



Environmental Management Consulting Services

Request for Proposal RFP #7568

Date: March 17, 2021

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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 the services of environmental management consulting firms to provide DASNY with the following services for various projects for Upstate New York as described below and additionally in Appendix A of the attached Sample Contract:

Environmental Management Services (Upstate¹)—Working together with DASNY’s Office of Environmental Affairs (OEA), the selected consultants would provide the requisite compliance with the *State Environmental Quality Review Act (SEQRA)*, which contains the requirements for the *State Environmental Quality Review (SEQR)* process, the *New York State Historic Preservation Act of 1980 (SHPA)*, especially the implementing regulations of section 14.09 of the *Parks, Recreation and Historic Preservation Law (PRHPL)*, and the *State Smart Growth Public Infrastructure Policy Act (“SSGPIPA”)* procedures.

At this phase of the selection process, firms are requested to provide a concise response to the RFP indicating relevant experience specific to buildings and facilities in the service area referenced above. It is DASNY’s intent to contract with multiple firms.

Services will be requested and contracted on an as-needed basis and the type and value of each project will vary. Selection as a consultant does not guarantee that future work will be awarded.

¹ Upstate is defined as all counties within New York State except: Suffolk, Nassau, Queens, Kings, Richmond, New York, Bronx and Westchester.

1.3 Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFP	3/17/2021
Deadline for RFP Questions	3/30/2021 (5:00 PM)
Post Responses to RFP Questions	4/6/2021
Proposal Due Date	4/20/2021 (5:00 PM)
Interviews/Presentations (not earlier than)	5/18/2021
Notice of Award (not earlier than)	6/1/2021

Section 2 – Engagement Requirements

2.1 Scope of Services

The scope of services to be provided for this Proposal is included within Appendix A of the attached Sample Contract.

DASNY will provide a specific scope of services for each project assignment issued under this contract and, depending on the nature of the assignment, some portions of the Professional's Required Services may be modified to reflect the level of service more accurately required.

The selected consultants will be authorized to proceed with each assignment as issued under a specific Work Authorization. The type and complexity of projects authorized under each Work Authorization will vary.

2.2 Qualifications and Certification Requirements

The selected consultants must have demonstrated experience providing Environmental Management Services as set forth in Appendix A of the attached Sample Contract.

Environmental Management Services – Qualifications

Proposals will be evaluated based upon the firm's Qualifications in the following areas:

1. Specific experience of the firm in providing environmental consulting and / or environmental management services, preferably experience with Authority or Public-Sector (State/Federal);
2. Specific experience of individual staff designated for this engagement;
3. Firm's quality assurance / quality control program;
4. Experience and qualifications of any specialty sub-consultants proposed (i.e., Archaeology, Traffic, etc.);
5. Experience with the procedures of the *State Environmental Quality Review (SEQR)*;
6. Experience with the requirements of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and with the United States Department of the Interior Federal Historic Preservation Review;

7. Employ experienced staff with thorough knowledge of their area(s) of expertise;
8. Ability to deliver environmental consulting services throughout the defined upstate New York area;
9. Experience in the procedures and preparation of Environmental Impact Statements (EIS) and other technical assessments;
10. Experience with the *National Environmental Policy Act (NEPA)* and other federal/state regulations (e.g., State and Federal wetland regulations, greenhouse gas emissions, etc.); and
11. Experience with Federal, State, and other local environmental review agencies.

Environmental Management Services – Certifications

Proposals will be evaluated based upon the firm's Certifications in the following areas:

1. Must possess a Certificate of Authorization from the State Education Department to provide architectural/engineering services in New York State.
2. Licensed/Professional Architects/Engineers Registered in NYS.
3. Accredited American Institute of Certified Planners (A.I.C.P.).

Section 3 - Content of Technical Proposal:

3.1 Information to be Provided by Proposers

The following is a list of 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 contact's 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 the Proposer 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, with particular emphasis on Environmental Management Services.
- 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 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 if proposing engineering services.
- Tab 6. Provide a completed Utilization Plan, included in this RFP as an attachment, listing all proposed sub-consultants, including Empire State Development (ESD) Certified M/WBE firms you may use if selected for this contract. **No dollar amounts should be entered now.** With each project assignment, a new plan with dollar amounts will be required. The goals for this contract are 18% Minority-owned Business Enterprise (MBE) and 12% Women-owned Business Enterprise (WBE). The goals refer to the percentage of utilization of your M/WBE sub-consultants.
- Tab 7. Provide a completed Use of Service-Disabled Veteran-Owned Businesses Plan, included in this RFP as an attachment listing all proposed sub-consultants including Office of General Services (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. **No dollar amounts should be entered at this time.** With each project assignment, a new plan with dollar amounts will be required. The SDVOB goals for this contract are 6%.
- Tab 8. 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 9. 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 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. 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.
 - d. Disclose any potential conflicts of interest (refer to the “Code of Business Ethics - Certification” attached).
- Tab 11. Provide a list of environmental assessment capabilities your firm is proposing to provide including the various disciplines (air, noise, traffic, land use, archaeology, wetland delineation, etc.).
- Tab 12. Provide ten (10) recent project profiles showing your firm’s overall range of in house or project teams environmental assessment capabilities. Each example should include the following:
- Project title, location, and client
 - Description of overall project
 - Description of work completed by your firm
 - Year your firms consulting work on the project was completed
 - Project photos
 - The owners name, title, address, and phone number
- Tab 13. Identify your firms experience with the different laws and policies listed above in Section 2.2 to be considered for compliance regarding environmental management projects.
- Tab 14. Provide a description of how your firm will monitor and implement the allotment and performance of work to achieve coverage in the proposed geographic areas.

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.

Tab 2. Provide documentation indicating your firm's Overhead and Profit Multiplier and that of your sub-consultants (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 3. 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 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.

1. 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 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>.
2. Included as an attachment is the draft form of the Contract DASNY proposes be executed between the selected Consultant(s) and DASNY (the "Contract"). As part of its technical proposal, each Proposer must identify all questions, comments, requests, exceptions, or objections (collectively, "Objections"), if any, that it may have to the Contract for DASNY's review and consideration. Any such Objections must be set forth in writing and should be as detailed and as possible. Any Objections raised by a Proposer must be commercially reasonable. Any Objections must include proposed alternative wording. DASNY may, at any time during the evaluation period and in its sole and absolute discretion, modify,

amend or change the terms and provisions of the Contract by issuance of an addendum.

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 as 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

DASNY will be accepting electronic proposals only.

To Submit Electronically:

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.

1. Email UpstateRFPcoordinator@dasny.org with the subject line: “RFP Environmental Management Request Access-Firm Name.”
2. You will receive an email from the Designated Representative with a link to a Microsoft SharePoint site: “Environmental Management 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 Environmental Management RFP “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. Four documents will need to be uploaded and include:
 - a. Technical Proposal
 - b. Cost Proposal
 - c. Vendor Responsibility Certification Page, and
 - d. DASNY Omnibus Procurement Certification

All documents must be saved in PDF format and labeled as directed below:

- a. Technical Proposal:
 - i. Save file as: RFP Environmental Management-Tech-firm name
 - ii. Click “Upload” or drag and drop
 - b. Cost proposal:
 - i. Save file as: RFP Environmental Management-Cost-firm name
 - ii. Click “Upload” or drag and drop
 - c. Vendor Responsibility:
 - i. Save file as: RFP Environmental Management-VRQ-firm name
 - ii. 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”
 6. The Environmental Management RFP site will close at 5:01 PM on April 20, 2021. 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

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

Morgan Rowland

Email: UpstateRFPCoordinator@dasny.org

There will be an opportunity available for submission of written questions and requests for clarification regarding this procurement. All questions and requests for clarification of this RFP should cite the particular RFP Section and paragraph number where applicable and must be submitted via email to UpstateRFPCoordinator@dasny.org and include "RFP #7568" in the subject line no later than **5:00 PM EST April 20th, 2021**. Answers will be posted to DASNY's website on or about **April 6th, 2021**. 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.

No firm which is considering submitting a proposal or which has submitted a proposal shall contact any DASNY employee other than the contact person listed above during the period of the RFP process about any matters related to the RFP or any proposals submitted in response to this RFP. Such contact may result in the rejection of the proposal.

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-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/>

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.

Section 13- Term of Agreement:

The contract term is expected to be for a period of four (4) years, subject to the availability of sufficient funding, successful performance and an approved contract.