



DASNY's Job Order Contracting Program  
New Construction Contract Solicitation

Pre-Bid Conference  
October 18, 2022 (Via Teams) – 10:00 AM

# AGENDA

- About DASNY
- Overview - Job Order Contracting
- Current Contract Solicitations
- Bidding on JOC Contracts – Key Considerations
- MWBE and SDVOB Participation
- DASNY’s Capital Management Program
- Recap
- Question & Answer Session

**NOTE: During the Pre-Bid meeting please use “Chat” for your questions**

# DASNY Overview – Job Order Contracting Program

- DASNY is among the nation's largest issuers of low-cost, tax-exempt bonds and one of its biggest public builders.
- We finance and construct facilities for Colleges and Universities, Health-Care Providers, Government Agencies and Authorities, Non-Profit Organizations
- DASNY has run a **Job Order Contracting (JOC) program** is over 20 years. JOC is a unit-price based type of procurement designed to provide faster contracting time
- DASNY's JOC Program awards term construction contract in 10 regions statewide. Projects generally involve a range of **renovation, repair, emergency, or exploratory work**

# DASNY Overview – Job Order Contracting Program

- DASNY’s JOC contracts have a **one-year base term and three one-year renewal terms.**
- At the time of contract bid and award DASNY cannot identify or commit to any specific Project or Locations, other than a Region, or to any specific quantities, tasks or project values
- JOC contractors provide construction services statewide using a **catalog of fixed unit prices** that are adjusted by Contractor-Specific Adjustment Factors.
- The unit-price **catalogues are customized for DASNY and are updated annually** and distribute to JOC contractors in August.
- Prime contractors in DASNY’s JOC Program **must be bondable.** (Refer to DASNY’s website for more information on JOC Program bonding requirements)

# DASNY Overview – Job Order Contracting Program

- DASNY on average executes work valued at **\$52 million per year** via its JOC Program.
- The average value of a project procured through DASNY's JOC Program is **approximately \$150,000**, but projects can **range in value from a few thousand dollars to over \$1 million**
- Trades include **General Construction, Mechanical, Plumbing, Electrical, and Asbestos / Hazmat**. Specialty trades can include **Roofing, Facade Repair, and Restoration or Sprinkler**
- Contactors for DASNY's JOC Program must be **expert in their trade** and to have the capacity required to **manage multiple projects simultaneously**
- Training provided **free of charge and as frequently as needed** on the software and unit-price catalogues used for the program

# EXPLANATION OF JOB ORDER CONTRACTING

- Job Order Contracting was Introduced In the United States in 1985; **over 1,100 Job Order contracts are in use nationwide**
- Job Order Contracting is **faster** than traditional contracting methods, provides for **better quality**, can be **less expensive** and can provide for **greater cost control**
- Over **\$2 billion of construction placed annually** nationwide via JOC contracts
- Implemented By Major Cities, Counties, Public Agencies
  - Town of Greece NY (ezIQC®)
  - State University Construction Fund
  - NYS Department of Transportation
  - NYS Department of Environmental Conservation
  - NYS Office of General Services
  - New York City Department of Education

# JOC PROGRAM MAP AND REGIONS



DASNY's JOC Program Regions have been re-ordered. The updated JOC Program Regions are listed below.

DASNY'S JOC REGIONS		
Region	Comment	Counties Included
1	Formerly included Sub-Region 1A - Long Island (Nassau and Suffolk counties)	New York (Manhattan), Bronx, Kings (Brooklyn), Richmond (Staten Island), and Queens
2	Formerly Sub-Region 1A (Long Island)	Nassau and Suffolk
3	Formerly Sub-Region 2A	Westchester, Rockland, and Putnam
4	Formerly Sub-Region 2B	Orange, Sullivan, Delaware, Ulster, Dutchess, Greene, and Columbia
5	Formerly Sub-Region 3A	Rensselaer, Albany, Schenectady, Otsego, Schoharie, Fulton, Montgomery, Saratoga, Washington, Warren, Hamilton, and Herkimer
6	Formerly Sub-Region 3B	Essex, Clinton, and Franklin
7	Formerly Sub-Region 4B	Lewis, Jefferson, St. Lawrence
8	Formerly Sub-Region 4A	Broome, Tioga, Tompkins, Cortland, Chenango, Cayuga, Onondaga, Madison, Oswego
9	Formerly Region 5	Monroe, Wayne, Livingston, Ontario, Seneca, Yates, Steuben, Schuyler, and Chemung
10	Formerly Region 6	Niagara, Orleans, Genesee, Erie, Wyoming, Chautauqua, Allegany, and Cattaraugus

# CURRENT SOLICITATION

## Downstate

(DASNY's PLA applies to Region 1 contracts **only**)

Region	CR #	Description	Bid Security	Maximum Value (Per Contract Term)
1	552	Abatement	\$25,000	\$500,000
1	553	Façade Repair and Restoration	\$25,000	\$5,000,000
1	554	Roofing	\$25,000	\$3,000,000
1	555	Plumbing	\$25,000	\$2,000,000
1	556	Electrical	\$25,000	\$2,000,000



# CURRENT SOLICITATION

## Upstate and Western New York

Region	CR #	Description	Bid Security	Maximum Value ( Per Contract Term)
3 & 4	557	Electrical	\$25,000	\$1,000,000
5	558	Electrical	\$25,000	\$500,000
8	559	Electrical	\$25,000	\$500,000
7	560	HVAC	\$25,000	\$500,000
9	561	General Construction	\$25,000	\$1,000,000
10	562	General Construction	\$25,000	\$1,000,000
8	563	General Construction	\$25,000	\$1,000,000

# CURRENT SOLICITATION

## Considerations for Bidders

- Bidders for the **Façade Repair and Restoration** contract (CR 553) must have appropriate insurance coverage for exterior Façade work
- Bidders for **Roofing** contract (CR554) must have experience self-performing roofing work
- Bidders who hold **active DASNY JOC contracts with 12 months of more remaining** must carefully consider their ability to take on the responsibility of an additional JOC term construction contract

# CURRENT SOLICITATIONS

- Volume I

- Terms & Conditions

- ✓ *New & Revised*

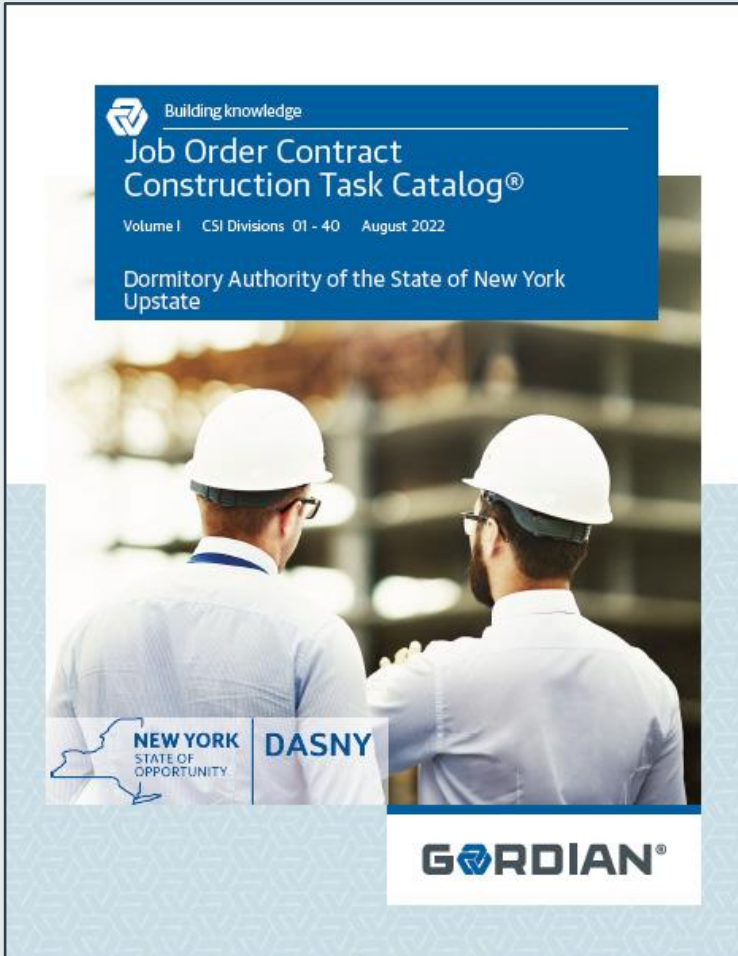
- Information for Bidders
    - Bid & Contract Forms
    - Performance & Payment Bonds (per JO)
    - General Conditions
    - General Requirements
    - Affirmative Action Forms

- Volume II

- General Requirements

Construction Front End Documents Table of Contents	
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GENERAL CONDITIONS	
SUPPLEMENTAL GENERAL CONDITIONS FOR GOSR PROJECTS ONLY	

# CURRENT SOLICITATIONS



- Volume III
  - Construction Task Catalogs
  - Dated: August 2022

## Catalog of Pre-Priced Construction Tasks

- Organized by CSI Master Format 2004
- Unit Prices Calculated using Local Labor, Material & Equipment Costs
- Customized for DASNY

# CURRENT SOLICITATIONS

		Exterior Improvements		32
		Bases, Ballasts, And Paving		32 10
		Unit Paving		32 14
				32
MINOR	CSI UOM DESCRIPTION	TOTAL DIRECT UNIT COST	DEMOLITION UNIT COST	
	<b>32 16 Curbs, Gutters, Sidewalks, And Driveways</b> <small>(32 10)</small>			
	<b>32 16 13 Curbs And Gutters</b> <small>(32 16)</small>			
	<small>Note: Includes transit. Demolition Includes two saw cuts (each end) of curbs and gutters for lengths up to 100'. See CSI section 02 41 19 13-0043 for additional saw cuts within the 100'.</small>			
	<b>32 16 13 13 Cast-In-Place Concrete Curbs And Gutters</b> <small>(32 16 13)</small>			
	<small>Note: Includes concrete, forms, rebar, chairs (where necessary), expansion joints, finish and curing.</small>			
	<b>32 16 13 13-0001 Concrete Curb, Cast In Place</b> <small>(32 16 13 13)</small>			
	<small>Note: Includes delivered concrete, forms, rebar, chairs (where necessary), expansion joints, finish and curing.</small>			
	32 16 13 13-0002 LF 6" X 12" Cast In Place Concrete Curb .....	7.18	3.23	
	<i>For Up To 20, Add</i> .....	4.03		
	<i>For &gt;20 To 50, Add</i> .....	2.27		
	<i>For &gt;50 To 100, Add</i> .....	0.88		
	<i>For &gt;500 To 1,000, Deduct</i> .....	-0.88		
	<i>For &gt;1,000, Deduct</i> .....	-1.50		
	32 16 13 13-0003 LF 6" X 12" Cast In Place Concrete Curb - Radius .....	8.18	3.72	
	<i>For Up To 20, Add</i> .....	4.63		
	<i>For &gt;20 To 50, Add</i> .....	2.61		
	<i>For &gt;50 To 100, Add</i> .....	1.01		
	<i>For &gt;500 To 1,000, Deduct</i> .....	-1.01		
	<i>For &gt;1,000, Deduct</i> .....	-1.72		

CSI MASTERFORMAT

FULL DESCRIPTION OF TASK

PRICE INCLUDES LABOR, MATERIAL + EQUIPEMENT FOR YOUR LOCATION

DEMOLITION PRICE

SECTION + TASK NOTES

MODIFIERS FOR VARIATIONS OR QUANTITY DISCOUNTS

# CURRENT SOLICITATIONS

- Volume IV
  - Technical SpecificationsSpecifies Quality of Materials and Workmanship

## Volume V

- NYS DOL Wage Information

**IMPORTANT NOTICE**

FOR  
**CONTRACTORS &  
CONTRACTING AGENCIES**

Social Security Numbers on Certified Payrolls

The Department of Labor is cognizant of the concerns of the potential for misuse or inadvertent disclosure of social security numbers. Identity theft is a growing problem and we are sympathetic to contractors' concerns with regard to inclusion of this information on payrolls if another identifier will suffice.

For these reasons, the substitution of the use of the last four digits of the social security number on certified payrolls submitted to contracting agencies on public work projects is now acceptable to the Department of Labor.

NOTE: This change does not affect the Department's ability to request and receive the entire social security number from employers during the course of its public work / prevailing wage investigations.

The image shows the cover of a document titled "Job Order Contract Technical Specifications". At the top left is the "Building knowledge" logo. The title is in large white text on a blue background. Below the title, it says "Volume I | CSI Divisions 01 - 40 | August 2022". The client is identified as "Dormitory Authority of the State of New York Upstate". The cover features a photograph of two construction workers in white hard hats and light blue shirts, viewed from behind, looking at a construction site. At the bottom left is the "NEW YORK STATE OF OPPORTUNITY" logo, and at the bottom right is the "DASNY" logo. The GORDIAN logo is prominently displayed at the bottom center.

# CURRENT SOLICITATIONS

## Bid Requirements

- **Competitive Bid**

- NON PLA – 3 AF's**

- ✓ Normal Working Hours
    - ✓ Other Than Normal Working Hours
    - ✓ Non Pre-Priced Work

- PLA - 5 AF's (Bronx, Kings, New York, Queens & Richmond Counties ONLY)**

- ✓ Day Shift Monday to Friday (as defined by the PLA)
    - ✓ 2<sup>nd</sup> Evening or 3<sup>rd</sup> Night Shift Monday to Friday (as defined by the PLA)
    - ✓ Day Shift Saturday or Sunday (as defined by the PLA)
    - ✓ 2<sup>nd</sup> Evening or 3<sup>rd</sup> Night Shift Saturday or Sunday (as defined by the PLA)
    - ✓ Holidays (as defined by the PLA)

- **Same Adjustment Factors Apply to All Tasks in the CTC<sup>®</sup>**

- ✓ **Must Include all Indirect Costs & Profit**

- **Lowest Award Criteria From an Acceptable, Responsive, Responsible Bidder Wins!**

1

WORK PERFORMED  
DURING NORMAL  
WORKING HOURS



2

WORK PERFORMED  
DURING OTHER THAN  
NORMAL WORKING HOURS



3

**\*PLA AF's & WORK HOURS  
AS DEFINED BY THE PLA**

# CURRENT SOLICITATIONS



- **Joint Scope Meeting**
  - Develop Detailed Scope of Work
- **Issue Request for Proposal**
- **Receive Price Proposal Package**
  - Price Proposal Summary
  - Detailed Price Proposal
  - Proposed Project Schedule
  - MWBE and SDVOB Utilization Plan
  - List of Proposed Subcontractor / Suppliers
  - Any Required Submittals, Insurances, NPP Backup, etc.
- **JOC Contractor's Price Proposal Package Reviewed and Approved**
- **Issue Lump Sum Job Order**



# CURRENT SOLICITATIONS

- Adjustment Factors are Good for the Life of the of the Contract  
*See General Conditions, Section 1A.04, Annual Update of the Construction Task Catalogs, D. & E.*
- Construction Task Catalogs **updated annually and issued in August.**  
*See General Conditions, Section 1A.04, Annual Update of the Construction Task Catalogs, A.*
- Liquidated Damages  
*Apply on a per Job Order basis*
- Permit fees are 100% reimbursable

# CURRENT SOLICITATIONS

- Contractor is not Guaranteed to Receive any Minimum Amount of work or the Maximum Contract Value
- Contractor has a Continuing Financial Incentive to be responsive and to provide quality work and a competitive price
- Future Job Orders Tied to JOC Contractor Performance
  - No Obligation To Award Projects to JOC Contractors
  - Additional JOC Contracts May Be Bid and Awarded if DASNY is Not Satisfied With JOC Contractor Performance

# CURRENT SOLICITATIONS

- Differing Site Conditions
  - Treated as Additional Job Order(s)
- Retainage
  - 5% (Released at Completion of Each Individual Project / Job Order)
- No Substantial Completion (except for larger, more complex projects)
  - JOC Projects are generally 100% Complete or Incomplete
- One Payment for Projects Completed Within 45 Days or Costing \$50,000 or Less -  
Monthly Progress Payments for other Job Orders

# UNDERSTANDING THE CTC<sup>®</sup>

Review Section 00, pages 1 - 6 of the CTC, Understanding the CTC. It outlines what is included in unit prices and adjustment factors, general rules, or equals, etc.

## Key Points:

- Unit Prices are for Complete and In-Place Construction
- Unit Prices Include Direct costs of Labor, Material and Equipment. **Do Not Add Labor.**
- Unit Prices Include the Cost of Delivery to Project Site, Unloading, Storage and Handling. Delivery Height is up to 2 ½ Stories

# UNDERSTANDING THE CTC<sup>®</sup>

- For new work unit prices include:
  - testing, calibration, balancing, etc.
  - all fasteners, bolts, anchors, adhesives, etc.
  - an allowance for waste, e.g. carpet, drywall, VCT, ceiling tile
- Demolition price includes loading into truck or dumpster
- If an item is demolished as part of different task, it will not be paid for separately

# UNDERSTANDING THE CTC<sup>®</sup>

- Contractor paid for Installed Quantities Only, No Waste
- Assembly Pricing take precedence over Component Pricing
- 14' Working Height for all work except Masonry, which is 4'
- Over those heights, contractor paid for Scaffolding, Scissor Lifts, etc.
- Dumpsters are a Separate Item

# UNDERSTANDING THE CTC<sup>®</sup>

- Mobilization Task for Excavation Equipment, Paving Equipment, Cranes, etc.
- Minimum Set up Charges for Core Drilling, Saw Cutting, etc.
- Minimum Charge for Small Area Pavement Repairs
- Paid Separately for Removing Demolition Material and Waste Material From Site
- Modifiers for Small Quantities

# UNDERSTANDING THE CTC<sup>®</sup>

## Exceptions to using the unit prices and tasks in the CTC

- **Allowances and Reimbursable Expenses**, e.g.: permits, fees, Builders Risk Insurance premium, etc., are compensated to the contractor “at cost” using a mark-up / **Adjustment Factor of 1.0000**.
- **Tasks not included in the CTC** are referred to as **Non Pre-Priced (“NPP”)**. The contractor must obtain and present to DASNY three (3) vendor quotes. DASNY will accept the lowest responsible quote, the cost of which is marked-up by the **NPP Adjustment Factor bid by contractor**.

**Allowances are used at DASNY’s sole discretion. DASNY’s determination of the scope of a task, the appropriateness of a task for a Job Order, and the classification of a task as Pre-priced or NPP shall be final, binding and conclusive.**



# FORMULA FOR CALCULATING THE PRICE PROPOSAL

UNIT PRICE    **x**    QUANTITY    **x**    ADJUSTMENT FACTOR    **=**    TOTAL FOR TASK

UNIT PRICE    **x**    QUANTITY    **x**    ADJUSTMENT FACTOR    **=**    TOTAL FOR TASK

UNIT PRICE    **x**    QUANTITY    **x**    ADJUSTMENT FACTOR    **=**    TOTAL FOR TASK

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Total Job Order Amount

The total value of each task included in a Price Proposal is used to generate the total Job Order Amount, the Job Order is issued as a “Lump Sum” Amount.

# CALCULATING THE ADJUSTMENT FACTORS

## 1 Use Historical Project Data

- Select a Representative Completed Project
  - You Know Scope and Direct Costs
- Price Project from CTC®
- Add on Overhead and Profit
- Calculate the Adjustment Factors

## 2 Sampling Method

- Evaluate a Sampling of the Anticipated Items

## 3 Create a Representative Project

- Create a Scope of Work
- Get Sub Quotes or Estimate Cost
- Price Project from CTC®
- Add on Overhead and Profit
- Calculate the Adjustment Factors

# CALCULATING THE ADJUSTMENT FACTORS

## SAMPLE Project: Work at Administrative Building and Shop

- Doors and Hardware
  - Replace 12 interior doors, hinges and hardware
  - Doors shall be 3x7, solid core wood doors, Grade 2 locksets with knobs
  - Replace 2 push bar exist devices and door closers on exit doors
- Interior Lighting
  - Replace all lay-in troffer fixtures on first and second floors. 48 in total
  - Replace 4 LED exit fixtures
  - Replace 12 industrial fixtures in shop area
- Plumbing Fixtures
  - Replace 8 bathroom sinks, 8 faucets, and 8 toilets in men's and women's bathroom in admin building and shop area
  - Replace 4 water fountains
- Replace Boiler
  - Demo existing boiler and as much piping and venting to accommodate new boiler. Install a new 1028 mbh oil-fired cast iron boiler. Weil-McLain Model 88. No access for packaged boiler. Must field assemble sections. Provide new piping as required.

# CALCULATING THE ADJUSTMENT FACTORS

Gordian | Apps | Tools | eziQC® | Videos | About | Feedback | Help | Show All Companies  | Current Company: New York State Dormitory Authority | Welcome Rene Pedrosa

Show 100 Line Items Per Page | Refresh View | Layout Custom | First Previous 1 2 Next Last

	<input type="checkbox"/>	Type	CSI Number	Description	UOM	Install Qty.	Demo Qty.	Factor	Review Note	User Note	Category 1
+	<input type="checkbox"/>	✗ ⓘ	04 21 13 00-0012	Common Brick As 4" Wall Face Brick (6.4/SF)	SF	0	0	0.9901			Allowance
+	<input type="checkbox"/>	✗ ⓘ	04 21 13 00-0012(0026)	For Colored Mortar, Add	MOD	70	0	0.9901			Allowance
+	<input type="checkbox"/>	✗ ⓘ	03 01 30 71-0005	Patch Decks Or Floors, Rapid Set Concrete Repair Material	CF	0	0	0.9901		Detail CON 01 - 80 SF x 1.5" = 10 CF, detail FL 01 - 200 SF x 2" = 34CF, Total - 44CF	Allowance
+	<input type="checkbox"/>	✗ ⓘ	02 89 00 00-0013	Clean Asbestos Surface >1000 SF	SF	500	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 82 00 00-0094	110 To 1000 SF Built-up Tar And Felt Roofing, > 2" Average Thickness	SF	2590	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 89 00 00-0020	Portable Waste Decontamination Unit	EA	1	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 89 00 00-0012	Clean Asbestos Surface 501 To 1000 SF	SF	900	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 41 19 13-0206	4" Thick Brick Wall Cutouts, > 4 SF Opening	SF	154	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 89 00 00-0016	Cover Walls, Each Layer, 6 Mil Plastic Barrier	SF	8000	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 81 00 00-0010	Hauling Per Mile Using A Container, Tractor Trailer Or Panel Van	MI	160	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 89 00 00-0010	Clean Asbestos Surface <=100 SF	SF	320	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 90 50 00-0239	Decon Chamber	EA	3	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 82 00 00-0086	< 125 SF Built-up Tar And Felt Roofing, Up To 2" Average Thickness	EA	35	0	0.9901			Asbest
+	<input type="checkbox"/>	✗ ⓘ	02 89 00 00-0019	Portable Personnel Decontamination Wash Facility (3 Stage)	EA	1	0	0.9901			Asbest

# CALCULATING THE ADJUSTMENT FACTORS

## Direct Cost of Work from CTC

- Doors and Hardware \$ 11,387.04
- Lighting \$ 19,725.20
- Plumbing \$ 22,935.76
- Replace Boiler \$ 57,844.89

**TOTAL = \$111,892.89**

## Direct Cost of Work from Quotes or Estimates

- Doors and Hardware \$11,615.00
- Lighting \$ 19,093.00
- Plumbing \$ 22,524.00
- Replace Boiler \$ 56,738.00

**TOTAL = \$109,970.00**



### Job Order Contract Contractor's Price Proposal Summary- Category

Job Order Number:	Prebid Estimate
Title:	Prebid Estimate
Contractor:	Massa Construction, Inc.
Proposal Value:	\$111,892.89
Proposal Name:	Prebid Estimate
To: Project Manager	From: Contractor Project Manager
<b>Doors and Hardware:</b>	<b>\$11,387.04</b>
<b>Lighting:</b>	<b>\$19,725.20</b>
<b>Plumbing:</b>	<b>\$22,935.76</b>
<b>Replace Boiler:</b>	<b>\$57,844.89</b>
<b>Work Order Proposal Total</b>	<b>\$111,892.89</b>

This work order proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.



### Job Order Contract Contractor's Price Proposal Detail- Category

Job Order Number:	Prebid Estimate			
Title:	Prebid Estimate			
Contractor:	Massa Construction, Inc.			
Proposal Value:	\$111,892.89			
Proposal Name:	Prebid Estimate			
CSI Number	Mod.	UOM	Description	Line Total
<b>Doors and Hardware</b>				
1	01 74 19 00-0011	EA	6 CY Dumpster (1 Ton) *Construction Debris*Includes delivery of dumpster, rental cost, pick-up cost, hauling, and disposal fee. Non-hazardous material.	\$404.98
		Quantity	Unit Price	Factor
		1.00	\$404.98	1.0000
		Installation		
				Total
				\$404.98
2	08 14 16 00-0037	EA	3' x 7' x 1-3/8" Solid Core, Birch Faced Door	\$3,920.52
		Quantity	Unit Price	Factor
		12.00	\$295.00	1.0000
		Installation		Total
				\$3,960.00
		Demolition		Total
				\$860.52
3	08 71 23 00-0004	PR	3-1/2" x 3-1/2" Standard Duty, Full Mortise, Plain Bearing, Brass/Bronze, Satin Chrome Finish Hinge	\$1,298.34
		Quantity	Unit Price	Factor
		18.00	\$72.13	1.0000
		Installation		Total
				\$1,298.34
4	08 71 23 00-2086	EA	3' Push Bar Exit Device, Rim TypeAnodized finish: aluminum or dark brown. Von Dupin Series 22.	\$1,555.80
		Quantity	Unit Price	Factor
		2.00	\$643.44	1.0000
		Installation		Total
				\$1,286.88
		Demolition		Total
				\$268.92
5	08 71 23 00-2219	EA	Surface Mounted Heavy Duty Door Closer (LCN 4040XP/4041 Series)	\$921.08
		Quantity	Unit Price	Factor
		2.00	\$425.88	1.0000
		Installation		Total
				\$851.76
		Demolition		Total
				\$69.32
6	08 71 23 00-2219	0183	EA For Hold Open Arm, Add	\$27.60
		Quantity	Unit Price	Factor
		2.00	\$13.80	1.0000
		Installation		Total
				\$27.60
7	08 71 23 00-2254	EA	Entrance/Office F82 Bored Lockset/Locked with key outside and push button inside.	\$3,354.72
		Quantity	Unit Price	Factor
		12.00	\$279.56	1.0000
		Installation		Total
				\$3,354.72
8	08 71 23 00-2254	0198	EA For Grade 2, Deduct	-\$96.00
		Quantity	Unit Price	Factor
		12.00	-\$8.00	1.0000
		Installation		Total
				-\$96.00
<b>Subtotal for Doors and Hardware:</b>				<b>\$11,387.04</b>
<b>Lighting</b>				
9	26 51 13 00-0060	EA	4 T8 Lamps, 2' x 4'; Prismatic Lensed, Lay-In/Troffer Fluorescent Fixture	\$15,283.68
		Quantity	Unit Price	Factor
		48.00	\$267.58	1.0000
		Installation		Total
				\$12,843.84
		Demolition		Total
				\$2,439.84

# CALCULATING THE ADJUSTMENT FACTORS

## Overhead Costs Include:

### Job Order Development

- Joint Scope Meetings
- Reviewing Detailed Scopes of Work
- Building Price Proposal Packages
- Site Supervision and Management
- Safety
- Insurance
- Vehicles
- Home Office Support
- Communications

## Putting It All Together

• Cost of Work Quotes or Estimates =	\$ 109,970.00
• Overhead @ 10% =	<u>\$ 10,997.00</u>
• Subtotal =	<u>\$ 120,967.00</u>
• Profit @ 5% =	<u>\$ 6,048.35</u>
• Total =	\$ 127,015.35

• Price Proposal from CTC® \$ 111,892.89

•  $\$127,015.35 / \$111,892.89 = \text{Adjustment Factor}$

• **Adjustment Factor = 1.1351**

# BID CONSIDERATIONS

- Minimum/Maximum Value
- Number of Option Periods
- JOC Contractor Performance
  - Responsive Price Proposals
    - **Get to the Job Order Stage Quickly**
  - Demonstrated Performance
  - High Quality, Timely Completion
  - Cost Saving Price Proposals
- Adjustment Factors are Good for the Life of the Contract
  - **See General Conditions, Section 1A.04, Annual Update of the Construction Task Catalogs, D. & E.**
- What About Changes in Prices?
  - Labor
  - Equipment
  - Materials
- Construction Task Catalogs are Updated Annually
  - **See General Conditions, Section 1A.04, Annual Update of the Construction Task Catalogs, A.**

# BID CONSIDERATIONS

- Low Adjustment Factors

- May Lead to Disputes in Price Proposal Review
  - *Unsupportable Tasks*
  - *Exaggerated Quantities*
- May Lead to Delays in Job Order Development
  - *Takes Longer to Review Price Proposals*

- Creates an Adversarial Relationship

- Reduced Volume of Work
- No Option Periods
- Lost Profitability

- No Change Orders to Improve the Margin

- See General Conditions, Section 1A.04, Annual Update of the Construction Task Catalogs, A. & F.





# MWBE and SDVOB Participation

## MWBE / EEO/ SDVOB Requirements

- DASNY's Opportunity Programs Group (OPG) is responsible for ensuring DASNY's compliance with all relevant sections of the Public Authorities Law, Set-Aside Legislation, and Article 15-A and Article 17-B of the Executive Law. **OPG reviews compliance requirements with firm awarded DASNY contracts**
- **Article 15-A of the NYS Executive Law** , requires participation by minority group members and women with respect to state contracts. This requirement includes **opportunities for minority- and women-owned business enterprises (MWBEs) and equal employment opportunities for minority group members and women (EEO)**
- **Article 17-B of the NYS Executive Law**, The Service-Disabled Veteran-Owned Business Act, signed into law by Governor Andrew M. Cuomo on May 12, 2014, provides for more **meaningful participation in public procurement by Service-Disabled Veteran-Owned Businesses (SDVOBs)**

# MWBE and SDVOB Participation

## JOC Program - MWBE / SDVOB Compliance Guidelines

- MWBE and SDVOB compliance is evaluated over the term of a JOC contract
- Contractors are encouraged to include participation on each Job Order Issued
- Contractors must maintain a record of their good faith outreach efforts for each job order issued
- Contractors are encouraged to identify and periodically update a team of MWBE and SDVOB subs and suppliers
- Contractors may request assistance from DASNY for referrals of MWBE and SDVOB firms
- Contractors may subcontract all or substantially all of work required in a Job Order to a qualified MWBE or SDVOB firm to increase participation

# MWBE and SDVOB Participation

## Contract Goal Requirements – Downstate Contracts

Description	Region(s)	CR #	MBE Goal % of Total Contract	WBE Goal % of Total Contract	EEO Goal % of Total Workforce	SDVOB Goal % Total of the Contract
Abatement	1	552	18 %	12 %	45%	6 %
Façade Repair and Restoration	1	553	18 %	12 %	45%	6 %
Roofing	1	554	18 %	12 %	45%	6%
Plumbing	1	555	18 %	12 %	45%	6%
Electrical	1	556	18 %	12 %	45%	6%

# MWBE and SDVOB Participation

## Contract Goal Requirements – Upstate and Western NY Contracts

Description	Region(s)	CR #	MBE Goal % of Total Contract	WBE Goal % of Total Contract	EEO Goal % of Total Workforce	SDVOB Goal % Total of the Contract
Electrical	3 & 4	557	18 %	12 %	15% & 10%	6%
Electrical	5	558	18 %	12 %	10%	6%
Electrical	8	559	18 %	12 %	10%	6%
HVAC	7	560	18 %	12 %	10%	6%
General Construction	9	561	18 %	12 %	10%	6%
General Construction	10	562	18 %	12 %	15%	6%
General Construction	8	563	18%	12%	10%	6%

# MWBE and SDVOB Participation

## MWBE & SDVOB Payment Reporting

Effective January 1, 2014, prime contractors holding a DASNY contract are required to use the NYS Contract System to report all subcontractor and supplier payments for contract payments received from DASNY. Go to: <https://ny.newnycontracts.com/>

**NEW YORK STATE Contract System**  
The New NY WORKS for Business

**Governor's M/WBE Program**  
→ Press Release  
→ Executive Order  
→ 2011 State of the State MWBE Clip  
→ 2012 State of the State MWBE Clip

**Empire State Development**  
→ Who We Are  
→ MWBE Division

**Businesses**  
Want to Certify?  
→ Learn About Certification  
→ Apply for Certification  
→ Recertify  
→ Update Profile

**Find NYS Contracting Opportunities**  
→ Bid & Grant Opportunities

**Welcome to the New York State Contract System!**  
**New York State Works for MWBEs**

New York is working harder than ever to make this state the place to do business.

This website is the gateway to attract and grow minority-owned and women-owned businesses.

The system makes the state certification process more user friendly and enables businesses to easily interact with the state agencies and authorities who are responsible for implementing the Minority- and Women-Owned Business Enterprises (MWBE) program.

**System Access Login**

Username:

Password:

Login

**Search for Certified Firms**  
→ MWBE Directory

**NYS Links**  
→ Home/Login  
→ Contact Us & Support  
→ Password Reminder  
→ Account Lookup  
→ Outreach & Program Notices  
→ FAQs

# MWBE and SDVOB Participation

A copy of the **executed subcontract agreement, purchase order, or letter of intent** for each MWBE & SDVOB firm included in the approved Plan is required.

- Submit documentation to:  
Sabrina Stanback-Weeks  
OPG Analyst ([Downstate](mailto:sstanbac@dasny.org))  
[sstanbac@dasny.org](mailto:sstanbac@dasny.org)
- Submit documentation to:  
Wendy Lossi  
Sr. OPG Analyst ([Upstate](mailto:wlossi@dasny.org))  
[wlossi@dasny.org](mailto:wlossi@dasny.org)
- Kimberly Smith  
Sr. OPG Analyst ([Western NY](mailto:ksmith@dasny.org))  
[ksmith@dasny.org](mailto:ksmith@dasny.org)

**SUBCONTRACT AGREEMENT**  
(For Use By General Contractor)

THIS AGREEMENT, made at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, a Company existing under the laws of the State of \_\_\_\_\_, hereinafter called the Contractor, and \_\_\_\_\_, a Company of \_\_\_\_\_, hereinafter called Subcontractor, agree as set out below.

**A. SCOPE OF SUBCONTRACT**

1. **INCORPORATION BY REFERENCE:** Contractor has entered into a contract for construction dated \_\_\_\_\_, 20\_\_\_\_, with the County of \_\_\_\_\_, ("Owner"), for the \_\_\_\_\_ located at \_\_\_\_\_, which contract is hereinafter referred to as the Principal Contract and which provides for the furnishing of labor, materials, equipment, and services in connection with the construction of the project. A copy of the Principal contract, consisting of the agreement between Owner and Contractor and all documents forming part of the contract (collectively, the Principal Contract documents), including without limitation the invitation to bid, pre-contract bulletins, general inspection conditions, drawings, plans, specifications, and all addenda thereto are incorporated by reference herein and have been made available to Subcontractor for such review as it deems fit. Subcontractor shall be furnished copies of the documents upon request, but Contractor may charge the Subcontractor for the costs of reproduction.

2. **COSTS AND EXPENSES TO BE PAID:** The Subcontractor shall pay for all costs and expenses including, but not limited to, labor, material, fuel, oil, machinery, fuel, oil, tools, management, and instrumentalities used in connection with the performance of this Subcontract, when and as costs and expenses become due, and to furnish satisfactory evidence to the Contractor, when and if requested, that he has paid all costs connected with the performance of the Subcontract.

**MUTUAL RIGHTS AND RESPONSIBILITIES:** The Subcontractor is bound to the Contractor by the terms and conditions of all documents forming part of the Principal Contract, and he assumes toward the Contractor all the obligations and liabilities that the Contractor assumes in and by the Principal Contract. The terms of this Agreement shall govern together with the conditions of the Principal Contract, and should there be any inconsistency between the terms herein and the terms of the Principal Contract, the terms of this Agreement shall govern together with the terms of the Principal Contract which have not been altered or changed. In the event of any changes or

Sample

# MWBE and SDVOB Participation

## Finding NYS Certified SDVOBs

Explore the online Directory of NYS Certified SDVOB firms at:  
[www.ogs.ny.gov/Core/SDVOBA.asp](http://www.ogs.ny.gov/Core/SDVOBA.asp)

## Finding NYS Certified MWBEs

Explore the online Directory of NYS Certified MWBE firms at:  
<https://ny.newnycontracts.com>

The screenshot shows the 'OFFICE OF GENERAL SERVICES' website. The main heading is 'BUSINESS OPPORTUNITIES' with a sub-heading 'DIVISION OF SERVICE-DISABLED VETERANS' BUSINESS DEVELOPMENT'. The text describes the 'Service-Disabled Veteran-Owned Business Act' signed by Governor Andrew M. Cuomo on May 12, 2014, which allows eligible Veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB) to increase participation in state contracting. It also mentions the creation of a new Division of Service-Disabled Veterans' Business Development (OSDVB) and provides links for 'GET CERTIFIED' and 'CERTIFIED NYS SERVICE-DISABLED VETERAN OWNED BUSINESSES'.

The screenshot shows the 'NEW YORK STATE Contract System' website. It features a navigation menu with 'Governor's M/WBE Program', 'Empire State Development', 'Businesses', and 'Find NYS Contracting Opportunities'. The main content area is titled 'NYS M/WBE Directory' and includes a search bar for 'Certified Firms' with options to search by Business Name/DBA, Business Description, and Commodity Code. A sidebar on the right contains 'Search for Certified Firms' and 'NYS Links'.

# MWBE and SDVOB Participation

## What if my firm does not meet the goals by the end of the contract term?

- Firm may submit a waiver request to DASNY OPG Upstate or Downstate Analyst
- Waiver requests must provide a justification of any participation shortfall
- Waiver requests must be supported by copies of good faith outreach efforts for all job orders issued
- Refer to General Conditions Article 20 – Section 20.04 for Good Faith Efforts submittal requirements
- DASNY OPG Analyst will review waiver request and coordinate with DASNY OPG Management concerning approval or denial
- Failure to satisfy goals, absent acceptable good faith efforts, will result in a finding of non-compliance, the imposition of liquidated damages and potential exclusion from future DASNY contracts

**DO NOT wait until the end of the contract term to discuss goal compliance issues!**



# MWBE and SDVOB Participation

## DASNY's Capital Management Services Program

DASNY's **new Capital Management Services program** enhances the ability of MWBEs and SDVOBs to be successful primes on DASNY projects by providing:

- access to affordable capital
- surety bonds or increased bonding capacity
- access to suppliers with competitive pricing for DASNY projects

The Capital Management Services program also helps MWBE and SDVOB firms to strengthen their back-office operations and financial management practices.

# DASNY Contacts

## Job Order Contracting (“JOC”) Program

J. Matthew Moore, Director

Wayne A. Benjamin, AIA, Chief

Christopher Enzien, Senior Project Manager

## Opportunity Programs Group (“OPG”)

Michael M. Clay, Senior Director

Thomas Christian, Assistant Director – Upstate/Western NY

Leticia Negron, Assistant Director, Downstate

# REVIEW of KEY POINTS

- Understand How to Price Projects From CTC<sup>®</sup>
- **Know the Value of CTC<sup>®</sup>**
- Evaluate Risk of an Unrealistically Low Bid
- JOC is a Long Term Relationship
- Volume Driven by the JOC Contractor
  - Put the Right Staff in Place
  - Good Price Proposals
  - High Quality Construction
  - Timely Completion
  - Meeting DASNY's Expectations
  - Solve Problems, Do Not Create Them



# REVIEW of KEY POINTS








## HOW TO OBTAIN CONTRACT DOCUMENTS

Contract documents are available to bidders at **no cost** on DASNY's website. Use the following link:

- <https://www.dasny.org/opportunities/rfps-bids>

Contract documents include:

- [Bid Forms for Regions 1, 3 & 4, 5, 7, 8, 9 & 10](#)

Attachments	
<b>Documents</b>	
 Volume I	23.3 MB
 Volume II - General Requirements	956.31 KB
 Prevailing Wage Rates - INFORMATIONAL - Statewide	6.02 MB
 DASNY Technical Specifications - Downstate - August 2022	24.78 MB
 DASNY Construction Task Catalog - Downstate - August 2022	19.4 MB
 DASNY Technical Specifications - Upstate - August 2022	24.77 MB
 DASNY Construction Task Catalog - Upstate - August 2022	19.37 MB

# REVIEW of KEY POINTS

## QUESTIONS REGARDING BID DOCUMENTS

- After today's Pre-Bid Meeting **all questions must be submitted in writing** to an Authorized Contact:
  - Chris Enzien, Senior Project Manager [cenzien@dasny.org](mailto:cenzien@dasny.org)
  - Construction Contracts at [ccontracts@dasny.org](mailto:ccontracts@dasny.org)
- Bid Results:
  - Bid results can be viewed at the DASNY website: <http://www.dasny.org>, **48 hours after the Bid Opening**



QUESTIONS & ANSWER SESSION