



**Request for Proposal (RFP)  
(Real Property Services)  
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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 Article 8 of the Public Authorities Law (the “Act”) to provide design and project management services to various public and private not-for-profit entities, 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 residence halls, educational facilities and Community Colleges; City University of New York Senior and Community Colleges; facilities for the Office of Mental Health (“OMH”), Office of People with Developmental Disabilities (“OPWDD”), and Office of Alcoholism and Substance Abuse Services (“OASAS”); 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 from consultants (“**Consultants**”) to provide comprehensive real estate services to support DASNY and its clients (“**Services**”).

**1.3 Key Events and Dates**

<u>Event</u>	<u>Date</u>
Issuance of RFP	2/6/19
Deadline for RFP Questions	2/15/19 (5:00 PM)
Post Responses to RFP Questions	2/21/19
Proposal Due Date	3/1/19 (5:00 PM)
Interviews/Presentations (not earlier than)	3/15/19
Notice of Award (not earlier than)	3/25/19

**Section 2 - Engagement Requirements:**

**2.1 Scope of Services**

DASNY currently administers a portfolio of commercial and residential leased sites for OPWDD and OMH and annually conducts multiple site searches to replace or develop new program sites. Additionally, DASNY provides to its various clients a multitude of services in various forms in connection with the design, construction and financing of capital facilities.

The scope of work is to provide comprehensive real estate services to DASNY and its various clients. Firms may be requested to provide a comprehensive range of real estate services which may include or relate to the following: the acquisition, sale, disposition, leasing and/or subleasing of commercial and/or residential sites; site selection, property evaluation, appraisals and market assessments; lease analysis, tenant fit-out and lease negotiation at lease commencement and renewal; property management and tenant representation; and/or assistance with lease renewals and space planning for expansion or contraction of leased space.

In addition, DASNY may utilize a firm only for technical support services to augment DASNY staff.

The duration of the contract will be four years.

The Dormitory Authority State of New York (DASNY) is seeking to contract and/or empanel one or more qualified Consultants to perform services related to real property procurements. It is DASNY's intent to enter into contracts with more than one firm to provide real property services for various projects throughout New York State. Services will be requested and contracted on an as needed basis and the type and value of each assignment will vary. Selection as a consultant or to the empaneled list does not guarantee work or that future assignments will be awarded.

Following the review of your proposal DASNY will determine whether your firm meets the qualifications to receive a contract for these services. DASNY may request further information or may hold an interview to clarify particular qualifications. DASNY reserves the right to limit the number of firms who receive contracts and retains the right to close this solicitation at any time.

## **2.2 Qualifications and Certification Requirements**

Proposers must have provided real estate services of a similar nature as noted in the scope of work as contemplated under this contract. The firm must be able to demonstrate satisfactory completion of such services to the satisfaction of DASNY. The firm must have general industry experience or, if a new firm, the principal's, and/or project team staff must have similar experience. . The items to be evaluated in the selection process include:

- Extensive commercial and/or residential experience of proposed staff including partners, principals, and associates having extensive commercial and/or residential experience with current brokers licenses in NYS;
- Demonstrated ability to provide the required Scope of Services;
- General industry experience;
- Previous experience with a public client is desired;
- Current licensed broker and/or licensed certified appraiser in the State of New York as required and/or applicable;

**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 that your firm understands selection does not guarantee that any services will be requested from your firm.
  - f. 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.
- 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.
- 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 a project or assignment.
- Tab 6. Provide professional license numbers or copies of registration certificates, as appropriate.

- Tab 7. Provide a complete Diversity Questionnaire, included in this RFP as **Attachment 2**. 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. Provide a completed W-9 Form, included in this RFP as **Attachment 4**. 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 9. **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 **Attachment 5**.

#### **Section 4 - Content of Cost Proposal:**

##### **4.1 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 cost 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. 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.
  - d. A statement indicating the firm's/team's preference for compensation in the form of commission(s) or fee(s) paid by DASNY.
  - e. A statement indicating that any commission resulting from the sale or lease of property shall be received solely from the landlord or seller.
  - f. A statement indicating that notwithstanding the payment of any commission from the landlord or seller, the firm's loyalty and fiduciary responsibility will be to DASNY.

- Tab 2. Compensation for real estate services may be on a fee or commission basis, but in either case the firm will be required to disclose all sources of revenue to be earned by the firm and/or its affiliated organizations. DASNY reserves the right to approve both the form and amount of that compensation. Provide an explanation and amount of the proposer's suggested fee or commission, including the basis for calculation.
- Tab 3. For all non-commission based services (i.e. fee for services) to be performed under this contract, submit a schedule of firm staff, titles and hourly wages inclusive of overhead and profit ).
- Tab 4. 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.**

A NYS Vendor Responsibility Questionnaire included in this RFP as **Attachment 6**. **DASNY recommends that all firms file the required Questionnaire online via the New York State VendRep System and only provide a copy of the certification page to DASNY.** To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at <http://www.osc.state.ny.us/vendrep/index.htm> or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.

A completed Procurement Lobbying Law – Certification included in this RFP as **Attachment 7**.

## **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 and Cost Proposal**

Firms must submit one (1) double-sided copy of your technical proposal and one (1) double-sided copy of your cost proposal along with one (1) electronic copy of the technical proposal and one (1) electronic copy of the cost proposal (**saved separately in PDF format on thumb drive media only**) on or before 5:00 p.m. on March 1, 2019 to:

Stacie Bennett  
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:

Stacie Bennett  
Email: [RFPadministrator@dasny.org](mailto:RFPadministrator@dasny.org)

All questions must be submitted in writing to the RFP Coordinator by email, citing the 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.

## **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.

#### **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.