



Water Treatment Consulting Services

Request for Proposal RFP #7566

Date: December 16, 2020

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Section 1 - General 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 a wide variety of public purposes. Under the Act, DASNY provides a multitude of services in various forms 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; Community Colleges; Boards of Cooperative Educational Services; Cities and Counties with respect to Court Facilities and combined occupancy structures, as defined by law; the Department of Education of the State of New York with respect to certain facilities under its 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 a wide variety of other not-for-profit organizations specifically described in the Act.

1.2 Purpose

DASNY seeks proposals for water treatment consultant services with a primary focus on providing water treatment consulting services for various City University of New York (CUNY) campuses. The objective of this program is to optimize performance of mechanical, and energy consuming equipment, increase efficiency, extend expected life by reducing premature aging of equipment, piping and components and standardize the water treatment chemistry, equipment and processes throughout City University of New York (CUNY) campuses. In order to achieve these goals, the water treatment consultant will be expected to determine the optimum water treatment program for all campus’ systems, capital projects, and to develop a central audit process to ensure quality control.

The scope of the RFP involves professional consultant services required to review or develop campus chemical water treatment specifications as determined by CUNY at various CUNY facilities and for projects to be implemented at those facilities. The required services include but are not limited to on-site inspections, testing, oversight of campus implementation of and project specific requirements for water quality analysis, HVAC equipment condition assessment, oversight and testing of newly installed systems, and operations legionella plans, training campus facility personnel responsible for maintaining proper water treatment for water retaining systems, recommendations of the operations and maintenance of campus water retaining equipment and systems, provision of project specific recommendations and requirements, oversight, testing and Reports on all findings and recommendations.

In addition to the services provided to CUNY above, DASNY is also seeking to obtain proposals for water treatment consulting services for all of DASNY’s clients state-wide.

1.3 Empanelment

DASNY's objective is to review the responses submitted in connection with this RFP, in accordance with its Consultant Selection and Award procedures, Procurement Guidelines, and the requirements of the RFP, to determine which Consultants are best qualified to provide Water Treatment Consulting Services and be placed on the empanelment list. The empanelment list will consist of two separate and distinct lots: (1) CUNY Water Treatment Consulting Services (2) Statewide Water Treatment Consulting Services.

Consultants that have relevant experience and expertise in providing the above services may seek to qualify for empanelment. It is DASNY's intent to empanel multiple Consultants in each lot for a period of four (4) years to provide the services listed above. Selection to the Empanelment list does not guarantee work or that future assignments will be awarded. DASNY reserves the right to terminate the Empanelment list early and may place additional Consultants on the list at a later date. Prospective Consultants that have relevant experience and expertise providing the above services may seek to qualify for empanelment in each of the described lots.

1.4 Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFP	12/17/2020
Deadline for RFP Questions	01/04/2020 (5:00 PM)
Post Responses to RFP Questions	01/08/2021 (5:00 PM)
Proposal Due Date	01/15/2021 (5:00 PM)
Interviews/Presentations (not earlier than, if necessary))	02/15/2021 (Week Of)
Notice of Empanelment (not earlier than)	03/31/2021

Section 2 - Engagement Requirements:

2.1 Scope of Services

The scope of services to be provided for this project is included within Appendix A of the attached Scope of Services Document.

2.2 Qualifications and Certification Requirements

- Demonstrated track record of providing water treatment consulting services as a primary business line or service;
- have extensive relevant experience providing similar water treatment program and project specific services;
- employ experienced staff with thorough knowledge of their area(s) of expertise;
- have at least one employee with a NYS Cooling Tower 7G certification;
- have ready access to and/or subcontracting ability to engage NELAC accredited and certified laboratories; and
- have extensive experience providing field evaluations and reporting.

Section 3 - Content of Technical Proposal:

3.1 Information to be Provided by Proposers

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. 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 contacts name, title, telephone number, fax number and email address for each sub-consultant who will perform work under this contract.
 - c. The identities of the primary staff proposed to provide services relating to this RFP.
- d. A statement to the effect that your firm is willing to perform all services identified in Section 2.1 above and will abide by the terms of the RFP, including all attachments.
- e. A statement indicating whether your firm intends to submit a proposal for lot (1) CUNY Water Treatment Consulting Services and/or lot (2) Statewide Water Treatment Consulting Services for this procurement.
- f. A statement that your firm understands selection does not guarantee that any services will be requested from your firm.
- g. 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. Provide a description of your firm's organization, team makeup including sub-consultants and the resumes of partners, principals, associates and other key staff proposed to provide services to DASNY, with particular emphasis on water treatment consulting services. Provide an acknowledgement that your firm has access to and subcontracting ability to engage NELAC accredited and certified laboratories.

Tab 3. Provide a description of your firm's experience providing similar services including recent relevant project experience to the public and private sector. Include the names, titles and phone numbers of at least three (3) references excluding DASNY employees and a summary of the services provided.

Tab 4. Provide a detailed description of your firm's approach to providing the requested scope of services, with a particular emphasis on how your firms provides water treatment consulting services as a primary business line or service.

- Tab 5. Provide a description of how your firm will monitor the allotment and performance of work in order to achieve an efficient administration of the project.
- Tab 6. Provide license numbers or copies of registration certificates, including but not limited to, NYS Cooling Tower 7G Certificate, 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.
- Tab 7. 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 8. Additional Information - The proposer must also provide statements regarding the following:
- a. 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.
 - b. 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.
 - c. The proposer must disclose any potential conflicts of interest. Provide a completed Code of Business Ethics - Certification, included in this RFP as an attachment.

3.2 Additional Submission Requirements

Provide the following forms in separate electronic files. Do not include these forms in your technical proposal.

- a. Proposers shall submit a Vendor Responsibility Questionnaire (“VRQ”) in accordance with Section 9 of this RFP. DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). Proposers must provide a copy of the certification page to DASNY. To enroll in and use the System, see the System Instructions at [1](#) or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.
- b. A completed Omnibus Certification form included in this RFP as an attachment.
- c. 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.

Section 4 - Content of Cost Proposal:

4.1 Information to be Provided by Proposers

Cost proposals are not required at this time. Only those Consultants empaneled and selected to receive a contract will be required to submit a cost proposal. If selected, Consultants will be contacted with the cost proposal requirements and will be given 14 calendar days to submit the requested information. DASNY reserves the right to reject and return all cost proposals received after the 14 calendar days.

Section 5 - 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.

5.1 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.

5.2 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.

5.3 Criteria for Selection

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

5.4 Interviews

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 Proposal

Firms shall submit their technical proposal and additional submission requirements, on or before 5:00 p.m. on (TBD). The submission requirements are outlined below. Proposals received after the due date will be rejected.

Submission of Proposal:

Follow the directions below to upload your proposal electronically. Any technical issues or questions should be directed to the Designated Representative for the Project via email prior to the due date of the RFP. It is strongly encouraged to request access to the site before the due date. DASNY may not be able to assist proposers with troubleshooting errors if submissions are not made in a timely manner.

1. Email DownstateRFPcoordinator@dasny.org with the subject line: “RFP (TBD)-Request Access-Firm Name.”
 - a. Please provide the name and email address of any additional contact from your firm that may require access to submit the RFP responses through the SharePoint site.
 - b. An expression of interest does not qualify as a request for access. Please ensure that your firm explicitly requests access using the described procedure.
 - c. Please request access at a minimum of 24 hours in advance and ensure access to the site works correctly.
2. You will receive an email from DownstateRFPCoordinator@dasny.org with a link to a Microsoft SharePoint site: “WaterTreatment-RFP.”
3. Click on the link. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the WaterTreatment-“Documents” page.
 - a. If you do not have a Microsoft account, you will need to register for a Microsoft account before you can access the link.
4. The following documents will need to be uploaded:
 - a. Technical Proposal – Please save this document in PDF format and labeled as “Water Treatment-RFP(RFP#TBD)-Tech-firm name”. Click “Upload” or drag and drop.
 - b. Vendor Responsibility Questionnaire Certification Form – Please save this document in PDF format and labeled as “Water Treatment-RFP(RFP#TBD)-VRQ-firm name”. Click “Upload” or drag and drop.
 - c. Omnibus Certification – Please save this document in PDF format and labeled as “Water Treatment-RFP(RFP#TBD)-Omnibus-firm name”. Click “Upload” or drag and drop.

- d. Completed W-9 Form – Please save this document in PDF format and labeled as “Water Treatment-RFP(RFP#TBD)-W9-firm name”. Click “Upload” or drag and drop.
5. Once your documents are uploaded, DO NOT OPEN. The document submitted must be your final submission and cannot be modified.
 - a. If you open your documents after they are submitted, the system will show it as “modified”
 - b. The submitted document will remain private and will not be visible to the other proposers throughout the procurement process.
 6. The Water Treatment-RFP site will close at 5:01 PM on TBD. Any questions or issues on submitting must be addressed to the Designated Representative for the Project before that time using the email in Bullet 1. Please ensure you give yourself enough time for uploading all files.

Section 7 - Important Information Affecting Proposers:

7.1 Proposal Requirements

DASNY’s Designated Representative for the Project, including the procurement is:

David Fenichel
Contract Administrator
Attention: Water Treatment Consulting Services
Dormitory Authority State of New York
515 Broadway, Albany, NY 12207
e-mail: DownstateRFPCoordinator@dasny.org

DASNY’s Alternate Designated Representative for the Project, including the procurement is:

Christopher Currey
Senior Contract Administrator
Attention: Water Treatment Consulting Services
Dormitory Authority State of New York
515 Broadway, Albany, NY 12207
e-mail: DownstateRFPCoordinator@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.

1. 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.
2. 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.
3. 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.
4. A proposer indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal.

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 sub-consultants 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 sub-consultants. DASNY shall have the right to reject any proposed change to the proposer's technical proposal.

5. To waive or modify any irregularities 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 time frame.
12. To contract with more than one firm.
13. Utilize any resulting contract to provide services for its complete list of DASNY clients and any corresponding projects at DASNY's discretion.

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. Insurance

DASNY engages the services of Ebix, Inc. to assist in managing and tracking insurance compliance. The successful proposer will be required to submit Certificate(s) of Insurance showing compliance with the insurance requirements. Ebix, Inc. is an insurance data management company whose role is to help assure those with whom DASNY is doing business with are fulfilling their obligation to DASNY by maintaining insurance coverage to protect DASNY from financial loss.

Ebix, Inc. is a full-service Application Service Provider (ASP) company focused exclusively on tracking and verifying insurance coverage. Ebix, Inc. performs tasks for DASNY that would otherwise need to be performed internally. Ebix, Inc. will keep track of companies who have agreed to provide DASNY with evidence of insurance.

Ebix, Inc. performs the following tasks for DASNY:

- Establish a Database with information (e.g. name, address, coverage requirements, etc.) for each organization for which DASNY desires to track insurance.
- Keep track of all insurance coverage renewal dates.
- If necessary, send a series of letters to a vendor notifying them of their insurance compliance obligation, and also informs DASNY of actions necessary for them to resolve a non-compliance status.
- Report to DASNY any vendor failing to meet their agreed obligation to provide proper evidence of insurance coverage.

As stated above, the successful proposer will be required to submit Certificate(s) of Insurance showing compliance with the insurance requirements (General Liability, Automobile, Excess Liability (if needed), Professional Liability, Worker's Compensation, New York Disability and any other coverage as required) directly to Ebix, Inc. Corporate information for Ebix, Inc. is as follows:

Ebix, Inc.
One Ebix Way
Johns Creek, GA 30097
<https://www.ebix.com/>

The consultant shall provide the insurance documents in accordance with our requirements as outlined in the RFP attachments, advise that they shall review the requirements and comply with them via Ebix.

Section 9. Vendor Integrity

As a public entity, DASNY may only contract with entities that are determined to be responsive and responsible and said entities are required to maintain responsibility throughout the term of the services being provided. Proposers shall submit a Vendor Responsibility Questionnaire (“VRQ”) which is designed to provide information to assess a proposed vendor’s responsibility to conduct business in New York State. All VRQs shall be reviewed in accordance with applicable law, policy, rules, regulations and guidelines, including without limitation Executive Order Nos. 125, 170.1 and 192.

DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). To enroll in and use the System, see the System Instructions at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. Proposers must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for System assistance, contact the Office of the State Comptroller’s (“OSC”) Help Desk at 866-370-4672 or 518- 408-4672 or by email at ciohelpdesk@osc.state.ny.us.

Section 10 - Negotiation

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

Section 11 - 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.

Section 12 – Freedom of Information Law and Public Disclosure

This RFP and all information submitted in response to this RFP constitute “records” subject to disclosure pursuant to the New York State's Freedom of Information Law (Public Officers Law, Article 6, § 84-90, the “FOIL Law” or “FOIL”). FOIL reaffirms the public’s right to know how government operates and requires that DASNY make its records available for public inspection or copying, except to the extent that records or

portions thereof fall within one or more grounds for denial set forth in the §87(2) of the FOIL Law.

Should you feel your firm's proposal contains any such trade secrets, other confidential or proprietary information or is otherwise exempt from disclosure pursuant to FOIL, you must submit a request to exclude such information from disclosure. Such request must be in writing, must detail the information that should be exempt from disclosure, and must state the reasons why such information should be excepted from disclosure. DASNY will not honor any attempt, by a firm, to omit its entire proposal from disclosure.