

**University at Buffalo,  
State University of New York  
New Residence Hall**

**Request For Proposals  
RFP #5559**



**State University of New York**



**Dormitory Authority of the State of New York**

**March 5, 2020**

**REQUEST FOR PROPOSAL FOR  
UNIVERSITY AT BUFFALO, STATE UNIVERSITY OF NEW YORK  
NEW RESIDENCE HALL**

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## **Section 1 – General RFP Information:**

### **1.1 Introduction to DASNY**

The Dormitory Authority State of New York (DASNY) is a public benefit corporation of the State of New York empowered by Titles 4 and 4-B of the Public Authorities Law (the “Act”), to provide design and project management services to, and to issue its bonds, notes and other obligations, for not-for-profit institutions for public purposes. Under the Act, DASNY provides services in connection with the design, construction and financing of capital facilities for State University of New York, including dormitories and educational facilities; City University of New York Senior Colleges and Community Colleges; Boards of Cooperative Educational Services; Cities and Counties with respect to Court Facilities and combined occupancy structures, as defined by law; the New York State Departments of Health, Education and Mental Hygiene with respect to certain facilities under their jurisdiction; other State and local governmental entities; independent colleges and universities; facilities for the aged; certain not-for-profit hospitals and nursing homes, as well as other not-for-profit organizations specifically described in the Act.

### **1.2 Introduction to University at Buffalo; the State University of New York (UB)**

The University at Buffalo (UB) is working to find solutions to the global challenges we face through their research and empower the next generation of change agents through their teaching. This foundation further leverages ten core carbon reduction strategies that form the backbone of UB’s climate action plan. These ten strategies are:

1. Implement a phased carbon pricing system across the University
2. Source 100% of electricity from renewable sources by 2025
3. Electrify 100% of the University’s fleet vehicles
4. Establish a zero carbon heating and cooling strategy for North, South and Downtown Central Plants
5. Achieve zero waste across all university material streams
6. Attain a 30% reduction in building energy use through conservation measures
7. Create zero carbon commuting pathways for student, faculty and staff
8. Quantify the carbon impact of our university’s food system by 2021 and set goals to half that by 2030
9. Purchase offsets to achieve climate neutrality with greatest local impact
10. Craft cutting-edge climate action analysis metrics and continuous improvement system

Within the University at Buffalo, Campus Living oversees the student housing program operation. Their Vision, Mission and Values are critical for the implementation of this new facility, and are as follows:

#### **VISION**

To be the Benchmark for a World Class Student Housing Program

## MISSION

Inclusive Residential Communities,  
Personal Growth and Learning,  
Every Day for Every One.

## VALUES

Inclusion: Creating a community that welcomes and celebrates every student, staff and guest with all of their diverse identities, beliefs and ways of thinking.  
Learning: Cultivating an environment for all students and staff to expand their knowledge through exploration and engagement.  
Safety: Foster an environment that protects the community's physical, personal (psychological, sociological), technological and economic well-being.  
Integrity: Demonstrating honesty, reliability, trustworthiness and ethical behavior in all we do.

### 1.3 Sustainability

#### DASNY Policy:

DASNY promotes and supports sustainable design approaches and construction practices. Our internal processes shall facilitate integrated design and recognition of sustainable opportunities in every project, regardless of size or complexity, using all the tools available to us.

The intent of this policy is to ensure the design and construction teams, in support of NYS goals for sustainability, resiliency and energy efficiency, establish clear sustainable goals for the project, work toward those goals, produce the documentation confirming the goals have been achieved, and that the project remains within the established budget and programmatic parameters that make up the project description.

All projects that are new construction, additions, or significant renovations shall include a goal of LEED Silver at a minimum and shall be fully submitted for a rating review to GBCI (Green Business Certification Inc.) using the U.S. Green Building Council (USGBC) LEED online system.

Each project will include these requirements:

- 1) Registration for LEED at the start of the project.
- 2) Use of Design Performance Modeling (DPM) approaches to inform design for sustainability including improved relation to site specific climate.
- 3) Inclusion of a Commissioning Authority beginning at the schematic design phase.
- 4) Tracking, measurement and preparation of all LEED documentation. This documentation shall be included in the design and construction process, regardless of the nature of the project.

#### SUNY's Program Directive IB-2 Net Zero Carbon New Buildings:

In concert with the SUNY Chancellor's call for all new buildings to be Net Zero Carbon, the Design team will need to provide a Net-Zero Energy Ready (NZER) Building project. The building shall be ultra-energy efficient with infrastructure and connections so that on-site renewable energy systems can be installed in the future to achieve Net-Zero Energy usage.

#### University at Buffalo's Program Directive:

The University has identified goals for this project to support their sustainability commitments, with a particular focus on health, well-being, culture and learning. The University has identified the DASNY

and SUNY directives as a baseline requirement and aspires to higher achievements in support of their Climate action plan and Campus Living vision, mission and values. The project should make use of other guidance and rating systems such as Fitwell, WELL, Passive House, and Living Building Challenge, in full or in principal, to support this focus. Additional systems do not eliminate the need for submission to GBCI for review under the LEED rating system.

## **Section 2 – Project Information:**

For the proposes of this RFP, the terms “proposer,” “design professional,” and “firm” are used interchangeably.

### **2.1 Project Background**

DASNY seeks proposals from Design Professionals to provide architectural/engineering design, bid and construction administration services for a new 600-bed residence hall for the University at Buffalo (UB), The State University of New York (SUNY). This new facility will be constructed on the UB’s North Campus in Amherst.

### **2.2 Project Scope of Work**

The Design Professional shall provide architectural and engineering services for the design, construction, administration, and coordination with a commissioning agent, for a new 600-bed dormitory with first floor mixed use. The Design Professional shall consider the following items as representative of the major requirements in the scope of services to be provided, however, it should not be construed as the complete list of items necessary for the completion of the project and to meet the clients’ intent to provide a new facility.

UB’s New Residence Hall project seeks Net Zero Carbon and Net Zero Energy Ready (NZC + NZER) Building performance in a building project that supports the occupants’ health and prosperity, within budget, while respecting nature’s resources and mechanical and natural systems.

Project parameters include:

- 600-bed dormitory with first floor mixed use.
- Design Professional will be required to work with Construction Manager at Risk/CM Build and produce early foundation/site utility package.
- A Programming report will be provided to the successful project team. The program document will address key project scope such as confirmation of exact bed count, bed type mix, RA ratios and amenity spaces. The document will establish objectives for environmental and resilient design, as well as requirements for academic or commercial program spaces.
- Integrated Design Process throughout the project, including implementation of the Owners Project Requirement (OPR) document, and recommended Basis Of Design (BOD) documentation to be updated at each phase of the work.
- Use of innovative design to achieve the highest building performance.
- Requirements for a human-centered, healthy, comfortable, flexible, and supportive environment for the occupants, which creates a sense of belonging in the overall campus community.
- Performance Modeling to inform design and budget, supplemented by Energy Modeling to refine energy performance and provide predictive information on energy use and energy cost, reflecting on established EUI targets.

- Student occupancy is required for the start of the Fall 2023 semester (Construction completion 7/2023).
- Incorporation of DASNY and SUNY sustainability requirements.
- Identification and employment of sustainability program(s) that supports UB's strategies, mission, value and vision.
- The requirement is for the project to be Net Zero Carbon. Additionally, the building shall be ready with the infrastructure needed to achieve Net Zero Energy building performance. This NZER performance will be achieved by a future separate Owner addition of renewable energy systems on-site.
- Post Occupancy Evaluation period engagement for up to one year's duration with the intent of:
  - Confirming energy and usability performance goals
  - Implementing reasonable adjustments for performance improvements
  - Developing case studies and lessons learned documents to share
  - Refining the ZNC-ready retrofit solution to strengthen its replicability as an approach for future projects

Specific Energy goals include:

- Design and construct a highly energy efficient building with significantly reduced energy consumption, below the energy code standard for new buildings.
- The project, at initial occupancy, shall be NZC + NZER – Ready; any energy use can be offset on a net annual basis by the future installation of on-site renewable energy.
- Design must incorporate a zero carbon heating and cooling strategy.
- The project intends to meet a site Energy Use Intensity (EUI) of 31 kBTU/SF/Year or less.

Other goals include:

- Community: the project shall consider the uniqueness of the University at Buffalo community, it's students and its student residence and will foster a positive, sensitive atmosphere and value academic success.
- Adaptability: the project shall consider the needs of its future residents, and the necessary adaptability of the facility to accommodate these changing requirements.
- Teaching tool: the project shall consider opportunities to utilize the facility as a teaching tool, showcasing and exemplifying sustainability as part of the University's Sustainable Development Goals.
- Focus on health, well-being, culture and learning for the occupants of the building.
- Indoor Air Quality and Materials: As NZEB goal achievement requires a tight building envelope and highly controlled ventilation, it is imperative to reduce the toxins in building materials and to design the building to enhance indoor air quality. Project shall focus on air quality goals and maintenance of air quality in operations.
- Construction Waste reduction: The SUNY system has a Zero Waste Goal and this project requires a minimum diversion rate of 75% (by volume or weight) of total construction and demolition, non-hazardous material through recycle, reuse, and/or salvage.

NYSERDA:

The Design Professional will apply and work with the campus to complete all documentation needed for NYSERDA's New Commercial Construction Program. The Design Professional will be required to work with the University, NYSERDA and their consultants to apply, administer and secure energy incentives. All incentives shall go directly to the University.

All site and utility information available from UB will be turned over to the Design Professional, however, the Design Professional will be required to augment that information as needed to determine the appropriate placement of the new facility, on the identified site. The building design shall comply with UB design and specification guidelines, as well as the current New York State Building Code and be sensitive to the principals of Universal Design.

The Design Professional will meet with DASNY and UB designees to review the programmatic requirements, and develop at least three design options, and present those options to the client for final selection. Once the final selection has been determined, the Design Professional will develop renderings from the selected concept and proceed with the design documents through the various phases. The Design Professional will meet with the client and DASNY for 30%, 60% and 100% design review and sign-off by client. The Design Professional will submit to DASNY Quality Control four submissions, 30%, 60%, 100% and bid documents submission for sign off, code review, permitting, and bid. Design submissions to demonstrate compliance with DASNY, SUNY and UB's sustainability requirements.

### **2.3 Project Construction Budget**

The estimated construction budget for this project is \$73,000,000.

### **2.4 SEQRA**

Information regarding the SEQRA status of this Project is contained below.

- DASNY's Office of Environmental Affairs (OEA) has conducted a SEQRA review of this project and determined (PM to add findings). As such, the Design Professional is not anticipated to be required to participate in any SEQRA activities for this project.
- DASNY's Office of Environmental Affairs will conduct a SEQRA review of this project utilizing a term Environmental Consultant to complete DASNY's Environmental Assessment Form – Part I and any required technical information (e.g., traffic study), as determined by OEA. The Design Professional is anticipated to participate in the following SEQRA activities:
  1.  Preparation of a detailed written narrative describing the architectural elements of the Project.
  2.  Development of drawings, schematics, and plans in a format and size suitable for use by DASNY's Environmental Consultants.
  3.  Coordination and interface by the Design Professional with DASNY's OEA Environmental Consultants, Construction Manager, and/or Engineer may also be required at the direction of the Environmental Manager and Project Manager.
  4.  Prepare and conduct a presentation of the project at a public hearing.

### **2.5 Project Permitting**

The Construction Permitting Agency for this project will be DASNY.

### **2.6 Applicable Codes, Rules & Regulations**

The project shall comply with all applicable codes, rules and regulations. It is the Design Professional's responsibility to ensure compliance. In addition to those codes, rules and regulations determined to be applicable the Design Professional shall also comply with the following: the latest NYS Building Code,

the latest Energy Code, EO 88, USGBC LEED Rating System, NYS DEC storm water, air and petroleum bulk storage regulations, NYSERDA requirements and NYS Green Building Construction.

## 2.7 Project Management Software

Primavera P6™ (current version) will be utilized as the scheduling tool and Primavera Contract Management™ (current version) will be utilized as the management tool to plan, track and record all project-related schedules, correspondence, submittals, transmittals, meeting minutes, requests for information, daily logs, project costs, change management and reporting. In addition, DASNY at their option will deploy these systems from available web-based and/or Application Service Provider (ASP) system(s). Proposers responding to this RFP shall engage these systems, hereinafter referred to as “The Project Management System”, for all project deliverables.

## 2.8 Project Schedule/Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFP	03/05/2020
Pre-Proposal Meeting/Site Visit	03/24/2020 (3:00 PM)
Deadline for RFP Questions	03/27/2020 (5:00 PM)
Post Responses to RFP Questions	04/01/2020
Proposal Due Date	04/09/2020 (5:00 PM)
Interviews/Presentations (no earlier than)	05/07/2020
Notice of Award (no earlier than)	05/21/2020

A **Pre-Proposal Meeting** will be held at University at Buffalo, Greiner Hall Room B120 on March 24, 2020, at 3 PM. Interested firms shall RSVP with the name of attendees to the RFP Coordinator, Christine Ostrander at [RFPCoordinator@dasny.org](mailto:RFPCoordinator@dasny.org) by March 23, 2020.

The purpose of this meeting is to describe the project, goals and to answer any questions presented by the proposers. Representatives of DASNY and the University at Buffalo will be available to answer questions regarding this RFP.

## 2.9 Qualifications and Certification Requirements

- The Design Team shall have recent experience within the past 10 years, in designing and constructing residence halls, or other institutional buildings, that are similar in size, scope, schedule duration, and/or complexity;
- The Design Team shall have a demonstrated history of successful collaboration and design innovation in constructing complex facilities using engineering/procurement/construction (“EPC”) methodologies and integrative processes;
- The Design Team or team members shall have a demonstrated history of work on low-energy buildings and/or buildings achieving a high-performing certificate such as Net Zero and/or Net Zero Ready Buildings, LEED, Passive House, and Living Building Challenge, or other sustainability programs. Demonstrated expertise in Building Science and use of low-carbon materials is of value;
- Experience with CM @ Risk/CM Build project delivery methodology;
- Project estimating capabilities; and
- An established and verified QA/QC Program.



**Section 3 - Content and Format of the Technical Proposal:**

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested using numbered side tabs that correspond with each of the numbered tabs below. Your technical proposal must contain sufficient information to assure DASNY of its accuracy.

Tab 1. **COVER LETTER:**

Include a **cover letter** with the following items:

- a. The name, title, telephone number, fax number and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
- b. The primary contact's name, title, telephone number, fax number and email address for each subconsultant who will perform work under this contract.
- c. The identities of the primary staff proposed to provide services to this RFP.
- d. A statement to the effect that your firm is willing to perform all services identified in Section 2.2 above and will abide by the terms of the RFP, including all attachments.
- e. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a technical proposal that contains an unsigned cover letter. If the proposer is a joint venture, the proposal shall be signed by the joint venture. Anyone signing the proposal as an agent shall file with it, legal evidence of his or her authority to execute such proposal.

Tab 2. **PROJECT TEAM:**

1. Provide a description of your firm's organization, team makeup including subconsultants and the resumes of partners, principals, associates and other key staff proposed to provide services to DASNY. Provide the following information:
  - a. A summary of the organizational and upper management structure proposal by the Proposer, and an explanation of the means by which the structure will afford DASNY with optimal levels of project management, accountability and compliance with the terms of the Contract.
  - b. A proposed organizational chart describing the Proposer's organizational structure, and the lines of authority and communication.
  - c. Evidence of a sufficient number of professional and other personnel to perform the Work. Each Proposer must identify all key personnel who will be assigned to the Project on a full-time basis, demonstrate that each such person has the experience and strengths to successfully complete the Project, and identify the intended functions and responsibilities of such key personnel.
  - d. Resumes of Proposers' and subconsultants' key personnel who will be assigned to the Project on a full-time basis.
  - e. A list of your current projects "on the boards."

Tab 3. **PROJECT EXPERIENCE:**

1. Provide five (5) project examples of your firm's experience providing similar services, constructed within the last 10 years. Project examples must include the following information:
  - a. Official project name, address, and number of beds (if applicable);
  - b. The design consultant of record (if other than the submitting firm);
  - c. Identify which of the project team members were involved and their role on the project;
  - d. Overall project monetary value;
  - e. The value of the work designed by your firm;
  - f. The timeframe in which your firm's work was performed;
  - g. A summary of the services provided; and
  - h. A reference excluding DASNY employees with their name, title and phone number.
2. The five (5) ideal project examples should demonstrate the following:
  - a. The project team's specialized experience and competence in projects that involve modern residence halls to enhance student experience, improve student retention and demand. Teams are preferred who have data or case studies of design targeting student success satisfaction and achieving a sense of belonging for students.
  - b. The project team's specialized experience and competence in projects that involve high performance and/or low-energy solutions for residence halls, other institutional buildings, or other residential buildings, including those that are similar or equivalent to the Project.
  - c. Projects designing and/or collaborating with innovative construction techniques.
  - d. Projects incorporating onsite energy generation and/or zero net carbon capabilities.
  - e. Successful implementation of a CM @ Risk/CM Build project delivery methodology.
3. Provide Proposers' and its Team Members' ability and approach in engagement in a post occupancy evaluation/commissioning (POE/Cx) process of up to at least one year's duration as well as the Proposer's experience with POE/Cx.
4. Provide Proposers' and its Team Members' ability and approach in using Total Cost of Ownership metrics in project development. This entails not only Life Cycle Costing, but an understanding of social impacts related to resource use, material use, and a goal of closed loop processes.
5. Provide Proposers' and its Team Members' ability and approach in using energy modeling to inform design development.

Tab 4. **PROJECT APPROACH AND SCHEDULE:**

1. Provide a detailed description of your firm's approach to providing the requested scope of services. Include a timeline and schedule for completion of all aspects of the engagement, including a preliminary project schedule.
2. Provide an overview of your firm's approach to meeting the project goals as outlined in this RFP.
3. Describe the Proposer's overall approach in a way that maximizes the team's value, fosters a highly collaborative and effective project team, and provides a pathway to cost reduction.

4. Discuss the Proposer's process for engagement with the client to meet program expectations throughout the life of the Project.
5. Discuss any scheduling measures the Proposer anticipates employing to ensure the Project remains within the established schedule.
6. Discuss any budget control measures the Proposer anticipates employing to ensure the Project remains within the established construction budget.
7. Provide a description of how your firm will monitor the performance of work in order to achieve an efficient administration of the project.
8. Provide any other information that may be relevant to display expertise and experience in developing high-performance building solutions, including those in residence halls on a university campus.

Tab 5. **UTILIZATION PLAN:**

Provide a completed Utilization Plan, included in this RFP as an attachment, listing all proposed subconsultants including ESD Certified M/WBE firms you "may" use if selected for this contract. **No dollar amounts should be entered at this time.** Upon selection, a new plan with dollar amounts will be required. The goals for this contract are 18% MBE & 12% WBE. The goals refer to the percentage of utilization of your M/WBE subconsultants.

Tab 6. **DIVERSITY QUESTIONNAIRE:**

Provide a complete Diversity Questionnaire, included in this RFP as an attachment. It is the goal of DASNY to utilize qualified firms that have a demonstrated history of hiring, training, developing, promoting and retaining minority and women staff and to encourage participation by certified MWBE firms. This questionnaire elicits information about each responding firm in order to verify that its work environment demonstrates a strong commitment to diversity.

Tab 7. **SDVOB BUSINESS PLAN**

Provide a completed Use of Service-Disabled Veteran-Owned Businesses Plan, included in this RFP as an attachment listing all proposed subconsultants including OGS Certified Service-Disabled Veteran-Owned Businesses (SDVOB) that are of equal quality to those that may be obtained from non-SDVOBs if selected for this contract. Certified SDVOBs can be identified at [http://ogs.ny.gov/core/docs/CertifiedNYS\\_SDVOB.pdf](http://ogs.ny.gov/core/docs/CertifiedNYS_SDVOB.pdf). **No dollar amounts should be entered at this time.** Upon selection, a new plan with dollar amounts will be required. The SDVOB goals for this contract are 6%.

Tab 8. **CERTIFICATES:**

Provide license numbers or copies of registration certificates, as appropriate. Business entities proposing to provide Professional Engineering Services must possess a Certificate of Authorization to provide Engineering Services in New York State from the State Education Department. Include a copy of this certificate in your response if proposing engineering services.

Tab 9. **W-9 FORM**

Provide a completed W-9 Form, included in this RFP as an attachment. If the proposer is a joint venture, provide a W-9 in the name of the joint venture and provide a copy of the executed joint venture agreement.

Tab 10. **ADDITIONAL INFORMATION:**

The proposer must also provide statements regarding the following:

- a. The proposal submitted must contain a representation that the proposer is willing and ready to provide any services requested or required in a timely manner.
- b. Disclose any potential conflicts of interest (refer to the “Code of Business Ethics - Certification” attached).
- c. The proposer must agree to provide DASNY with pre- and post-audit access to documents, personnel and other information necessary to conduct audits on request during the term of the Contract and for six years thereafter.

**Section 4 – Content and Format of the Cost Proposal:**

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested using numbered side tabs that correspond with each of the numbered tabs below. Your cost proposal must contain sufficient information to assure DASNY of its accuracy.

Tab 1: **COVER LETTER:**

Include a **cover letter** with the following items:

- a. The name, title, telephone number, fax number and email address of the individual within your firm who will be DASNY’s primary contact concerning this RFP.
- b. A statement to the effect that the price quoted is an irrevocable offer good for 120 days.
- c. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a cost proposal that contains an unsigned cover letter.

Tab 2: **MANPOWER AND COSTS:**

Provide estimated manpower requirements and costs associated with performing the identified Scope of Services, as per the Base & Total Cost Spreadsheet, included as an attachment to this RFP. A final total should be included.

Tab 3: **OVERHEAD AND PROFIT MULTIPLIER**

Provide documentation indicating your firm’s Overhead and Profit Multiplier and that of your subconsultants (if any) by using **one** of the following methods:

- a. Submit an approved Standard Cost Proposal Form or a previously approved multiplier from another State Agency.
- b. Submit a request for a multiplier 2.5 or less on your firm’s letterhead.

- c. Submit the attached DASNY Multiplier Form with a current financial statement for a multiplier greater than 2.5.
- d. Submit an approved FARs audited financial statement from your firm's most recent year-end.

Tab 4: **CLASSIFICATION & RATE FORM**

Complete the attached Classification & Rate Form to support the unloaded salaries and rates of your employees under this contract. If submitting an approved Standard Cost Proposal Form a Classification & Rate Form is not required.

Tab 5: **INSURANCE CERTIFICATE**

Provide a statement indicating your firm is able to obtain the required insurances as listed in the attached Sample Insurance Certificate & Requirements.

**Provide the following forms loosely. Do not include these forms in your technical or cost proposal.**

1. Pursuant to Executive Order No. 170.1 Uniform Guidelines for Responsibility Determinations, Executive Order No. 125 NYS Vendor Responsibility Questionnaire and Executive Order No. 192 Continuing Vendor Integrity, DASNY may only award a contract to a responsible proposer. A responsible proposer must have the integrity to justify the award of public dollars and the capacity to perform the requirements of the contract fully. The proposer must file a vendor responsibility questionnaire with DASNY. The questionnaire provides the proposer an opportunity to self disclose any issues and provide necessary information, which DASNY will use as part of its determination.

Complete the NYS Vendor Responsibility Questionnaire online at <http://www.osc.state.ny.us/vendrep> and submit a copy of the certification page.

2. A completed Procurement Lobbying Law – Certification included in this RFP as an attachment.

**Section 5 – Selection and Evaluation of Proposals:**

**5.1 Evaluation of Proposals**

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFP; (2) to identify the complying firms that have the highest probability of satisfactorily performing the scope of services. The evaluation process will be conducted in a comprehensive and impartial manner. The evaluation will be conducted as set forth herein.

**5.2 Preliminary Review**

DASNY reserves the right to reject and return to the proposer all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in Sections 3 and 4. Incomplete proposals may be rejected.

### **5.3 Evaluation**

Proposals will undergo an evaluation process conducted by a Committee selected by DASNY. The Committee will evaluate the proposals based upon the criteria for selection set forth below.

### **5.4 Criteria for Selection**

The criteria for selection shall be the qualifications required by Section 2 and Section 3.

### **5.5 Interviews**

Following the receipt of proposals, DASNY may request some or all of the firms submitting proposals to provide a presentation of their proposal in order to complete the evaluation and selection of firms. DASNY reserves the right to determine whether interviews will be necessary. The purpose of the interview is to further document the proposer's ability to provide the required services and to impart to the Committee an understanding of how specific services will be furnished. The proposed lead principal, as well all other key personnel proposed to provide the services must be present and participate in the interview. 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.

## **Section 6 – Submission of Proposals:**

### **6.1 Submission of Technical and Cost Proposal**

Seven (7) double-sided copies of your technical proposal, along with one (1) electronic copy of your technical proposal in PDF format (thumb drive media only) and seven (7) double-sided copies of your cost proposal, along with one (1) electronic copy of your cost proposal in PDF format (thumb drive media only) should be submitted on or before 5:00 p.m. on April 9, 2020 to:

Christine Ostrander  
RFP Coordinator  
DASNY  
515 Broadway  
Albany, New York 12207-2964

\*Firms are encouraged to submit environmentally-friendly proposals.

## **Section 7 - Important Information Affecting Proposers:**

### **7.1 Proposal Requirements**

1. All inquiries regarding this RFP should be addressed to the following individual:

Christine Ostrander  
Email: [RFPCoordinator@dasny.org](mailto:RFPCoordinator@dasny.org)

All questions must be submitted in writing to the RFP Coordinator by email, citing the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions, including those related to the terms and conditions of the contract are to be resolved prior to the submission of a proposal. A list of all substantive inquiries received with relevant responses will be posted on DASNY's website, [www.dasny.org](http://www.dasny.org).

2. A proposer may withdraw a proposal anytime prior to the final due date and time by written notification, signed by an authorized agent, to the contact person identified in Section 7.1.1 above. The proposal may thereafter be resubmitted, but not after the final due date and time. Modifications offered in any other manner, oral or written, will not be considered.
3. If a proposer discovers an ambiguity, conflict, discrepancy, omission or other error in this RFP, the proposer should immediately notify the contact person identified in Section 7.1.1 above. Notice of such error or omission should be submitted prior to the final due date and time for submission of proposals. Modifications shall be made by addenda to this RFP. Such clarifications will be given by written notice to all parties who have received this RFP.
4. If a proposer fails, prior to the final due date and time for submission of proposals, to notify DASNY of a known error or an error that reasonably should have been known, the proposer shall assume the risk of proposing. If awarded the contract, the proposer shall not be entitled to additional compensation or time by reason of the error or its late correction.
5. A proposer indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal. All proposals shall become the property of DASNY and will not be returned.

## **7.2 DASNY Requirements**

1. By submitting a proposal, the proposer covenants that the proposer will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.
2. DASNY shall not be liable for any cost incurred by the proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.
3. Other than the contact person identified in Section 7.1.1 above, or their designee(s), prospective proposers shall not approach DASNY employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

## **7.3 DASNY Rights and Prerogatives**

DASNY reserves the right to exercise the following prerogatives:

1. To accept or reject any or all proposals and amend, modify or withdraw this RFP.
2. To correct any arithmetic errors in the proposals.
3. To change the final due date and time for proposals.
4. To accept or reject any of the firm's employees or proposed subconsultants assigned to provide services on this project and to require their replacement at any time. The proposer shall obtain the written approval of DASNY of changes to the technical proposal after it is submitted, including any changes with respect to subconsultants. DASNY shall have the right to reject any proposed change to the proposer's technical proposal.
5. To waive or modify any irregularities or non-material defects in proposals received after prior notification to the proposer. This will in no way modify the RFP documents or excuse the proposer from full compliance with its requirements.

6. To consider modifications to proposals at any time before the award is made, if such action is in the best interest of DASNY.
7. To request a revised cost proposal from firms selected as finalists.
8. To accept a proposal for the engagement containing other than the lowest cost proposal.
9. To interview proposers prior to selection.
10. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the proposer.
11. To begin negotiations with the next most responsive proposer to this RFP should DASNY be unsuccessful in negotiating a contract with the selected proposer within a reasonable timeframe.
12. To contract with more than one firm.

#### **7.4 Contractual Requirements**

##### 1. Contract

- a. By submitting a proposal, the successful proposer agrees to reference the RFP as part of the resulting contract.
- b. DASNY may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet client program requirements consistent with the RFP.
- c. Award of a contract is subject to contract negotiation and approval of such contract by the appropriate DASNY authorities.

##### 2. Modification of Contract

- a. Any modification to the original contract signed between the successful proposer and DASNY will require the mutual consent of the successful proposer and DASNY.
- b. Any contract or amendments thereto will be considered effective only after approval by the appropriate DASNY authorities.

##### 3. Interpretation

The contract shall be construed and interpreted in accordance with the laws of New York State. New York State shall be the forum for disputes.

##### 4. Public Announcements

Upon selection of the successful proposer and contract execution, public announcements or news releases pertaining to the contract shall not be made without prior written consent of DASNY.

#### **Section 8 – Negotiation:**

After completion of the selection process, DASNY will commence finalization of the project scope and fee negotiations with the selected firm(s).



**Section 9 – Notification:**

Upon completion of the selection process, DASNY will notify all firms of its decision. Notification will be sent to the primary contact only. Shortly after notification the selected firm(s) will be posted on DASNY's website.