview of the Project

The Agencies’ lease of their Current Site is set to expire in January 2019. In anticipation of this event, the Agencies are planning (i) a phased build-out/renovation of their Current Site which may or may not include swing space, or (ii) a build-out/renovation of new space at 641 Lexington Avenue or (iii) a build-out/renovation of new space at another building in NYC (to be determined). The Project will require architectural and engineering planning and design services to accommodate the Agencies’ business operations and associated build-out/fit-out and furniture/fixture/equipment (“**FFE**”) of the facility for successful occupancy by the Agencies and their Affiliates (New York State Affordable Housing Corporation, State of New York Municipal

Bond Bank Agency and Tobacco Settlement Financing Corporation).

The Project strategy and program requirements are not yet defined and will be fully developed with the participation of the successful Proposer (“**Architect**” or “**Contractor**”).

## **5. Assessment of Practices relating to Diversity and Service Disabled Veteran Owned Business Enterprises (“SDVOBs”)**

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### **5.1 Diversity and SDVOB Practices**

The Agencies have determined, pursuant to New York State Executive Law Articles 15-A and 17-B (respectively, “**Article 15-A**” and “**Article 17-B**”), that the assessment of Diversity and SDVOB practices of Proposers responding to this RFP is practical, feasible, and appropriate.

### **5.2 Minority and/or Women Owned Business Enterprise (“Diversity”) Participation**

The Agencies are committed to awarding contracts to firms that are dedicated to diversity and provide high-quality services. The Agencies strongly encourage firms that are certified by the State as minority-and/or women-owned business enterprises (“**MWBEs**”), as well as firms that are not yet certified, but have applied for certification, to submit responses to this RFP. All MWBE firms submitting proposals to this RFP should be registered as such with NYS’s Empire State Development (“**ESD**”). For MWBE firms that are not certified but have applied for certification, please provide evidence of filing, including the filing date.

The Agencies are required to implement the provisions of Article 15-A and 5 NYCRR Parts 142-144 (“**MWBE Regulations**”) for all Agency contracts, as defined therein, with a value in excess of \$25,000. The Agencies strongly encourage joint ventures of MWBE firms with majority firms and MWBE firms with other MWBE firms. For assistance identifying MWBE partners, review the [list of certified State certified MWBEs](#) hyperlinked herein or contact Ms. Lisa G. Pagnozzi, Vice President of Contracts and Administration at [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org).

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% of total contract expenditures for MWBE participation, 15% for minority-owned business enterprises (“**MBEs**”) and 15% for women-owned business enterprises (“**WBEs**”).

### **5.3 Service-Disabled Veteran-Owned Business Enterprise Participation**

The Agencies are committed to awarding contracts to service-disabled veteran-owned business enterprises (“**SDVOBs**”) that provide high-quality services. The Agencies strongly encourage firms that are certified as SDVOBs, as well as firms that are not yet certified, but have applied for certification, to submit responses to this RFP. All SDVOB firms submitting proposals to this RFP should be certified with the State’s Office of General Services (“**OGS**”). For SDVOBs that are not certified but have applied for certification, please provide evidence of filing, including the filing date.

The Agencies are required to implement the provisions of Article 17-B of the Executive Law for all Agency contracts, as defined therein, with a value in excess of \$25,000. For assistance identifying SDVOB partners, review the [list of certified State SDVOBs](#) hyperlinked herein, visit the [State's SDVOB webpage](#) also hyperlinked herein, or contact Ms. Pagnozzi at [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org).

For purposes of this solicitation, the Agencies hereby establish a goal of 6% of total contract expenditures for SDVOB participation.

#### 5.4 MWBE and SDVOB Partner/Subcontractor Interest

NYS certified MWBEs and SDVOBs may request that their firm's contact information be included on a list of MWBE and SDVOB firms interested in serving as a partner or subcontractor for this RFP. The listing will be publicly posted on the Agencies' website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its NYS MWBE certification and/or NYS SDVOB certification to [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org). Nothing prohibits an MWBE or a SDVOB firm from proposing as a prime contractor.

### 6. Calendar of Events and Milestones

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It is anticipated that a contract will be awarded to the successful Proposal in response to this RFP based on the following schedule:

Event	Date
Issuance of RFP	March 14, 2017
Deadline for RFP Questions	March 23, 2017
Deadline for Responses to RFP Questions	March 28, 2017
Deadline for Submission of Proposals	April 4, 2017, 12PM EDT
Interviews, if necessary	Tentatively scheduled for the week of April 10, 2017
Anticipated Selection Date*	May 11, 2017
Anticipated execution of the Contract	May 22, 2017

\*Subject to the approval of the Agencies' Board Members and Directors (“Boards”).

The Agencies reserve the right to modify this schedule at their discretion. Notification of changes in connection with this RFP will be made available to all interested parties via the Agencies' web page at: <http://www.nyshcr.org/AboutUs/Procurement/HCR-Procurement.htm>.



## 7. Intent to Bid

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Proposers are requested to indicate their Intent to Bid by completing the Intent to Bid form, attached hereto as Exhibit B, and submitting the form via email to Lisa G. Pagnozzi at [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org) with the subject line: “Intent to Bid – 2017 Architect/Engineer RFP.”

In submitting an Intent to Bid, Proposers acknowledge that they have reviewed the Minimum Qualifications set forth in Section 8 below.

Note: The Intent to Bid is discretionary, not mandatory, and as such is not binding in any way. However, submission of the Intent to Bid form is highly recommended. Proposers who submit the Intent to Bid form will be notified when information of this solicitation is released or updated.

## 8. Minimum Qualifications

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A Proposer must meet all of the qualifications outlined in this section. These qualifications apply to both the Architect and identified MEP engineer (“**Engineer**”).

1. Experience with complete design of commercial office space interior projects in excess of 50,000 rentable square feet for single tenant occupancy in Manhattan, NYC office buildings. Provide a minimum of (5) relevant projects that includes a:
  - a. Detailed list of each relevant project. Each project to include (i) client name; (ii) project address; (iii) year of project; (iv) project scope; (v) total square feet; (vi) number of floors designed; (vii) name(s) of bidder team members involved; (viii) landlord name; (ix) client name; and (x) reference contact information.
2. Experience with large scale commercial office tenant restack projects with redesign of tenant’s existing office space in Manhattan, NYC office buildings. Provide a minimum of (5) relevant projects that includes a:
  - a. Detailed list of each relevant project. Each project to include: (i) client name; (ii) project address; (iii) year of project; (iv) project scope; (v) total square feet; (vi) number of floors designed; (vii) name(s) of bidder team members involved; (viii) landlord name; (ix) client name; (x) reference contact information.
3. Demonstrated experience with Self-Certification of commercial office space projects in Manhattan, NYC office buildings. **Firm MUST be capable of Self-Certification by in-house NYC staff.** Provide a minimum of (5) relevant projects that includes a:
  - a. Detailed list of each relevant project. Each project to include: (i) name and contact information of firm’s staff authorized to Self-Certify documents.

A Proposer must meet all of the qualifications outlined in this section. Failure to do so will result in the rejection of the proposal. Rejected proposals will not be evaluated by the Agencies.

## 9. Scope of Services

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### 9.1 Project Scope

The Agencies and their Affiliates presently occupy 102,866 rentable square feet (“RSF”) at the Current Site, as follows:

Entire 5th floor:	27,711 RSF
Entire 4th floor:	28,839 RSF
Entire 3rd floor:	28,839 RSF
Partial 2nd floor:	17,477 RSF

The Agencies’ new space requirements include the following general understanding:

- the Agencies have a workplace strategy team in place to perform the workplace strategy services;
- the final space requirements and seating capacity have not yet been identified and will be confirmed during workplace strategy, programming and planning stages; and
- the space design will be comprised of (i) offices, (ii) cubicles, (iii) meeting/conference rooms, (iv) pantry/amenities, (v) IT/IDF rooms, (vi) rest rooms, (vii) mothers/wellness room, (viii) audio visual/video conferencing, (ix) storage, (x) print and mail zones, (xi) reception, (xii) security desk, and (xiii) other spaces necessary for the Agencies’ operation. Space programming and design to be in accordance with the Agencies’ agreed upon scope of work and Project brief.

### 9.2 Project Goals

The Project goals include:

- execution of the Scope of Services within the contracted agreed upon fixed professional services fee;
- execution of the Scope of Services that result in a facility constructed within the Agencies’ performance/design requirements and budget;
- accurate and continual internal and external communication; and
- collegial project team collaboration.

### 9.3 General Baseline Criteria for the Project

The general baseline criteria for the Project include:

- a proper balance of cost, performance, security, reliability and maintainability; and
- adherence to the Agencies’ design guidelines and project requirements.

## 9.4 Project Timeline

The successful Proposer will commence the Scope of Services upon the immediate award and execution of a contract with the Agencies.

- Construction/Fit-out/Testing Completion: TBD
- Agencies' occupancy of existing or new office space: TBD

## 9.5 General Architectural and Engineering Design Service Requirements

It is expected that the selected Architect and their Engineering Design Team (the "Design Consultants") will provide complete, comprehensive and coordinated Commercial Interior Design Services for the Project and all related engineering services (the "**Design Services**"). The Architect is requested to submit a response to this RFP (the "**Proposal**") for the Design Consultants. The Proposal will provide a complete package of Design Services to develop this planned commercial office facility. In addition to the Architect and their Engineer, the candidate Design Consultants must accordingly be comprised of engineers, and applicable professional consultants licensed in the State of New York and possess the necessary expertise for the optimal design and construction administration for the successful execution of the Agencies' facility. The Design Services shall be completed in accordance with the design criteria outlined herein, abide by all applicable design industry standards of professional design, and be executed within the contracted professional Design Services' fees. The requested Design Services, and the Project scope, provided herein, are general only and should not be considered as all inclusive of required work.

## 9.6 Scope of Services

The Design Consultants will be required to provide overall design, engineering, construction document preparation, and coordination services that integrate all disciplines associated with this Project for all Project phases including:

### **1 - Programming and Preliminary Space Plans**

### **2 - Schematic Design**

### **3 - Design Development**

### **4 - Furniture Specifications and programming including the review and use of existing stock furniture to manage the Project budget**

### **5 - Construction Documents and Bidding, Negotiations, Permits, Procurement, Self-Certification**

### **6 - Construction Administration**

It is expected that the Design Consultants will provide detailed coordination services with the Agencies' Project Team (business users, technology, broadcast, real estate, facilities, etc.) and applicable consultants, if any, directly hired by the Agencies. The Design Services listed herein are for general information only and are not an exhaustive list of service requirements. It is understood that all Project Phases, including engineering services, will be developed and delivered according to industry standard service delivery parameters. All drawings and specifications will be required

to comply with all applicable local, State, and federal regulatory requirements. The Design Consultants will be expected to perform comprehensive Design Services including the review of and potential modifications to, the Agencies' initial Programming and other facility requirements. (See Section 9.6.1 for further explanation of the initial Programming.) It is also expected that the Design Consultants will guarantee the Design Services' fee agreement and design within the construction budget.

The Proposal shall be issued by the Architectural Design Firm and will include the following services as part of the P, which may be engaged as required by the Project program:

- Architectural Design Services (Base Service Provider)
- Professional Engineering Services.
- Basic Structural Engineering Services.
- Technology Design Services.
- Lighting Design Services.
- Furniture Design Services
- Acoustical Engineering Services
- NYC Building Department Expediting Services.
- NYC Code Consulting Services.

The Proposal shall include separate fee structures for each of the above listed services, including identification of anticipated reimbursable expenses. Fees shall be provided as a total agreed upon fixed cost **AND** as a square foot unit cost for each relevant phase or as applicable to the respective service. Architect shall identify mark-up rates, if applicable, for all sub-consultants provided as part of this Proposal. Architect Design and Consulting services will be engaged as required by the Project program to be developed. Service providers' proposed fees shall be broken out by phases as indicated below, or as applicable to the service.

### **Project Phases**

#### **A. Pre-Construction**

- 1 - Programming and Preliminary Space Plans
- 2 – Building Evaluations of Proposed Buildings, including Tenant Space, Infrastructure, and Building Systems
- 3 – Phasing Development
- 4 - Schematic Design
- 5 - Design Development
- 6 - Construction Documents and Bidding, Negotiations, Permit Procurement
- 7 – Self Certification

#### **B. Construction and Close-out**

- 8 - Construction
- 9 – Close-out

## 9.6.1 Programming and Preliminary Space Plans

**A. Programming** shall include the items listed below.

1. Inspection of the Agencies' Current Site facility and evaluation of the existing layout efficiency and the standards of quality.
2. Performance of site visits/inspections of prospective facilities being considered by the Agencies, and
  - a. Develop Test Fits, as required, for evaluation of shortlisted prospective facilities.
3. Review of the Agencies' workplace strategy findings' document and engaging a transition meeting to review report with the Agencies' workplace strategy representative.
4. Confirmation and provision of more detailed information, as needed, on:
  - a. staff headcount projections for current staffing and three (3), five (5) and ten (10) year increments;
  - b. work process and pattern mapping/flows;
  - c. inter and intra-departmental relationships;
  - d. storage and special area requirements;
  - e. special lighting, security, acoustical, and environmental requirements;
  - f. MDF/IDF/Data/Server Room requirements;
  - g. workstation/furniture requirements, including existing stock to be reused;
  - h. office and special area equipment requirements; and
  - i. other important Programming information as may be necessary to accurately reflect the Agencies' design program.
5. Development of a more detailed space occupancy program report including, but not limited to:
  - a. conversion of all personnel, furniture, and equipment space needs into usable square foot ("USF") requirements from the Agencies' RSF projections;
  - b. calculations and projections of USF requirements as it relates to personnel headcount forecasted for current, three (3), five (5), and ten (10) year timelines;
  - c. stacking diagrams defining departments, groups and special function areas;
  - d. specialty area design considerations (lighting, acoustics, security, etc.);
  - e. in conjunction with the Agencies' furniture vendor, recommendations for alternate space or furniture systems that could increase the Agencies' efficiency and/or space utilization; and
  - f. other information as may be necessary.

6. Development and documentation of specific work area standards and functional requirements (i.e. including electrical, technology, cabling, lighting, structural, etc.) for all applicable areas including, but not limited to, the following:
  - a. private offices;
  - b. workstations and systems furniture;
  - c. conference areas and meeting rooms;
  - d. reception and seating areas;
  - e. production areas (mail room, reproduction, etc.);
  - f. ancillary support functions (pantry, coffee, copy, closets, etc.);
  - g. file areas;
  - h. storage areas, print and mail zones, coat wardrobes, etc.;
  - i. coordinate printers, fax machines and photo copier layouts;
  - j. upgrade and modify the restrooms, mother's room and ADA rest room;
  - k. special purpose facilities (kitchen, lunch room, etc.);
  - l. computer room and satellite telephone/data closets;
  - m. special audio/video areas (teleconferencing and projection facilities); and
  - n. engineering services, including base design.

## **B. Preliminary Space Plans**

**Develop preliminary space plans** for each of the building alternatives to the Agencies' satisfaction using the information gathered during workplace strategy development and detailed programming. Each space plan shall be prepared on a 1/8" = 1' - 0" scale floor plan and shall include:

1. layout of the Agencies' proposed premises showing interior walls, open areas, door swings, demising walls, corridor partitions and exterior window walls in relationship to the building core and entire floor plan;
2. the location and accurate size of columns, stairways, elevators and other building features;
3. names and sizes of all rooms contained on the space plan; and
4. applicable workstation layouts in open areas.

### **9.6.2 Schematic Design**

The schematic design shall include:

1. development, documentation, and presentation of a design concept to the Agencies' satisfaction based upon the Agencies' desired image, budget, and schedule and consistent with the established standards developed during the Programming phase. Meet with the Agencies' stakeholders (all groups) and obtain the Project design brief and prepare and issue a return Design Services brief for the Agencies' approval. The Design Services brief will clearly document all elements for the Project design, finishes and facilities operational requirements and will form the brief going forward;

2. necessary follow-up as required to complete schematic design phase; and
3. multiple iterations of schematic designs may be required as a result of the Agencies' approval process.

### **9.6.3 Design Development**

The design development shall include:

1. development, documentation and presentation of a complete design and color palette for the Project premises to the Agencies' satisfaction, including but not limited to, the selection of paint, furniture, window treatments, fabrics, wall coverings and floor coverings;
2. presenting the design, including some 3D images of the space demonstrating the floor layout, to the Agencies' senior management for approval; and
3. develop design development/scope documents providing sufficient notations, specifications and details to describe the improvements for accurate preliminary pricing for the Agencies' approval.

It is expected that the Design Architect and Engineer will be required to make revisions as necessary to facilitate the Agencies' approval.

### **9.6.4 Furniture Specifications**

The furniture specifications shall include:

1. developing initial scope drawings for each workstation(s), private office(s) and ancillary furniture requirement;
2. developing a generic "typical" for each work setting including, but not limited to, plan, interior elevations and 3D isometric drawings with notations;
3. developing complete finish palette options for each work setting;
4. obtaining budget pricing from the Agencies' approved furniture dealer for each work setting;
5. organizing a tour of applicable manufactures, if required;
6. preparing complete set of specifications for competitive bidding to (3) manufactures or dealers;
7. analyzing bids, preparing bid comparison for review with the Agencies;
8. coordinating furniture locations with power and communication plans; and
9. conducting and publishing furniture "Punch-list" with the Agencies and furniture dealer.

### **9.6.5 Construction Documents and Bidding, Negotiations, Permit Procurement**

#### **A. Construction Documents**

1. Preparation of complete set of construction documents developed from the Agencies' approved set of scope documents to be prepared on reproducible drawing:

- a. One (1) reproducible set shall be provided to the Agencies for review at 50% and 90% completion stages; and
  - b. One (1) reproducible set shall be provided to General Contractors, as directed by the Agencies, and to the Agencies after all required corrections are made on the original set of documents.
2. The construction documents will be sufficient to allow for complete and accurate pricing and construction of the intended space. Documents shall be complete, thorough, well-coordinated among consultants, etc.
3. The Architect shall be responsible for preparing the construction documents indicated below, as required. This scope shall be modified and finalized, as required. The Architect shall also be responsible for coordinating its construction documents with construction documents prepared by others as well as providing timely interpretations of its construction documents to the selected mechanical, electrical, structural, and life safety engineers, as well as other consultants and/or contractors, which the Agencies may choose to become involved, including:
  - a. any modifications to the structural system of the building;
  - b. the layout, design and equipment specifications for HVAC distribution, including air outlets, return and supply air and thermostats, to be coordinated with architectural and lighting designs;
  - c. the electrical power circuitry and low voltage circuitry documents for tele/data, life-safety, music, lighting controls and communication system;
  - d. any and all applicable plumbing or riser diagrams; and
  - e. fire protection plans, except that the Architect shall show the location of sprinkler heads, strobe speakers or combination devices on its reflected ceiling plan.

## **B. Bidding, Negotiations, Permit Procurement**

1. Prior to the completion of the Construction Documents, at approximately 80% completion, the Architect and Engineer shall prepare a permit set of documents showing all required information necessary to obtain a building permit in the designated locality.
2. The Architect and Engineer to provide appropriate architects' seal as required.
3. The Architect and Engineer to participate in a pre-construction conference with the Agencies, other consultants and the General Contractor to mutually agree upon the administration process and to further review critical areas of interface and the impact of long-lead products and Permit Procurement.
4. The Architect and Engineer to attend General Contractor bid review meetings as requested.

### **9.6.6 Construction Administration**

Construction administration shall include the Architect and Engineer performing the tasks listed below.



1. Participate in weekly construction meetings; onsite as required and/or deemed appropriate/necessary.
2. Being available to provide interpretation and clarification to contract documents and respond to field construction issues as necessary.
3. Review and approve required shop drawings, samples, product information as required to facilitate completion of the Project; no review period shall take more than one (1) week for any single submission.
4. Conduct Project site inspections during construction to monitor the work progress, including:
  - a. verify locations of work as requested by the Agencies or General Contractor;
  - b. verify that the work is proceeding in accordance with the contract documents;
  - c. prepare periodic field reports as necessary and maintain an ongoing punch list for issue to the General Contractor after each visit;
5. prepare and issue bulletins as required;
6. attend weekly construction meetings at the Project construction site;
7. conduct necessary Project reviews in order to prepare and issue to the General Contractor, an appropriate "punch-list" of items to be corrected before final payment; and
8. review certificate(s) for payment certifying that the quality of the contractors', suppliers' and/or vendors' work is in accordance with contract documents and that such entities are entitled to payment in the amounts certified.

## 10. Administrative Information

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### 10.1 Questions and Answers

Any questions or requests for clarification regarding this RFP must be submitted via email to [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org), citing the RFP page and section, no later than the date identified in the “*Calendar of Events and Milestones*” section of this RFP. The “Subject” line of the email should indicate “2017 Architect/Engineer Services.”

Questions will not be accepted orally and any question received after the deadline may not be answered. The list of questions/requests for clarifications and the official Agency responses will be posted in a timely manner on [HCR’s “Procurement Opportunities” webpage](#).

Proposers should note that all clarifications and exceptions are to be resolved prior to submission of the Proposal.

An electronic version of this RFP will be posted on [HCR’s website](#) in addition to any subsequent changes, additions or deletions to the RFP, including the timelines and target dates. **Proposers are**

encouraged to check [HCR's website](#) frequently for notices of any clarifications, changes, additions, or deletions to the RFP.

## 10.2 Amendments and Addenda

The Agencies reserve the right to modify any part of this RFP including, but not limited to, the date and time by which Proposals must be submitted and received by the Agencies, at any time prior to the Deadline for Submission of Proposals date listed in the “*Calendar of Events and Milestones*” section of this RFP. Modifications to this RFP will be made by issuance of amendments and/or addenda. Any amendment or addendum to this RFP will become part of this RFP.

Prior to the Deadline for Submission of Proposals date, any such clarifications or modifications as deemed necessary will be posted to [HCR's website](#).

If the Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Proposer will immediately notify the Agencies of such error in writing and request clarification or modification of the document.

There are no designated dates for release of addenda. Therefore, interested Proposers should check the Agencies' website frequently through the Deadline for Submission of Proposals date. It is the sole responsibility of the Proposer to be knowledgeable of all addenda related to this RFP process. However, please note, that in accordance with Section 7 herein, **Proposers who submit the Intent to Bid form will be notified when information relating to this RFP is released or updated.**

## 10.3 Restriction of Communication

Pursuant to State Finance Law (“SFL”) §§139-j and 139-k, this RFP imposes certain restrictions on communications between the Agencies and their Affiliates (including the HTFC and NYS Division of Housing and Community Renewal, other agencies that constitute HCR), and a potential Proposer during the RFP process. A Proposer is restricted from making contacts that a reasonable person may infer were intended to influence the selection of a firm or company to perform (or provide) the proposed professional services (or goods) in this RFP, from the date of publication of this RFP until the awarding of a contract(s) by the Agencies (the “**Restricted Period**”) with any person other than the designated staff member named below, unless it is a contact that is included among certain statutory exceptions set forth in SFL §139-j(3)(a). Employees of the Agencies and their Affiliates, including any employees of the agencies that constitute HCR, are required to obtain certain information when contacted during the Restricted Period and make a determination of responsibility of the Proposer under the SFL. Findings of non-responsibility can result in rejection for contract award and in the event of two (2) findings within a four (4) year period, the Proposer will be debarred from obtaining governmental contracts.

For further information, please refer to the following website:  
<http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/Faq.htm>.

For all Lobbying Law Contacts, please contact:

Alejandro J. Valella, Vice President and Deputy Counsel  
New York State Homes & Community Renewal  
HFA. SONYMA.  
641 Lexington Avenue, 4<sup>th</sup> Floor, New York, New York 10022  
[Alex.Valella@nyshcr.org](mailto:Alex.Valella@nyshcr.org)

If you have inquiries regarding this RFP or would like to contact the Agencies regarding issues not relating to Lobbying Law Contacts, please contact:

Lisa G. Pagnozzi, Vice President, Contracts and Administration  
New York State Homes & Community Renewal  
HFA. SONYMA.  
641 Lexington Avenue, 4<sup>th</sup> Floor, New York, New York 10022  
[Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org)

OR

Berniesha Coleman, Assistant Contract Administrator  
New York State Homes & Community Renewal  
HFA. SONYMA.  
641 Lexington Avenue, 4<sup>th</sup> Floor, New York, New York 10022  
[Berniesha.Coleman@nyshcr.org](mailto:Berniesha.Coleman@nyshcr.org) AND [Nyhomes.Proposal@nyshcr.org](mailto:Nyhomes.Proposal@nyshcr.org)

Other than the three contact persons identified above, prospective Proposers shall not approach Agency employees, or any employees of the agencies that constitute HCR, during the Restricted Period about any matters related to this RFP or any Proposal(s) submitted pursuant thereto.

## 10.4 The Contract

The Agencies intend to enter into a single contract with the successful Proposer (the “**Architect**”). The contract term will be for up to a two year period, subject to approval by the Agencies’ Boards. The Agencies, at their discretion, may exercise their option to modify any provision in the contract (including the term), on an as needed basis, with the mutual written consent of the contracting parties. Any contract that exceeds a five year period will require the affirmative concurrence of the Agencies’ Boards to extend the contract without undergoing a new solicitation process.

The successful Proposer will be required to execute a contract with the Agencies that includes an agreed upon fixed fee for the services. It is the intent of the Agencies to add the Agencies’ form of contract (the “**Contract**”) as an addendum to this RFP prior to the Deadline for Submission of Proposals date listed in the “*Calendar of Events and Milestones*” section of this RFP. The Contract will incorporate the Agencies’ [Standard Clauses for Contracts](#) and [MWBE Participation Requirements and Procedures for Contracts](#), hyperlinked herein as Appendices I and II respectively. Any proposed deviations in the form of the Contract will be factored into the selection process.

## 10.5 Affordable Care Act

It is the sole responsibility of the successful Proposer to provide and maintain all Affordable Care Act (“ACA”) requirements/benefits. The ACA mandates employers with 50 or more full-time equivalents to offer coverage to full-time employees and their dependents or pay taxes if an employee obtains Exchange coverage and a premium tax credit<sup>1</sup>. Employees of the successful Proposer providing services to the Agencies are employees of the successful Proposer and are not employed by any Agency nor the State of New York.

## 11. Proposal Requirements

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A complete Proposal for this RFP is comprised of four (4) separate tabs: (i) Tab One: Application Cover Sheet and Cover Letter; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; and (iv) Tab Four: Administrative Proposal.

The Proposal must be complete and prepared in a format consistent with the instructions provided in this RFP. In all instances, the Agencies’ determination regarding a Proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive at the Agencies’ sole discretion. Proposers should not refer to other parts of the Proposal, to information that may be publicly available elsewhere, or to the Proposer’s or other websites in lieu of answering a specific question.

### 11.1 Proposal Submission Requirements

Proposals must be delivered by email no later than the Proposal due date and time indicated in the “*Calendar of Events and Milestones*” section of this RFP.

Proposals must be submitted by email to [Nyhomes.proposal@nyshcr.org](mailto:Nyhomes.proposal@nyshcr.org) in searchable portable document format (“PDF”) compatible with Adobe Reader XI. The Agencies will not accept discs, flash drives, or FTP file references that require the Agencies to download information from the Proposer’s or a third party’s site. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable) and “1 of X”, “2 of X”, etc., and the last email as “X of X – Final” for each additional email.

The Proposal must be bookmarked and divided into four parts: (i) Tab One: Application Cover Sheet and Cover Letter; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; and (iv) Tab Four: Administrative Proposal. Proposals must be sent in two emails and labeled as follows: (a) one email to include Tabs One and Two and the subject line of the email must be labeled: “2017 Architect: Tabs 1 and 2”; and (b) the other email must include Tabs Three and Four, and the subject line of the email must be labeled “2017 Architect: Tabs 3 and 4”.

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<sup>1</sup> . Exchange coverage allows a firm to use the State’s insurance exchange marketplace to obtain coverage from competing private health care providers.

Any Proposal delivered after the date and time designated as the Proposal submission deadline listed in the “*Calendar of Events and Milestones*” section of this RFP may be deemed ineligible. It is the Proposer’s sole responsibility to ensure that all emails and attachments are delivered on time in a legible format. Proposers assume all risk for Proposal delivery.

A Proposal may be deemed to be non-responsive because it is materially incomplete. The Agencies reserve the right to seek clarification or request additional information.

The determination of whether any Proposal is complete or was received on time is at the sole discretion of the Agencies.

All submitted Proposals shall become the property of the Agencies.

## **12. Contents of Proposals**

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The Proposer must submit a Proposal that clearly provides all of the information required in this RFP. Emphasis should be made on conformance to the RFP instructions, responsiveness to the RFP requirements, and clarity of content. The Proposer is advised to thoroughly read and follow all instructions contained in this RFP. Proposals that do not comply with these instructions, or do not meet the full intent of all the requirements of this RFP may be subject to scoring reductions during the evaluation process or may be deemed non-responsible.

The Agencies do not require, nor desire, any promotional material that does not specifically address the response requirements of this RFP.

Proposals should demonstrate that the Proposer is qualified to perform the Scope of Services based upon prior relevant professional experience. An Agency review committee will conduct a comprehensive review of each Proposal.

Each Proposer is required to submit the information and documentation listed below in the order in which it is requested. A Proposal that does not include all required information and completed forms may be subject to rejection.

The completed Proposal will include Tabs One through Four, as described in the Proposal Submission Requirements section of this RFP. Each Tab must be electronically bookmarked as “Tab 1,” “Tab 2,” “Tab 3,” and “Tab 4” and must be presented in the exact order requested in this RFP. The content in Tab 2 must be limited to ten (10) letter-size pages (single or double spaced, minimum 12 point font, and at least one inch margins). The ten page limit in Tab 2 does not include resumes, references, organizational charts, forms, exhibits, etc.

The Proposer’s Proposal should contain responses to the items listed below.

### **12.1 TAB 1: Cover Letter**

The Proposer’s cover letter must not exceed three (3) pages and must include:

1. The Proposer's name, address, telephone number, fax number, email address and web site address, if applicable;
2. The name, title, telephone number, fax number and email address of the individual within the Proposer's organization who will be the Agencies' primary contact concerning the Proposal;
3. A summary of the Proposer's organizational history and legal structure (e.g. corporation, evidence of MWBE and/or SDVOB certification status, etc.);
4. A statement affirming the number of years that the Proposer or its principals have provided similar services to those described in the Scope of Services;
5. The name(s) of the primary staff who will provide services to the Agencies;
6. Listing of subcontractors and for each subcontractor, provide the information in numbers 2 to 5 above.
7. Listing of experience satisfying the Minimum Qualifications set forth in Section 8.
8. A written certification confirming that the information contained in the Proposal is true and accurate and that the person signing the cover letter is authorized to submit the Proposal on behalf of the Proposer.

The three page limit does not include the response to number seven above.

## **12.2 TAB 2: Technical Proposal**

This section of the RFP provides instructions to Proposers regarding information that is to be included in the Technical Proposal. Proposals must be complete, factual and as detailed as necessary to allow the Agencies to adequately evaluate capabilities and experience.

The purpose of the Technical Proposal is to provide the Proposer an opportunity to demonstrate its qualifications, competence and capacity to undertake the Scope of Services described in this RFP, in a manner which complies with the requirements of this RFP. Proposals must specifically detail a Proposer's qualifications and experience in providing the Design Services sought by the Agency.

If you intend to use subcontractors, inclusive of consultants and design professionals, to perform any portion of the work described in this RFP, your proposal must clearly state such and indicate which portion(s) of the work will be subcontracted out. All information pertaining to the subcontractor(s) must be submitted in a similar and consistent format to the overall proposal.

Your response must include responses to the following items.

## 12.2.1 Architect/Engineering Team Profile

### 1. Organizational Structure

- a. How many years have the Architect and Engineer been in business under its present business name? If applicable, list former and/or any other names under which the organization has operated.
- b. What is the ownership form of the Architect and the Engineer? If applicable, list the state of incorporation.
- c. Provide an Architect/Engineer Team organizational chart.
- d. Identify the Architect's and Engineer's different disciplines or services offered.
- e. Provide a listing of Architect's and Engineer's offices.
- f. What office location will the Project team be staged?

### 2. Financial Capability and Stability

- a. Refer to **Minimum Expected Insurance Coverage, attached hereto as Exhibit I**. Include Architect and Engineer coverage and provide all applicable certificates of such or indicate ability to obtain the required coverage by execution of the Contract between the Architect and the Agencies.

The Agencies shall be named as an additional insurer. Written evidence of the insurance coverage shall be provided by the successful Proposer to the Agencies upon execution of the Contract.

In the event the insurance coverage is cancelled, the Agencies must be notified immediately.

- b. For the past three years, what is the Architect's annual book of business – both Architectwide and for the office that will be handling this Project?

### 3. Litigation

- a. Has the Architect or Engineer, or any organization on the team, ever been sued? If yes, please explain.
- b. Has any team member of the Proposer ever been sued relative to their profession? If yes, please explain.
- c. Does the Architect, Engineer or any consulting organizations of the Proposer, currently have pending litigation? If yes, please explain.

## 12.2.2 Performance

### 1. Office Experience

- a. Submit completed **Office Facility Design Experience, attached hereto as Exhibit II**, which may exceed the Minimum Qualifications identified in Section 8 and set forth in the Proposer's Cover Letter. Identify any experience with New York State government projects.
- b. What percentage of the Architect's total annual workload involves design services for office facilities? Identify any experience with engagements in NYS. Provide sufficient detail.

### 2. References

- a. From the information provided in response to question 1.a above, submit completed **Office Facility Design Examples and References, attached hereto as Exhibit III**. Provide information for at least five facilities that are substantially similar to the profile of this facility type that are currently either under design and/or construction and/or near substantial completion and/or have been completed within the past three years.
  - i. Provide Project documentation per Attachment A for one or more of the projects in Exhibit III that is similar to the Agencies' requirements. The chosen example(s) must be projects on which the proposed team members have worked within the last three years.

### 3. Work Backlog

- a. Outline the current and future work backlog, and elaborate on how this Project will be properly managed in concert with the other office work demands.

## 12.2.3 Project Management

### 1. Team Organization, Size, and Specialized Experience

- a. Provide a detailed Architect and MEP Engineer organization chart indicating the team's (i.e., architecture, engineering) management, consulting disciplines, and respective staffing hierarchies. Include the entire staff for the Project; this chart should demonstrate the breadth, depth, and size of the proposed team. Provide resumes for each proposed team member and a description of each proposed team member's role and percentage of their time to be committed to this Project during each phase.

*It is expected that the Architect will be assigned to this Project for its complete life cycle. However, it is also a reality that some members of the Architect may cease to be employed / contracted / associated with the Architect. Indicate the ability to replace such potential vacancies by providing information regarding the depth of professional capital resources. Staff changes require the prior approval of the Agencies. The Agencies reserve the right to terminate the contract if changes to the Architect do not meet Agencies' expectations.*

- b. If it is anticipated that the Project will be staffed with personnel from offices other than the one used to stage the Project. Indicate who they are, from what office they are



typically staffed, and logistically how their expertise will be used to facilitate superior service to the Agencies.

- c. Provide résumés that outline the Architect members' qualifications based on previously demonstrated work, including the number of years with their respective Architect.
- d. Submit completed **Team Member Matrices**, attached hereto as **Exhibit IV**.
- e. If applicable, identify anticipated sub-consultants and their function on the Project, and provide detailed descriptions of the projects worked on together, including associated references.

## **2. Project Delivery Methods**

- a. Provide overviews of Project delivery methods, and associated deliverables, for the following phases of the Project:
  - i. Programming/Planning;
  - ii. Schematic Design;
  - iii. General Contractor Selection;
  - iv. Design Development;
  - v. Construction Documentation;
  - vi. Bidding, Construction Contract Negotiations, and Permit Procurement; and
  - vii. Construction Administration and Commissioning.
- b. State how continuance of provision of Services will be assured between phases and throughout the entire duration of the Project.

## **3. Design and Construction Schedule based on target occupancy, third quarter, 2018**

- a. Provide a sample Design Schedule including time frames for all applicable design and implementation phases. Include in the schedule appropriate permitting time frames, required Agency approvals and other milestones as deemed appropriate.
- b. Realizing that you are not a general contractor, the Agencies nevertheless desire from the Architect an anticipated construction schedule that would be appropriate for the Project of this profile. Use past experience with similar projects as a benchmark.

### **12.2.4 General**

Furnish any additional information would help demonstrate the Architect's qualifications for this assignment.

## **12.3 TAB 3: Cost Proposal**

Proposers must complete the Design Services Compensation and Anticipated Reimbursable Expenses by Phase, attached hereto as Exhibit V, to indicate the professional fees and anticipated reimbursable Project fees. Note that the team will be required to closely organize their work with the Agencies' consultants in order to facilitate total Project coordination.

## 12.4 TAB 4: Administrative Proposal

Proposers are subject to the requirements described in the [Agencies' Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Exhibit A. Such requirements include, but are not limited to, submission of the following information and forms of the Agencies: (a) [Contractor and Vendor Information FORM](#); (b) [Lobbying Procurement Law FORM 1 and Lobbying Procurement Law FORM 2](#) ; (c) [Non-Collusive Bidding Certification FORM](#); and (d) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#); (e) [EEO Staffing Plan, PROC-1](#); (f) [Utilization Plan, PROC-2](#); (g) [MWBE & EEO Policy Statement, PROC-4](#); (h) [Company Demographic Profile PROC-7](#); (i) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees; and (j) [Diversity Practices Questionnaire, PROC-9](#).

In addition to completion of the forms hyperlinked in the paragraph above, Proposers must provide all other information indicated in this Section 10.4 for Tab 4.

### 12.4.1 Financial Capacity

Provide the last two years of your firm's most recent tax returns, or if available audited financial statements.

### 12.4.2 Conflict of Interest

Disclose any existing or contemplated relationship with any other person or entity, including relationships with any parent, subsidiary or affiliated entity, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Proposer or former officers and employees of the Agencies and their Affiliates, in connection with your rendering the services enumerated in this RFP. If a conflict does or might exist, please describe how your firm would eliminate or prevent it. Indicate what procedures will be followed to detect, notify the Agencies of, and resolve any such conflicts.

### 12.4.3 Disclosure of Commission Findings

The Proposer must disclose whether its entity, or any of its members discussed in the above paragraph, has been the subject of any investigation or disciplinary action by the New York State Commission on Public Integrity or its predecessor State entities (collectively, "**Commission**"), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

### 12.4.4 Licenses, Certifications and other Credentials

The Proposer must respond affirmatively that it, and its subcontractors (if any), will have, prior to commencement of work under the Contract, all necessary licenses, certifications, approvals, and other needed credentials to perform the Scope of Services in this RFP.

## **12.4.5 Practices relating to Diversity and SDVOBs**

Proposers must provide the following information relating to MWBEs:

- (i) Please share any ideas you may have for joint venture partnerships which would meet the 30% overall MWBE participation requirement;
- (ii) If the Proposer is a NYS certified MWBE firm, provide documentation evidencing certification. For MWBE firms that are not certified but have applied for certification, provide documentation evidencing the application, including the filing date (please note that MWBEs must be certified by execution of the Contract);
- (iii) If the Proposer is not certified as a MWBE firm by NYS, include descriptions of the instances, if any, in which the Proposer has worked with MWBE firms on previous projects by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated; and
- (iv) A statement by the Proposer indicating its willingness to engage in MWBE partnering, subcontracting, or mentoring arrangements with an MWBE firm selected by the Proposer. Such statement should include an explanation of how the Proposer would suggest structuring such an arrangement and allocating services and fees between the firms.

Proposers must provide the following information relating to SDVOBs:

- (v) Please share any ideas you may have for joint venture partnerships which would meet the 6% SDVOB participation requirement;
- (vi) If the Proposer is a NYS certified SDVOB firm, provide documentation evidencing certification. For SDVOB firms that are not certified but have applied for certification, provide documentation evidencing the application, including the filing date (please note that SDVOBs must be certified by execution of the Contract);
- (vii) If the Proposer is not certified as a SDVOB firm by NYS, include descriptions of the instances, if any, in which the Proposer has worked with SDVOB firms on previous transactions by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated; and
- (viii) A statement by the Proposer indicating its willingness to engage in SDVOB partnering, subcontracting, or mentoring arrangements with a SDVOB firm selected by the Proposer. Such statement should include an explanation of how the Proposer would suggest structuring such an arrangement and allocating services and fees between the firms.

## 13. Evaluation of Proposals

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### 13.1 Preliminary Review

The Agencies reserve the right to reject all Proposals received after the RFP due date and time. The Agencies also reserve the right to reject all Proposals that do not meet the Minimum Requirements of this RFP. All Proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Incomplete proposals may be rejected.

### 13.2 The Evaluation and Criteria for Selection

The evaluation process will begin with the review and evaluation of each of the written proposals. The purpose of the evaluation is two-fold: (1) to examine the responses for compliance with the requirements of this RFP; and (2) to identify the complying firm that has the highest probability of satisfactorily performing the Scope of Services, described herein. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

Proposals will undergo an evaluation process conducted by a committee of the Agencies (“**Committee**”). The Committee will evaluate proposals based on the qualifications of both the firm and its current personnel. The Committee will evaluate the proposals based upon the following criteria:

- Demonstrated experience and ability to provide the services in the Scope of Work;
- Demonstrated competence, knowledge and technical expertise and capacity to perform the Scope of Services;
- Cost effectiveness;
- Presence of an office in the State of New York;
- Diversity and commitment to equal opportunity and MWBE and SDVOB programs;
- Avoidance of any potential conflict of interest or appearance of impropriety and policies designed to ensure the avoidance of such conflicts in the future;
- Financial stability;
- Insurance requirements;
- Review of all information provided in the proposal; and
- Interviews to clarify or expand on the RFP response (to be conducted at the discretion of the Agencies).

### 13.3 Interviews

The Agencies reserve the right to determine whether interviews will be necessary and the number of firms to be interviewed. If the Agencies deem interviews necessary, selected firms will be notified. The Proposer’s primary staff person who would be responsible for the Agencies’ relationship with the Proposer, as well as other key personnel proposed to provide services, including its subcontractor’s primary staff person, must be present and participate in the interview. The purpose of the interview is to further document the Proposer’s ability to provide the required services, and to impart to the Agencies’ Committee an understanding of how specific services will be furnished. The interview will be evaluated on the basis of whether it substantiates the

characteristics and attributes claimed by the Proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

The Agencies reserve the right to negotiate or hold discussions with any Proposer.

### **13.4 Selection and Notification Process**

The selected Proposer will be notified via U.S. mail or email. Proposers who are not selected will be notified of the Agencies' determination via U.S. mail or email.

## **14. Pertinent Information for Proposers**

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### **14.1 Proposal Requirements**

A Proposer may withdraw a Proposal any time prior to the final due date and time by written notification, signed by an authorized agent, to the contact person identified in in this RFP. The Proposal may thereafter be resubmitted, but not after the final due date and time.

By responding to this RFP, the Proposer indicates its acceptance of the provisions and conditions enumerated in this RFP. The Proposer warrants and affirms that the terms of this RFP, and any resultant agreement, do not violate any contracts or agreements to which it is a party, and that its other contractual obligations will not adversely influence its capabilities to perform under a contract awarded by the Agencies.

### **14.2 Agency Requirements**

By submitting a proposal, the Proposer covenants that it will not make any claims or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.

The Agencies shall not be obligated for any cost incurred by the Proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.

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## 15. Information relating to MWBEs, EEO, SDVOB and use of State Businesses

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### 15.1 Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority-and Women-Owned Business Enterprises

#### 15.1.1 New York State Law

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145, the Agencies recognize their obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of Agency contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether MWBEs had a full and fair opportunity to participate in State contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("**Disparity Study**"). The report found evidence of statistically significant disparities between the level of participation of MWBEs in State procurement contracting versus the number of MWBEs that were ready, willing and able to participate in State procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the State-wide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that the Agencies establish goals for maximum feasible participation of New York State certified MWBEs and the employment of minority groups members and women in the performance of New York State contracts.

#### 15.1.2 Business Participation Opportunities for MWBEs

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% for MWBE participation, 15% for NYS certified MBE participation and 15% for NYS certified WBE participation (based on the current availability of qualified MBEs and WBEs). A contractor ("**Contractor**") on the subject contract ("**Contract**") must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors, partners or suppliers in the performance of the Contract and the Contractor agrees that the Agencies may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=3972> . For guidance on how the Agencies will determine a Contractor's "good faith efforts," refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and the Agencies may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a Proposal, a Proposer on the Contract ( “**Proposer**” or “**Bidder**”) agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System (“**NYSCS**”), which can be viewed at <https://ny.newnycontracts.com/frontend/diversityusers.asp> , provided, however, that a Proposer may arrange to provide such evidence via a non-electronic method by contacting Ms. Lisa G. Pagnozzi at [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org) . Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. For additional information on the use of the NYSCS to meet Proposer’s MWBE requirements, please click on the following hyperlinked MWBE guidance, “[\*Your MWBE Utilization and Reporting Responsibilities Under Article 15-A.\*](#)”

Additionally, a Proposer will be required to submit the following documents and information as evidence of compliance with the foregoing:

- a. A MWBE [Utilization Plan](#) with their Proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to the Agencies.
- b. The Agencies will review the submitted MWBE Utilization Plan and advise the Proposer of the Agencies’ acceptance or issue a notice of deficiency within 30 days of receipt.
- c. If a notice of deficiency is issued, the Proposer will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the Agencies at 641 Lexington Avenue, 4th Floor, New York, NY 10022, Fax number 917-274-0364, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Agencies to be inadequate, the Agencies shall notify the Proposer and direct the Proposer to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the Proposal.

The Agencies may disqualify a Proposer as being non-responsive under the following circumstances:

- a) If a Proposer fails to submit a MWBE Utilization Plan;
- b) If a Proposer fails to submit a written remedy to a notice of deficiency;
- c) If a Proposer fails to submit a [request for waiver](#); or
- d) If the Agencies determine that the Proposer has failed to document good faith efforts.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to the Agencies, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a [Cumulative Payment Statement](#) to the Agencies, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

## **15.2 Contractor Requirements and Procedures for Equal Employment Opportunities (“EEO”) for Minority Group Members and Women**

### **15.2.1 Equal Employment Opportunity Requirements**

By submission of a bid or proposal in response to this solicitation, the Proposer/Contractor agrees with all of the terms and conditions of [Appendix I – Standard Clauses for All New York State Contracts including Clause 7 - Equal Employment Opportunities for Minorities and Women](#).

The Proposer will be required to submit a [Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, PROC-4 Form](#) to the Agencies with their Proposal.

To ensure compliance with this Section, the Proposer will be required to submit with the Proposal an [Equal Employment Opportunity Staffing Plan PROC-1 Form](#), identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit an [Equal Employment Opportunity Workforce Utilization Report](#) identifying the workforce actually utilized on the Contract, if known, through the New York State Contract System; provided, however, that a Proposer may arrange to provide such report via a non-electronic method by contacting Ms. Lisa G. Pagnozzi at [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org) .

Furthermore, pursuant to Article 15 of the Executive Law (the “**Human Rights Law**”), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

**Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.**

## **15.3 Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses**

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“**SDVOB**”), thereby further integrating such businesses into New York State’s economy. The Agencies recognize the need to promote the employment of service-disabled veterans and to ensure that



certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of Agency contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in NYS, Proposers are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

### **15.3.1 Contract Goals**

- A. The Agencies hereby establish a goal of 6% for SDVOB participation on the Contract resulting from this solicitation process, based on the current availability of qualified SDVOBs. For purposes of providing meaningful participation by SDVOBs, the Proposer/Contractor should reference the directory of New York State Certified SDVOBs found at <https://ogs.ny.gov/Veterans/> . Questions regarding compliance with SDVOB participation goals should be directed to Ms. Lisa G. Pagnozzi at [Lisa.Pagnozzi@nyshcr.org](mailto:Lisa.Pagnozzi@nyshcr.org) . Additionally, following Contract execution, Contractor is encouraged to contact the Office of General Services' Division of Service-Disabled Veterans' Business Development at 518-474-2015 or [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss additional methods of maximizing participation by SDVOBs on the Contract.
- B. Contractor must document "good faith efforts" to provide meaningful participation by SDVOBs as subcontractors or suppliers in the performance of the Contract (see subsection 13.3.4 below).

### **15.3.2 SDVOB Utilization Plan**

- A. In accordance with 9 NYCRR § 252.2(i), Proposers are required to submit a completed SDVOB [Utilization Plan](#), hyperlinked herein, with their bid.
- B. The Utilization Plan shall list the SDVOBs that the Proposer intends to use to perform the Contract, a description of the work that the Proposer intends the SDVOB to perform to meet the goals on the Contract, the estimated dollar amounts to be paid to an SDVOB, or, if not known, an estimate of the percentage of Contract work the SDVOB will perform. By signing the Utilization Plan, the Proposer acknowledges that making false representations or providing information that shows a lack of good faith as part of, or in conjunction with, the submission of a Utilization Plan is prohibited by law and may result in penalties including, but not limited to, termination of a contract for cause, loss of eligibility to submit future bids, and/or withholding of payments. Any modifications or changes to the agreed participation by SDVOBs after the Contract award and during the term of the Contract must be reported on a revised SDVOB Utilization Plan and submitted to the Agency(ies).
- C. The Agency(ies) will review the submitted SDVOB Utilization Plan and advise the Proposer/Contractor of the Agencies(ies) acceptance or issue a notice of deficiency within 20 days of receipt.

- D. If a notice of deficiency is issued, Proposer/Contractor agrees that it shall respond to the notice of deficiency, within seven business days of receipt, by submitting to the Agency(ies) a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Agency(ies) to be inadequate, the Agency(ies) shall notify the Proposer/Contractor and direct the Proposer/Contractor to submit, within five business days of notification by the Agency(ies), a request for a partial or total waiver of SDVOB participation goals. Failure to file the waiver in a timely manner may be grounds for disqualification of the bid or proposal.
- E. The Agency(ies) may disqualify a Proposer's bid or proposal as being non-responsive under the following circumstances:
- (i) If a Proposer fails to submit an SDVOB Utilization Plan;
  - (ii) If a Proposer fails to submit a written remedy to a notice of deficiency;
  - (iii) If a Proposer fails to submit a request for waiver; or
  - (iv) If the Agency(ies) determines that the Proposer has failed to document good faith efforts.
- F. If awarded a Contract, Contractor certifies that it will follow the submitted SDVOB Utilization Plan for the performance of SDVOBs on the Contract pursuant to the prescribed SDVOB contract goal set forth above.
- G. Contractor further agrees that a failure to use SDVOBs as agreed in the Utilization Plan shall constitute a material breach of the terms of the Contract. Upon the occurrence of such a material breach, the Agency(ies) shall be entitled to any remedy provided herein, including but not limited to, a finding of Contractor non-responsibility.

### 15.3.3 Request for Waiver

- A. **Prior to submission of a request for a partial or total waiver, Proposer/Contractor shall speak to the Designated Contact(s) at the Agency(ies) for guidance.**
- B. In accordance with 9 NYCRR § 252.2(m), a Proposer/Contractor that is able to document good faith efforts to meet the goal requirements, as set forth in subsection 13.3.4 below, may submit a request for a partial or total waiver, accompanied by supporting documentation. A Proposer may submit the request for waiver at the same time it submits its SDVOB Utilization Plan. If a request for waiver is submitted with the SDVOB Utilization Plan and is not accepted by the Agency(ies) at that time, the provisions of subsection 13.3.2 (C), (D) and (E) will apply. If the documentation included with the Proposer's/Contractor's waiver request is complete, the Agency(ies) shall evaluate the request and issue a written notice of acceptance or denial within 20 days of receipt.
- C. Contractor shall attempt to utilize, in good faith, the SDVOBs identified within its SDVOB Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract award may be made at any time during the term of the Contract to the Agency(ies), but must be made no later than prior to the submission of a request for final payment on the Contract.

- D. If the Agency(ies), upon review of the SDVOB Utilization Plan and Monthly SDVOB Compliance Report determines that Contractor is failing or refusing to comply with the contract goals and no waiver has been issued in regards to such non-compliance, the Agency(ies) may issue a notice of deficiency to the Contractor. The Contractor must respond to the notice of deficiency within seven business days of receipt. Such response may include a request for partial or total waiver of SDVOB contract goals.

Waiver requests should be sent to the Agency(ies).

#### **15.3.4 Required Good Faith Efforts**

In accordance with 9 NYCRR § 252.2(n), Contractors must document their good faith efforts toward utilizing SDVOBs on the Contract. Evidence of required good faith efforts shall include, but not be limited to, the following:

- (i) Copies of solicitations to SDVOBs and any responses thereto;
- (ii) Explanation of the specific reasons each SDVOB that responded to Proposers'/Contractors' solicitation was not selected;
- (iii) Dates of any pre-bid, pre-award or other meetings attended by Contractor, if any, scheduled by the Agency(ies) with certified SDVOBs whom the Agency(ies) determined were capable of fulfilling the SDVOB goal set in the Contract;
- (iv) 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 SDVOBs; and
- (v) Other information deemed relevant to the waiver request.

#### **15.3.5 Monthly SDVOB Contractor Compliance Report**

In accordance with 9 NYCRR § 252.2(q), Contractor is required to report Monthly SDVOB Contractor Compliance to the Agency(ies) during the term of the Contract for the preceding month's activity, documenting progress made towards achieving the Contract SDVOB goals. This information must be submitted using the form available on the [Agency\(ies\)' website](#) and should be completed by the Contractor and submitted to the Agency(ies), by the 10th day of each month during the term of the Contract, for the preceding month's activity to: [Econ.Opportunity@nyshcr.org](mailto:Econ.Opportunity@nyshcr.org).

#### **15.3.6 Breach of Contract and Damages**

In accordance with 9 NYCRR § 252.2(s), any Contractor found to have willfully and intentionally failed to comply with the SDVOB participation goals set forth in the Contract, shall be found to have breached the contract and Contractor shall pay damages as set forth therein.

## **15.4. The Use of New York State Businesses in Contract Performance**

The Agencies are committed to awarding a contract to a firm that will provide high-quality services at a reasonable and competitive cost and will substantially perform the Scope of Services, as described in this RFP, from an office(s) or location(s) within New York State.

New York State businesses have a substantial presence in State contracts and strongly contribute to the economics of the State and the nation. In recognition of their economic activity and leadership in doing business in New York State, Proposers for this Agency procurement are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the Agency awarded contract. Such partnering may be as subcontractors, suppliers, protégés, providers of office and work space, and/or other supporting roles.

Proposers need to be aware that all authorized users of the awarded contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, Proposers are reminded that they must continue to utilize small, minority and women-owned businesses, and service-disabled veteran businesses consistent with current State law.

Utilizing New York State businesses in Agency contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the Contractor's optimal performance under the contract award, thereby benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its Contractors. The Agencies therefore expect the successful Proposer to provide maximum assistance to New York businesses in its use of the awarded contract. The potential participation of all kinds of New York businesses will deliver great value to the State and its taxpayers.

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## APPENDICES

- Exhibit A The Agencies' [Standard Clauses and Requirements for Solicitations](#), hyperlinked herein
- Exhibit B Intent to Bid, attached herein below
- Exhibit I Minimum Expected Insurance Coverage, attached herein below (attach to Tab 2, Technical Proposal)
- Exhibit II Office Facility Design Experience, attached herein below (attach to Tab 2, Technical Proposal)
- Exhibit III Office Facility Design Examples and References, attached herein below (attach to Tab 2, Technical Proposal)
- Exhibit IV Team Member Matrices, attached herein below (attach to Tab 2, Technical Proposal)
- Exhibit V Cost Proposal, Design Services Compensation and Anticipated Reimbursable Expenses by Phase, attached herein below (attach as Tab 3, Cost Proposal)
- Appendix I [Agencies' Standard Clauses for Contracts](#), hyperlinked herein
- Appendix II [MWBE Participation Requirements and Procedures for Contracts](#), hyperlinked herein

Tab 4, Administrative Proposal forms, hyperlinked herein below

[Contractor and/or Vendor Information Form](#)

[Lobbying Reform Law Form 1](#)

[Lobbying Reform Law Form 2](#)

[Non-Collusive Bidding Certification Form](#)

[Vendor Responsibility Questionnaire – For Profit Business Entity OR Non-Profit Entity;](#)

[EEO Staffing Plan, PROC-1](#)

[Utilization Plan, PROC-2](#)

[MWBE & EEO Policy Statement, PROC-4](#)

[Company Demographic Profile, PROC-7](#)

[EEOC Statement, PROC-8](#)

[Diversity Practices Questionnaire, PROC-9](#)

Exhibit A

Agencies' [Standard Clauses and Requirements for Solicitations](#), hyperlinked herein

Exhibit B

(Intent to Bid form to follow this page)



INTENT TO BID FORM

New York State Housing Finance Agency
State of New York Mortgage Agency

Request for Proposals for Commercial Interior Architectural and Engineering Design Services:

This is to notify you that it is our present intent to submit a proposal in response to the above referenced RFP and .to acknowledge that we have read the listing of experience satisfying the Minimum Qualifications set forth in Section 8 of the RFP.

The individual to whom all information regarding this RFP should be transmitted is:

Company Name:

\_\_\_\_\_

Contact Name: \_\_\_\_\_

Street Address:

\_\_\_\_\_

City, State, & Zip: \_\_\_\_\_

Phone Number: Fax Number: \_\_\_\_\_

\_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Authorized Signature:

Name\_ \_\_\_\_\_ Title: \_\_\_\_\_

(\_\_\_\_\_) \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_
Phone Number FAX Number

Email completed Intent to Bid Form to: Lisa.Pagnozzi@nysher.org



**Exhibit I: Minimum Expected Insurance Coverage:**

**\*Where there is a conflict between Landlord and Client Requirements, the higher Insurance value shall be provided.**

TYPE OF COVERAGE	NYSHCR Required Coverage	Architect's Limits of Coverage
<b>1 - COMPREHENSIVE GENERAL LIABILITY</b>		
General Aggregate	2,000,000	<b>INDICATE COVERAGE</b>
Products and Complete Operations Aggregate	2,000,000	<b>INDICATE COVERAGE</b>
<p><i>Note: Coverage will include contractual liability coverages that comply with contractor's hold harmless and indemnity obligations as contained in any contract with NYSHCR. This should include bodily injury, property damage, broad form property damage, personal injury, products, and complete operations for a combined bodily injury and property damage limit as stated above.</i></p>		
<b>2 - PROFESSIONAL LIABILITY</b>		
Per Occurrence	1,000,000	<b>INDICATE COVERAGE</b>
General Aggregate	2,000,000	<b>INDICATE COVERAGE</b>
<p><i>Note: Coverage will include professional liability coverage with a limit of liability as stated above.</i></p>		
<b>3 - AUTOMOBILE LIABILITY</b>		
Combined Bodily Injury and Property Damage	1,000,000	<b>INDICATE COVERAGE</b>
<p><i>Note: Coverage will be extended to owned, hired, and non-owned vehicles for the limit as stated above.</i></p>		
<b>4 – WORKERS' COMPENSATION and EMPLOYER'S LIABILITY</b>		
<b>Worker's Compensation</b>	Coverage according to State of New York Compensation statutes. Policy must be endorsed to provide a <b>Waiver of Subrogation</b> in favor of NYSHCR, its Subsidiaries and/or affiliates.	
<b>Employer's Liability (New York)</b>		
Each Accident – Policy Limit	1,000,000	<b>INDICATE COVERAGE</b>
Disease - Policy Limit	1,000,000	<b>INDICATE COVERAGE</b>
Disease - Each Employee	1,000,000	<b>INDICATE COVERAGE</b>

<b>5 – COMMERCIAL UMBRELLA LIABILITY</b>		
Combined Bodily Injury and Property Damage per occurrence.	10,000,000	<b>INDICATE COVERAGE</b>
General Aggregate	10,000,000	<b>INDICATE COVERAGE</b>
<b>6 – FIDELITY/EMPLOYEE DISHONESTY</b>		
Note: Coverage will be provided for the benefit of NYSHCR for any employee dishonesty, computer crime, or fidelity exposures performed with a limit of liability acceptable to NYSHCR.	<b>2,000,000</b>	<b>INDICATE COVERAGE</b>

### **Additional Insurance Requirements**

Contractor and any subcontractors shall procure and maintain any and all insurance which is required by any applicable current or future law, rule, regulation, ordinance, permit, license, order or other legal requirement.

All insurance shall be primary and non-contributory and shall waive subrogation against the Agencies and all of either of their former, current, or future officers, directors, and employees. No deductible of more than \$50,000 shall be permitted without advance written approval by the Agencies, which the Agencies may withhold, condition or deny in its sole and exclusive discretion.

The Contractor shall provide Certificates of Insurance to the Agencies prior to the commencement of work and shall provide full and complete copies of the actual policies and all endorsements upon request. Subcontractors under this Contract shall be required to maintain insurance meeting all of the requirements set forth in above; however Contractor shall require subcontractors to maintain greater limits and/or other or additional insurance coverages if greater limits and/or other or additional insurance coverages are (a) generally imposed by the Contractor given its normal course of business for subcontracts for similar work or services to those being provided by the subcontractor at issue; or (b) reasonable and customary in the industry for similar work or services to those anticipated hereunder.

If the above insurance requirements are potentially excessive because they exceed the type and/or amount of insurance which is reasonable and customary for similar work or services in the same general geographic area, Contractor shall, within fifteen (15) calendar days of the execution of this Contract, provide written notice of the same to the Agencies, along with a written summary of the type and amount of insurance Contractor believes is reasonable and customary for similar work or services in the same general geographic area. The Agencies may, in the Agencies' sole and exclusive discretion, but is under no obligation to, waive, decrease, or otherwise alter or amend the insurance requirements in light of this notice. However, notwithstanding anything to the contrary herein, nothing in this paragraph requires or shall be deemed to require the Agencies to waive, decrease, alter or amend, in whole or in part, any insurance requirements as a result of the foregoing notice from Contractor or for any

other reason, and no waiver, decrease, alteration or amendment shall be made except as approved in advance and in writing by the Agencies.

If the above insurance requirements are potentially inadequate because they do not meet or exceed the type and/or amount of insurance which is reasonable and customary for similar work or services in the same general geographic area, Contractor shall, within fifteen (15) calendar days of the execution of this Contract, provide written notice of the same to the Agencies, along with a written summary of the type and amount of insurance Contractor believes is reasonable and customary for similar work or services in the same general geographic area. The Agencies may, in the Agencies' sole and exclusive discretion, but is under no obligation to increase, supplement, expand, or otherwise alter or amend the insurance requirements in light of this notice. However, notwithstanding anything to the contrary herein, nothing in this paragraph requires or shall be deemed to require the Agencies to increase, supplement, expand, or otherwise alter or amend, in whole or in part, any insurance requirements as a result of the foregoing notice from Contractor or for any other reason, and no increase, supplement, expansion or other alteration or amendment shall be made except in an amendment to this Contract, as approved in advance and in writing by the Agencies.

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**Exhibit II: Office Facility Design Experience**  
(Refer to Section 8 and 12.2.2)

Use the following format to indicate the Architect's overall design experience. Provide additional information as deemed appropriate to evidence eminence in this field.

<i>Client/Project Name</i>	<i>Date Range</i>	<i>Duration</i>	<i>Size (RSF)</i>	<i>Construction Cost</i>

**Exhibit III: Office Facility Design Examples and References**  
**(Refer to Section 12.2.2)**

Use the following format to provide examples and applicable references for the Architect's Design Project Examples and References. Provide information for at least five facilities that are substantially similar to the profile of this facility type that are currently either under design and/or construction and/or near substantial completion and/or have been completed within the past three years.

Provide project documentation for one or more of the facilities in this Exhibit that is similar to NYSHCR's requirements. The chosen examples must be of projects on which the proposed Architect have worked.

**The following table is for concept only. Use as much space as needed to provide the following information. Provide photographs.**

NAME OF PROJECT	PROJECT LOCATION
PROJECT COST	DATE OF PROJECT COMMENCEMENT and DURATION
RSF	TYPE OF CONSTRUCTION CONTRACT
CLIENT REFERENCE INFORMATION Name Address Telephone	
CONSULTING ENGINEER and OTHER PROFESSIONAL REFERENCE(S) Name Address Telephone	
UNIQUE SERVICES Describe the unique capabilities and/or services that were utilized on this project.	

**Exhibit IV: Team Member Matrices**  
**(Refer to Section 12.2.3.1)**

Use the following format to evidence the Architect's design expertise, and their collaborative work experience. Provide additional information, as deemed appropriate to evidence the Architect's experience. Use the following matrix format for **each** Architect member. Note: projects from prior employers may be listed; indicate which projects are such.

<b>TEAM MEMBER: (name)</b>					
<b>FUNCTIONAL TITLE: (current title and functional role for this project)</b>					
<b>NUMBER OF YEARS OF EMPLOYMENT WITH ARCHITECT: (number of years)</b>					
Client/Project Name	Project Description	Constructi on Cost	Function al Role	Size (Square Feet)	* Duration

\* The team member's time on the project.

Use the following matrix format to indicate which Architect members participated on which project. Complete the Matrix by indicating what the functional role of the appropriate Architect Member was on the applicable project. The intent of this matrix is to indicate the degree to which the project team has worked together. Expand the table to accommodate the appropriate number of team members.

Client/Project Name	TEAM MEMBER 1	TEAM MEMBER 2	TEAM MEMBER 3	TEAM MEMBER 4

Indicate Functional Role in Each Applicable Cell

**Exhibit V: Design Services Compensation and Anticipated Reimbursable Expenses by Phase (Refer to question 13.a)**

All columns are required to be completed.

<b>PHASE</b>	<b>Percent of Project</b>	<b>Fixed Fee</b>	<b>Dollars per Square Foot</b>
1 - Programming and Preliminary Space Plans			
2 - Building Evaluations			
3 - Schematic Design			
4 - Design Development			
5 - Furniture Specifications			
6 - Construction Documents and Bidding, Negotiations, Permit Procurement			
7 - Construction Administration			
<b>Total Fees</b>			

  

	<b>Reimbursable Expense Description</b>	<b>Anticipated Expense</b>
	1 - Programming and Preliminary Space Plans	
	2 - Building Evaluations	
	3 - Schematic Design	
	4 - Design Development	
	5 - Furniture Specifications	
	6 - Construction Documents and Bidding, Negotiations, Permit Procurement	
	7 - Construction Administration	
	Total Expenses	