



Materials Testing and Special Inspections Services

Request for Proposal RFP #7583

Date: March 17, 2022

Section Number	Page No.
-----------------------	-----------------

Section 1 - General Information:.....	3
Section 2 – Engagement Requirements:.....	3
Section 3 - Content of Technical Proposal:	4
Section 4 – Content of Cost Proposal:.....	7
Section 5- Content of Administrative Proposal.....	7
Section 6 – Evaluation of Proposals:.....	8
Section 7 – Submission of Proposals:	9
Section 8 – Important Information Affecting Proposers:	11
Section 9 – Negotiation:	13
Section 10 – Notification:	13
Section 11 – Insurance:	13
Section 12 – Vendor Integrity:	13
Section 13 – Freedom of Information Law and Public Disclosure.....	14

Attachments:

- a. Sample Contract
- b. Omnibus Certification
- c. W-9 Form
- d. Classification and Rate Form
- e. DASNY Multiplier Form
- f. Sample Insurance Certificate & Requirements
- g. Diversity Questionnaire
- h. Personnel and Laboratory Compliance Statement
- i. Sample Personnel Qualification Summary Table

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 materials testing and special inspection services for various projects throughout New York State. It is DASNY’s intent to contract with more than one firm. Services will be requested and conducted on an as-needed basis. The type and value of each project will vary.

1.3 Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFP	3/17/2022
Deadline for RFP Questions	4/07/2022 (5:00 PM)
Post Responses to RFP Questions	4/12/2022
Proposal Due Date	4/26/2022 (3:00 PM)
Interviews/Presentations (not earlier than)	6/08/2022
Notice of Award (not earlier than)	6/29/2022

Section 2 - Engagement Requirements:

2.1 Scope of Services

The scope of services to be provided for this project is included within Chapter Two of the attached Sample Contract. The services cover a broad range of materials testing and special inspection services, all of which may not be applicable to all firms. The scope of work will be adjusted for firms that specialize in specific service areas (e.g. Non Destructive Testing, Building Envelope Inspection) and for those wishing to exclude services from the scope. The Consultant may subcontract services to other qualified firms to cover scope items for which they are not otherwise qualified. The Consultant and their subconsultant(s), if any, must have demonstrated experience in each of the areas they are proposing to

do work and employ registered architects, licensed engineers and individually certified inspectors and technicians experienced in the disciplines covered by the scope of services.

The selected consultants will be authorized to proceed with each work assignment based on a project specific Work Authorization. Depending on the nature of the work assignment, some portions of the Consultant's required services may be modified to more accurately reflect the level of service required.

2.2 Qualifications and Certification Requirements

The Consultant must have experience in providing materials testing and special inspection services in accordance with applicable codes, rules and reference standards related to buildings and facilities construction, which shall include:

- Field and laboratory testing services.
- Certifications, accreditations, and licenses (as applicable).
- Specific experience and expertise of individual staff:
 - Professional licensure;
 - College education from accredited institution, or equivalent; and
 - Certifications held from ICC, AWS, ACI, PCI, ASNT, and other nationally recognized certifying agencies.

Specific certification and license requirements for laboratories and personnel providing services under the term contract include, but are not limited to:

- Professional Engineers (PE) must be licensed in the State of New York.
- Registered Architects (RA) must be licensed in the State of New York.
- Inspectors and technicians must hold the certification type issued by the appropriate agency for the type of work they will perform.

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. 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 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 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. General Qualifications

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, including the following:

- a. Education, certifications, licensure, and a listing of staff experience showing compliance with the qualification requirements of the relevant Building Codes, Rules of the City of New York (NYC projects) and Chapter 2 of the attached contract (as appropriate).
- b. Personnel qualification summary table showing the number of employees holding certifications, licenses, or other qualifications relevant to the scope of services. A sample table is provided as an attachment, but any format providing similar information will be accepted.
- c. Copy of all laboratory accreditations or licenses held by firms proposing to perform (laboratory) testing services and a listing of all standards to which the laboratory is accredited or licensed.
- d. Accreditations held by the firm from nationally recognized accreditation agencies accrediting to ASTM E329-07 or ISO 17020-98 international standard (if applicable).
- e. Other certifications, registrations, accreditations, or licenses held by the firm and related to the scope of services. Provide license numbers or copies of registration certificates, as appropriate.
- f. The class and specific categories of registration held or being pursued with the New York City Department of Buildings (if applicable).

Tab 3. Project Experience

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. Project Approach

Provide a detailed description of your firm's approach to providing the requested scope of services, including, but not limited to, the information noted below:

- a. Overall Approach: Describe your firm's overall approach to providing the requested scope of services.
- b. Coordination: Provide your firm's approach to engaging with the Design Professional and maintaining a productive working relationship to ensure project success.
- c. Quality Assurance/Control Program: Provide a detailed description of how your firm implements quality assurance/control. Provide samples/examples of your quality control program inclusive of applicable documentation. Also, include a copy of your firm's Quality Control Program "Table of Contents".
- d. Provide copies of typical inspection and test reports utilized by the firm in the execution of its services, including daily report forms, non-conformance reports and logs.

Tab 5. Licenses and Certifications

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. 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. Firm Profile

Provide a one-page profile of your firm. The firm profile should summarize the following: core competencies, number of employees, firm's office locations, and staff by office and discipline. The purpose of this firm profile is to provide the Client and DASNY staff with a clear and concise document to review the background of the firm. Specifically identify which service areas outlined in Chapter Two of the attached contract the firm is proposing to perform work. Propose additions and/or deletions of tasks to conform to the firm's area(s) of expertise.

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. 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).
- e. The proposer must sign the attached Personnel and Laboratory Compliance Statement.
- f. 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 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 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 4 - Content of Cost Proposal:

4.1 Information to be Provided by Proposers for 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 page dividers 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. Overhead and Profit Multiplier

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. Classification and Rate Form

Complete the attached Classification and 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 and Rate Form is not required.

Tab 4. Insurance

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

Section 5 – Content of Administrative Proposal

5.1 Information to be Provided by Proposers for Administrative Proposal

Tab 1. Vendor Responsibility Questionnaire

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://onlineservices.osc.state.ny.us/Enrollment/login?0>.

Tab 2. Omnibus Certification

A completed Omnibus Certification form included in this RFP as an attachment.

Tab 3. 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.

Section 6 - 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.

6.1 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.

6.2 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. Firms will be selected to meet the anticipated business needs of DASNY, to further DASNY's mission to increase MWBE and SDVOB utilization and participation, and also provide opportunities to new firms that have not previously contracted with DASNY.

6.3 Criteria for Selection

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

6.4 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 7 - Submission of Proposals:

7.1 Submission of Technical, Cost, and Administrative Proposals

DASNY will be accepting electronic proposals only.

To Submit Electronically:

Follow the directions below to upload your proposals 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 7583 Materials Testing Request Access-Firm Name."
 - a. Provide the name and email address of any additional contacts (if any) 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 the Designated Representative with a link to a Microsoft SharePoint site: “Materials Testing RFP 7583.”
 - a. Please confirm receipt of this email and ability to access the SharePoint site.
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 Materials Testing 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. Three files will need to be uploaded and include:
 - a. Technical Proposal
 - b. Cost proposal
 - c. Administrative Proposal

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

- a. Technical Proposal:
 - i. Save file as: RFP 7583 Materials Testing-Tech-firm name
 - i. Click “Upload” or drag and drop
 - b. Cost proposal:
 - i. Save file as: RFP 7583 Materials Testing-Cost-firm name
 - ii. Click “Upload” or drag and drop
 - c. Administrative Proposal:
 - i. Save file as: RFP 7583 Materials Testing-Administrative-firm name
 - ii. Click “Upload” or drag and drop
5. Once your files are uploaded, DO NOT OPEN. The files submitted must be your final submission and cannot be modified.
 - a. If you open your files after they are submitted, the system will show it as “modified”
 - b. The submitted files will remain in a “pending” status so that they remain private and will not be visible to the other proposers throughout the procurement process.

The Materials Testing and Special Inspection RFP site will close at 3:01 PM on April 26, 2022. 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 8 - Important Information Affecting Proposers:

8.1 Proposal Requirements

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

Kelly Whitbeck

Email: DownstateRFPcoordinator@dasny.org

All questions must be submitted in writing to the Designated Representative 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.

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.

8.2 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.

8.3 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.

8.4 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 9 – Negotiation:

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

Section 10 – 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 11 – Insurance

The successful proposer will be required to comply with the Insurance requirements located in Article 8 of the attached Sample Contract.

Section 12 – 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 13 – 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.