



Capital District Psychiatric Center Parking Garage Removal and Replacement (Design-Build)

Request For Qualifications (RFQ)

September 25, 2023

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Section 1 - General Information:

1.1 Introduction to DASNY

The Dormitory Authority State of New York (“DASNY” or “Owner”) 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, 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 Introduction to Client

The Office of Mental Health (“OMH”) operates psychiatric centers across New York State. OMH also regulates, certifies, and oversees more than 4,500 programs, operated by local governments and nonprofit agencies. Their mission is to promote the mental health of all New Yorkers, with a particular focus on providing hope and recovery for adults with serious mental illness and children with serious emotional disturbances.

1.3 Introduction to Facility

The Capital District Psychiatric Center (“CDPC”) provides inpatient psychiatric treatment and rehabilitation to patients who have been diagnosed with serious and persistent mental illnesses and for whom brief or short-term treatment in a community hospital mental health unit has been unable to provide symptom stability. CDPC has outpatient treatment services for children, adolescents, and adults. CDPC covers a nine-county services area in Upstate New York. The counties served include Albany, Rensselaer, Schenectady, Saratoga, Warren, Washington, Schoharie, Columbia, and Greene.

1.4 DASNY Policy on Sustainability

DASNY is committed to upholding the laws and executive actions that govern sustainability, resiliency, and energy efficiency throughout New York State. Regardless of size or complexity, DASNY requires the integration of sustainable and resilient design and construction principles and practices into every project including, but not limited to: integrated design principles, energy use optimization, net zero energy, stormwater management, renewable energy integration, waste reduction, decarbonization, electrification, water conservation, enhancement of indoor air quality, greenhouse gas emissions reductions, embodied carbon reduction, procurement of green products and materials, and resiliency/adaptation to climate change.

In support of local and statewide sustainability, resiliency, and energy efficiency laws and executive actions, the Respondent, shall establish clear initiatives for every Project, provide the necessary resources to ensure achievement of established initiatives, and produce documentation demonstrating that all set initiatives have been met. For projects requiring third-party certification (LEED, Living Building Challenge, Green Globes, etc.), all design documentation shall be submitted to the appropriate governing body (Green Business Certification Inc., International Living Future Institute, Green Building Initiative, etc.) for review.

1.5 Purpose

DASNY issues this Request for Qualifications (“RFQ”) seeking a responsive Statement of Qualifications (“SOQ”) from qualified Design-Build entities or teams (“Design-Build Team” or “Team”) capable of providing all Work (as defined herein) necessary to provide Design-Build services for the removal and replacement of an existing parking structure located at the Capital District Psychiatric Center (“CDPC”) in Albany, New York (the “Project”).

Following receipt of the submitted SOQs, an established Evaluation Committee will then identify a shortlist of Design-Build Teams that will continue with the development process for the Project. The shortlisted Teams will be provided with a future Request for Proposal (“RFP”) that will include the Bridging Documents for the overall Project on which to fully develop a response to the subsequently issued RFP.

Project Background

The parking structure that services CDPC is approximately 50 years old and in need of replacement. The original construction drawings for the parking structure are dated June 1970. Concrete repair projects on both the north and south portions of the structure were completed in the late-1990s. An overall repair project on the north half was conducted again in 2012/2013. Sequenced repairs on the south half of the structure primarily focusing on the beam and column frame were conducted between 2009 and 2019. There is an ongoing rehabilitation project to ensure that the garage remains structurally stable until a more permanent solution is found.

The existing structure consists of approximately 43,000 square feet of parking area per level over nine concrete framed levels. The floor levels are offset one-half story along the longitudinal centerline of the structure and connected by steep access ramps. The east half of the structure is comprised of four (4) supported levels (Levels 9, 7, 5, and 3) and the west half is comprised of three (3) main supported levels (Levels 8, 6, 4) and one (1) small portion of Level 2 which is located over a partial storage basement area. The existing garage contains approximately 1,000 spaces. However, the Project will result in removal of the garage in total and replacement of approximately 529 parking spaces.

Project Goals

Innovation: In line with our values of advancing state-of-the-art construction and design, we encourage Teams to explore and propose innovative solutions for the foundation system. This could include the application of new technologies, materials, or methodologies that enhance performance and sustainability. Out-of-the-box thinking and a willingness to challenge conventional practices are welcome, as they align with our goal of crafting a design that meets the unique needs and challenges of the campus environment.

Cost-Effectiveness: While innovation is critical, the Design-Build Teams must have a clear understanding of budget constraints and value engineering principles. The design must strive for cost-effectiveness without compromising quality, safety, or sustainability. A balance between innovation and affordability is paramount. The design should provide a clear indication of how the suggested deep foundation system can achieve these objectives, outlining the expected costs and illustrating how the approach represents a wise investment.

Collaboration: We anticipate close collaboration with the selected Design-Build Team, and as such, we value clear communication and a shared understanding of the goals and constraints of the project. The Design-Build Team should have a strategy for ensuring transparent communication and collaboration throughout the design and construction process.

Minimum design life of parking structure systems/elements shall be as follows:

- a. 50 years, unless noted elsewhere including:
 - i. Structural components that are walked or driven on
 - ii. Electrical system
 - iii. Storm/sanitary drainage systems
 - iv. Standpipe system
 - v. Curtain walls, storefront and exterior doors
 - vi. Elevators, roof membranes and light fixtures (25 years)
 - vii. Parking Access and Revenue Control Systems (10 years)

Project Budget

The total budget including all hard and soft costs for the entire Project is anticipated to be \$42 – 45 million. Further refinement of this budget with respect to the actual funds available for the design-build portion of the Project will be provided with the future RFP to all Teams that are selected to be shortlisted.

Project Timeline

The following dates represent anticipated milestone dates:

Final Bridging Documents	January 2024
Issuance of RFP	February 2024
Design Build Team Selection	May 2024
Design Phase Start	June 2024
Construction Phase Start	May 2025
Construction Completion	October 2026

1.6 Key Events and Dates

Responses to the RFQ are due in accordance with the schedule provided below. This schedule is firm unless DASNY changes the dates in an Addendum in writing that will be posted to DASNY's website at www.dasny.org. Respondents are solely responsible for obtaining all such changes to the submission schedule or other supplemental instructions

and any interpretations and supplemental instructions that may have been issued, as well as acknowledging receipt of any interpretations and supplemental instructions that are issued.

<u>Event</u>	<u>Date</u>
Issuance of RFQ	09/25/2023
Deadline for RFQ Questions	10/04/2023 (3:00 p.m.)
Post Responses to RFQ Questions	10/06/2023
SOQ Due Date	11/01/2023 (3:00 p.m.)
Selection of Shortlisted Teams (not earlier than)	12/01/2023
RFP issued to Shortlisted Teams (anticipated)	02/01/2024
RFP Proposals Due (anticipated)	04/17/2024

1.7 Inquiries

All inquiries concerning this RFQ or any other aspects of this procurement must be submitted in writing to the Designated Representative, Ame Breheny, at UpstateRFPCoordinator@dasny.org during the Q&A period identified. Verbal and telephonic inquiries are prohibited. In order to provide DASNY sufficient time to reply, questions must be received no later than 3:00 pm on the Deadline for RFQ Questions date. A final record of the questions and associated responses will be posted to DASNY's website, www.dasny.org on the Post Responses to RFQ Questions date. Respondents responding to this RFQ shall be solely responsible for checking the website throughout the RFQ process for responses to questions, and no individualized notices shall be provided.

1.8 Procurement Structure

DASNY shall use a two-step selection process for the Project consisting of (1) this RFQ and (2) a subsequently issued RFP.

The SOQ submittal, evaluation, and selection processes are defined herein. DASNY intends, but is not bound, to shortlist up to five (5) Design-Build Teams depending on the submittals received, provided, however, DASNY reserves the right to increase or decrease the number of shortlisted Teams if deemed necessary.

The shortlisted Design-Build Teams will be provided with a future RFP that will include the Bridging Documents for the overall Project on which to fully develop a response to the subsequent RFP.

The Design-Build Teams responding to the future RFP will be expected to develop a design plan sufficient to address site, budgetary, and schedule parameters provided for in the future RFP.

Throughout this RFQ, we may refer to the Design-Build Team as "Respondent" or "Proposer" depending on the context. Further, each Design-Build Team may be comprised of separate firms, partnerships, corporations, LLCs, or other entities forming the Respondent that submits its SOQ in response to this RFQ. Each of those separate firms, partnerships, corporations, LLCs, or other entities shall be referred to in this RFQ as the Respondent's "Team Members."

Section 2 - Engagement Requirements:

2.1 Project Scope of Work

DASNY is currently developing the Bridging Documents for the Project that will provide information necessary to allow for the design, procurement, and construction of the Project. The Scope of Work for this Project shall be further defined and identified through the Bridging Documents that will be attached as an Exhibit to the subsequent RFP. It is important to note that the CDPC complex will remain a daily 24-hour facility for the entire duration of the Project. CDPC's closest neighbor is the Albany Medical Center Hospital which is also a daily 24-hour facility. Both facilities access a shared driveway.

The Project's Scope of Work shall include, but is not limited to the following:

- a. Demolition, removal, and replacement of the existing parking garage. Work will likely include deep foundations.
- b. Construction of a temporary parking lot with lighting and drainage on the north lawn to allow for some on-site parking during construction. After the new parking structure is complete and in use, the temporary lot shall be removed, and the site shall be restored to its original use as a grass lot with underground fuel storage tanks that are to remain existing and are not to be disturbed.
- c. Demolition of the existing pedestrian bridge from Albany Medical Center ("AMC") to the existing parking structure. Existing exit doors from AMC are to be maintained. Provision of code compliant landing, egress stairs, canopy, and paved sidewalk from the existing double doors to the sidewalk serving the adjacent egress stairs from AMC.
- d. Removal of the existing south CDPC pedestrian bridge and modifications to the existing north pedestrian bridges between the existing parking structure and CDPC's main building.
- e. Removal and replacement of CDPC's storage/back of house space. Minimum size of new storage/back of house space shall be 6,500 square feet.
- f. Repairs to waterproofing over the portions of CDPC's loading dock which are to remain in place.
- g. Commissioning of systems. The Design/Build Contractor will be the Commissioning Agent, while DASNY will hire the Commissioning Authority. At minimum, commissioning of systems shall include but is not limited to the following:
 - i. HVAC system/equipment
 - ii. Lighting and lighting controls
 - iii. Electrical system/equipment
 - iv. Emergency generator
 - v. Plumbing system

- vi. Voice and data
- vii. Fire protection/life safety systems
- viii. Elevators

2.2 Qualifications and Certification Requirements

- a. The Design-Build Team must have experience in designing and constructing parking structures similar in size, scope, schedule duration, and/or complexity.
- b. The Design-Build Team possesses substantial experience providing projects of similar size, scope and complexity using a Design/Build method.
- c. The Design-Build Team Must include a Builder with an Experience Modification Rate of less than 1.0.
- d. The Design-Build Team shall demonstrate its experience with respect to meeting goals for Minority and Women Owned Business (“M/WBE”) and Service-Disabled Veteran-Owned Business (“SDVOB”) participation.
- e. The appropriate Team member(s) of the Design-Build Team performing the required engineering and architectural services for the Project must possess a Certificate of Authorization (for Engineering Firms) and Professional Licensure and Registration to provide professional services in New York State from the State Education Department.
- f. Both the Designer and the Builder are registered and authorized to do business in NYS or can provide proof that such registration for authorization is in progress.
- g. The Design-Build Team must have bonding capacity to provide material and labor payment and performance bonds with a penal sum each equivalent to the value of the design-build contract.

2.3 Project Labor Agreement

Pursuant to the Infrastructure Investment Act, authorized projects with a total construction cost of not less than twenty-five million dollars (\$25,000,000) undertaken by DASNY solely in connection with the provisions of the Act shall only be undertaken pursuant to a PLA in accordance with section 222 of the New York State Labor Law.

Should the construction cost for this project exceed the threshold identified in the Act, an executed PLA will be required prior to contract execution.

2.4 Confidentiality

Disclosure of Information: The Respondent, including all of its individual Team Members, their respective employees, and any proposed subcontractors or subconsultants shall not disclose any information received in conjunction with this RFQ or a subsequently issued RFP from DASNY, or any of other involved New York State agency, to any other person or entity, except to the extent necessary to allow the Respondent to respond to this RFQ.

Any work product will be the property of DASNY, and such work product shall not to be disclosed without DASNY's consent.

If shortlisted, the Respondent, including all of its Team Members, and any identified subconsultants, subcontractors, and vendors shall, prior to receiving the RFP, be required execute a Non-Disclosure Agreement, which such form shall be provided upon the confirmation of the final shortlist of Teams.

Section 3 - Content of Statement of Qualifications:

3.1 Information to be Provided by Respondent in the SOQ

The following is a list of required information that must be provided by the Respondent. Provide your response in the same order in which it is requested using cover pages that correspond with each of the numbered tabs below. Your SOQ must contain sufficient information to assure DASNY of its accuracy.

The use of marketing or public relations materials commonly used in sales presentations is not desirable. Such materials should only be submitted as addenda to the relevant information.

Tab 1. Cover Letter

- a. The contact name, title, telephone number, and email address of the individual for the Respondent who will be DASNY's primary contact concerning this RFQ.
- b. The name, title, telephone number, and email address of the individual for the Respondent who will be DASNY's primary contact throughout the life of the contract, should your Team be selected.
- c. The primary contact name, title, telephone number, and email address for each Team Member that will perform work under this contract.
- d. A statement to the effect that the Respondent is willing to complete the Project scope of work as identified in Section 2.1, above, and will abide by the terms of the RFQ, including all attachments.
- e. The Cover Letter must be signed by the individual(s) authorized to contractually bind the Respondent. Indicate the title or position that the signer holds for the Respondent. DASNY reserves the right to reject an SOQ that contains an unsigned Cover Letter.
 - i. If the Respondent is a corporation or limited liability company, the SOQ and Cover Letter shall be signed in the name and under the seal of the corporation by a duly authorized officer of the corporation or manager of the company, with the designation of his/her official capacity, and properly attested. The SOQ and Cover Letter shall show the state in which the corporation is chartered. If it is a foreign corporation, the SOQ shall show whether or not the Respondent is licensed to transact business in the State of New York.
 - ii. If the Respondent is a firm or partnership, the SOQ and Cover Letter shall be signed in the name or style under which the organization is doing business and by the partner,

proper officer, or officers whose official capacity shall be designated. The name and address of each member of the organization shall be shown on the SOQ and Cover Letter.

- iii. If the Respondent is a joint venture or an intended joint venture, the SOQ and Cover Letter shall be signed by each of the persons or firms that is or will be a party to the Joint Venture Agreement. If available certified copy of the Joint Venture Agreement shall be attached to the SOQ and Cover Letter.

In every case, the SOQ and Cover Letter shall show the present business address of the Respondent at which address communications shall be received and service of notices accepted. Anyone signing the SOQ as an agent shall file with it, legal evidence of his or her authority to execute such SOQ.

Tab 2. Respondent's Experience

- a. Provide resumes for all proposed staff for this procurement.
- b. Provide a minimum of three (3) parking structure project examples your proposed staff has completed or substantially completed, within the last ten (10) years using a Design-Build method. For each project only provide the following information:
 - i. The project name and location
 - ii. Brief narrative describing the project highlighting any challenges, complex, or unique aspects of the project in relation to the services provided
 - iii. The total cost of construction
 - iv. The construction start and completion dates
- c. Provide a minimum of three (3) parking structure project examples the individual firms have completed or substantially completed, within the last ten (10) years using a Design-Build method. For each project provide:
 - i. The project name and location
 - ii. Brief narrative describing the project highlighting any challenges, complex, or unique aspects of the project in relation to the services provided
 - iii. The total cost of construction
 - iv. The construction start and completion dates
- d. If the Design-Build Team did not perform together on any of the projects provided in response to bullets b and c, identify projects of similar scope and complexity where you have worked together by providing the following:
 - i. The project description and location

- ii. Brief narrative describing the project highlighting any challenges, complex, or unique aspects of the project in relation to the services provided
- iii. The total cost of construction
- iv. The construction start and completion dates

Tab 3. Organizational Structure

- a. Provide an organization chart illustrating the roles and responsibilities of each Design-Build Team member and how the organization of your team structure will lead to efficient and successful delivery of the Project.

Tab 4. Project Approach

- a. Describe the Respondent's overall approach in a way that maximizes that value of design-build delivery, fosters a highly collaborative and effective project team, and provides a pathway to cost reduction.
- b. Discuss the Respondent's process for engagement with the client to meet program expectations throughout the life of the Project.
- c. Discuss any scheduling measures the Respondent anticipates employing to ensure the Project remains within the established schedule.

Tab 5. Sample Project Schedule

- a. Provide at minimum one (1) sample project schedule the Design-Build Team has developed on a previous construction project using Design/Build delivery.

Tab 6. Safety

- a. Provide a summary of the Respondent's safety and accident prevention program for the construction-related Team Members.
- b. Detail the Respondent's and each of its individual Team Members' Experience Modification Rate for the construction-related Team Members for the past three (3) years.

Tab 7. Firm/Team Financial Responsibility Information

- a. Supply the Current Ratio (current assets/current liabilities) experience for the Respondent for the past five (5) years, with a signed statement from the representative individual(s) from the Respondent. If the Respondent is or intends to be an LLC, partnership, or joint venture, then each of the identified Team Members who are or will be the managing member(s), partners, or joint venture parties, respectively, shall also supply their Current Ratio (current assets/current liabilities) experience for the past five (5) years.

- b. Provide current liabilities (accounts payable, notes payable, accrued expenses, provisions for income taxes, advances, accrued salaries, and accrued payroll taxes) for the Respondent. If the Respondent is or intends to be an LLC, partnership, or joint venture, then each of the identified Team Members who are or will be the managing member(s), partners, or joint venture parties, respectively, shall also supply their current liabilities (accounts payable, notes payable, accrued expenses, provisions for income taxes, advances, accrued salaries, and accrued payroll taxes).
- c. Name of firm preparing the supplied financial statement(s) and date thereof.
- d. The Respondent shall provide a completed Financial Viability Form included in this RFQ as an attachment. If the Respondent is or intends to be an LLC, partnership, or joint venture, then each of the identified Team Members who are or will be the managing member(s), partners, or joint venture parties, respectively, shall also provide a completed Financial Viability Form.

Tab 8. M/WBE and SDVOB History and Approach

This procurement is conducted in accordance with Article 15-A and 17-B of the Executive Laws. It is the policy of DASNY to maximize opportunities for the participation of Minority-Owned, Women-Owned (M/WBE), and Service-Disabled Veteran-Owned Businesses (SDVOB) firms as bidders, subcontractors, and suppliers on projects. DASNY is committed to diversity and equal employment opportunities among its contractors, consultants, and vendors.

The goals for the proposed contract are 18% MBE, 12% WBE and 6% SDVOB. The goals refer to the percentage of utilization of M/WBE and SDVOB firms as subconsultants, subcontractors, and suppliers. The selected Proposer shall use good faith effort to provide for meaningful participation by M/WBE and SDVOB firms in the work where feasible.

Illustrate the Design-Build Team's commitment to utilizing M/WBE and SDVOB's by providing the following:

- a. A description of Design-Build or other types of alternative delivery projects of similar size, scope, and complexity where the Design-Build Team met or exceeded the M/WBE and SDVOB utilization goals for the project and how the Design-Build Team was able to achieve those specific goals. Provide a list of any programs the Design-Build Team has implemented to promote the use of M/WBE and SDVOB firms.
- b. An explanation of the Design-Build Team's anticipated approach to maximizing M/WBE and SDVOB participation in both the design and construction phases of this Project. Indicate how M/WBE businesses and SDVOB companies will be incorporated into both the design and construction phases of the Project.
- c. An explanation of the Design-Build Team's anticipated strategies to attract and engage the M/WBE and SDVOB community throughout the Project. Strategies should include plans to encourage teaming, joint ventures, and partnership to increase M/WBE and SDVOB utilization throughout the Project duration.

The reporting and monitoring process for the utilization of M/WBE and SDVOB firms will require submission of a Utilization Plan and the completion of all audits in the NYS Contracts System for both the design and construction phase.

Tab 9. Diversity and Inclusion

It is the goal of DASNY to utilize qualified vendors that have a demonstrated history of hiring, training, developing, promoting, and retaining minority and women staff.

Please disclose information regarding the diversity of the Design-Build Team by providing the following:

- a. A narrative explaining the Design-Build Team's approach and commitment to diversity within the work environment.
- b. An overview of the Design-Build Team's current programs in diversity/inclusion.
- c. By responding to this RFQ, each Proposer acknowledges that:
 - i. The Proposer will not discriminate against any employee or applicant for employment because of race, creed, color, gender, religion, national origin, military status, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts with DASNY.
 - ii. The Proposer will state in all solicitations or advertisements for employees that, in the performance of this Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, gender, religion, national origin, military status, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status.

Tab 9. Licenses and Certifications

- a. Provide license numbers or copies of registration certificates for the Respondent and each of the Team Members, as appropriate, indicating that the identified entities are licensed to do business in the State of New York and/or provide written assurances that the identified entities will be so licensed prior to the submission of any proposal in response to the future-issued RFP. Include a copy of the Certificate of Authorization to provide engineering services in New York State.
- b. Provide documentation that both the Designer and the Builder are registered and authorized to do business in NYS or provide proof that such registration for authorization is in progress.

Tab 10. Trade Secrets and Proprietary Information

Should you feel the submitted SOQ in response to this RFQ contains any trade secrets, confidential, or proprietary information, or that portions of the SOQ is otherwise exempt from disclosure pursuant to FOIL, you must submit a request to exclude such information from disclosure. Such request must detail the information that should be exempt and the reason such information should be exempt. DASNY will not honor any attempt by a firm to omit its entire SOQ from disclosure.

Section 3 - Administrative Documentation:

3.1 Administrative Documentation to be Provided Separately by Respondent

The following is a list of required information that must be provided by the proposer **as separate, individual electronic files**. The forms must contain sufficient information to assure DASNY of its accuracy.

- a. Responsibility Questionnaire (“VRQ”). 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>.
- b. A completed Omnibus Certification form included in this RFQ as an attachment.
- c. A completed W-9 Form, included in this RFQ 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.
- d. Provide a statement regarding the following:
 - i. 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.
 - ii. The SOQ submitted must contain a representation that the Proposer is willing and ready to provide a response to the RFP if selected as one of the shortlisted Design-Build Teams.
 - iii. Disclose any potential conflicts of interest (refer to Exhibit A, “Code of Business Ethics - Certification” included in the attached DASNY Omnibus Certification).
 - iv. Acknowledging the Proposer’s intent to comply with the Performance & Payment Bonding requirements included in this RFQ as an attachment.
 - v. Indicating the Proposer is able to comply with the insurance requirements as listed in the attached Sample Insurance Certificate and Requirements. (Review insurance requirements and general conditions prior to posting and ensure proper insurance certificates are attached).

- vi. The Respondent's agreement to enter into a Project Labor Agreement if so required.

Section 5 - Evaluation of the Statement of Qualifications:

The selection process will begin with the review and evaluation of each of the written SOQ's. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFQ; (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.

Respondents will be evaluated on their ability to meet the requirements as detailed in this RFQ. DASNY will perform an evaluation based on the Respondent's written response, internal and external references (if applicable), and, if requested by DASNY, interviews and/or presentations. After the evaluation of written responses, additional information may be requested.

5.1 Preliminary Review

Upon receipt, SOQs shall be reviewed for conformance to the RFQ instructions regarding organization, format, and responsiveness to the requirements of the RFQ. Any Respondent that is deemed to have provided a non-responsive or unresponsive SOQ may not be eligible to be shortlisted and may not be scored.

Additionally, any one or more of the following causes may be considered sufficient for the rejection of a Respondent's SOQ regardless of the Respondent's qualifications with respect to the other evaluation criteria set forth in Section 3; this list of causes is not exhaustive, and DASNY reserves the right to reject any SOQ in its sole and absolute discretion.

- a. Evidence of collusion among Respondents.
- b. Non-responsibility as determined by DASNY in its sole judgment and discretion.
- c. Default or arrearage on any contract or obligation with DASNY or other governmental entity, including debt contract, as surety or otherwise.
- d. Submission of an SOQ that is incomplete, conditional, ambiguous, obscure, or containing alterations or irregularities of any kind.
- e. Evidence of improper lobbying efforts toward members of DASNY and/or officers or employees of DASNY.
- f. Failure to comply with the terms and conditions of this RFQ.

DASNY reserves the sole right to accept any SOQ that it feels best meets its requirements. DASNY reserves the right to waive any irregularity, informality, or non-compliance in information received.

DASNY reserves the right to reject and return to the Respondent any SOQ or other information received after the RFQ due date and time. Incomplete SOQs may also be rejected.

5.2 Evaluation Committee

Respondent's SOQ will undergo an evaluation process conducted by an Evaluation Committee. The Evaluation Committee will evaluate the SOQs based upon the criteria for selection as set forth in this RFQ. Selection of the successful Respondent to the RFP is contingent on reaching an agreement on contract negotiations.

5.3 Criteria for Selection

The criteria identified in this Section 5.3 will be used by the Evaluation Committee in reviewing the SOQs in order to achieve the desired shortlist of Design-Build Teams.

DASNY shall consider the following evaluation criteria in accordance with their assigned scoring weight.

Respondent's Experience (55%)

- a. Proposed staff's experience providing similar services on alternative delivery projects of similar size, scope, and complexity, with an emphasis on parking structures and Design-Build projects.
- b. Firm's experience providing similar services on alternative delivery projects of similar size, scope, and complexity, with an emphasis on parking structures and Design-Build projects.
- c. Proposed Team's experience providing similar services on alternative delivery projects of similar size, scope, and complexity, with an emphasis on parking structures and Design-Build projects.
- d. Proposed Team's prior experience working together on projects of similar size, scope, and complexity.

Organizational Structure (10%)

- a. Proposed Team's organization chart and team structure demonstrates efficient and successful delivery of the Project.

Project Approach (10%)

- a. The Sample Project Schedule submitted by the Proposer demonstrate the necessary time allocations and logical sequencing.

Sample Project Schedule (5%)

- a. The Sample Project Schedule submitted by the Proposer demonstrate the necessary time allocations and logical sequencing.

M/WBE, SDVOB, and Diversity/Inclusion History and Approach (20%)

- a. Proposed Team's history and anticipated approach demonstrates a commitment to utilizing M/WBE and SDVOB firms and meeting the goals assigned to this procurement.

- b. Proposed Team's approach and commitment to diversity and current programs in diversity and inclusion demonstrates a history of hiring, training, developing, promoting and retaining minority and women staff in various job categories, illustrating a strong commitment to diversity.

While the following items will not be scored as part of the evaluation criteria, DASNY reserves the right to not select any Respondent that either (1) fails to fully disclose all requested information; or (2) discloses information that would cause DASNY to determine that the Respondent should not be selected.

Experience Modification Rate of less than 1.0

- a. The Design-Build Team possesses an Experience Modification Rate of less than 1.0.

Firm/Team Financial Responsibility Information

- a. The Design-Build Team's financial capacity, approach, and experience.

Bonding Capacity

- a. The Design-Build Team has the bonding capacity to provide material and labor payment and performance bonds with a penal sum each equivalent to the value of the Design-Build contract.

Responsibility of the Proposer

- a. Proposer's overall responsibility and/or integrity, including but not limited to the completeness of all responses on the Proposer's Vendor Responsibility.

5.4 Interviews

DASNY reserves the right to determine whether interviews and/or presentations will be necessary. The purpose of the interview is to further document the Respondent's ability to provide the required services and to impart to the Evaluation Committee an understanding of how specific services will be furnished. The Respondent's lead principal, as well all other key personnel proposed to provide the services must be present and participate in the interview. No additional information other than the information included in the Respondents response to the RFQ, or subsequent information requested by DASNY, will be discussed. The interview will be evaluated based on whether information discussed substantiates the characteristics and attributes claimed by the Respondent in its written response to this RFQ and any other information requested by the Evaluation Committee prior to the interview. Upon the conclusion of interviews, the Evaluation Committee will finalize their evaluation.

5.5 Final Evaluation

Upon conclusion of the evaluation process, the Design-Build Teams able to provide the required services and meet the business needs of DASNY will be selected by the Evaluation Committee to be shortlisted to receive an RFP.

5.6 Recommendation and Approval

The Evaluation Committee will make a recommendation for shortlisting the Teams. Upon approval by DASNY, formal notifications of shortlist selection will be issued.

Section 6 - Submission of Statement of Qualifications:

6.1 Submission of Statement of Qualifications

DASNY will be accepting electronic submissions only. Submissions will be accepted electronically on or before 3:00 pm on the SOQ Due Date. Follow the directions below to upload your submission electronically. Any technical issues or questions should be directed to the Designated Representative for this procurement via email prior to the due date of the SOQ. It is strongly encouraged to request access to the site 48 hours before the due date. DASNY may not be able to assist proposers with troubleshooting errors if submissions are not made in a timely manner.

- a. Email UpstateRFPCoordinator@dany.org with the subject line: “RFQ – CDPC Parking Garage Replacement RFQ 7599 - Request Access - Enter your Firm’s Name.”
 - i. Please provide the name and email address of any additional contact from your firm that may require access to submit the RFQ responses through the SharePoint site.
 - ii. An expression of interest does not qualify as a request for access. Please ensure that your firm explicitly requests access using the described procedure.
 - iii. Please request access at a minimum of 48 hours in advance and ensure access to the site works correctly.
- b. You will receive an email from UpstateRFPCoordinator@dany.org with a link to a Microsoft SharePoint site: “RFQ – CDPC Parking Garage Replacement RFQ 7599.” Please confirm receipt of this email and ability to access the SharePoint site.
- c. Click on the link within the SharePoint Email.
 - i. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the RFQ – CDPC Parking Garage Replacement RFQ 7599 “Documents” page.
 - ii. If you do not have a Microsoft account, you will need to register for a Microsoft account before you can access the link.
- d. Upload all required documents in PDF Format.
- e. Please save submissions as follows:
 - i. SOQ:

- Save file as: CDPC Parking Garage Replacement RFQ 7599 – SOQ - Enter your Firm's Name
 - Click “Upload” or drag and drop
- ii. Administrative Documentation:
- Save file as: CDPC Parking Garage Replacement RFQ 7599 – Admin - Enter your Firm's Name -VRQ
 - Click “Upload” or drag and drop
 - Save file as: CDPC Parking Garage Replacement RFQ 7599– Admin - Enter your Firm's Name – Omnibus
 - Click “Upload” or drag and drop
 - Save file as: CDPC Parking Garage Replacement RFQ 7599 – Admin - Enter your Firm's Name - W9
 - Click “Upload” or drag and drop
 - Save file as: CDPC Parking Garage Replacement RFQ 7599 – Admin - Enter your Firm's Name – DOS
 - Click “Upload” or drag and drop
 - Save file as: CDPC Parking Garage Replacement RFQ 7599 – Admin - Enter your Firm's Name – Statement
 - Click “Upload” or drag and drop
- f. Once your documents are uploaded, DO NOT OPEN. The document submitted must be your final submission and cannot be modified.
- i. If you open your documents after they are submitted, the system will show it as “modified”.
 - ii. The submitted documents will remain in a “pending” status so that they will remain private and will not be visible to the other proposers throughout the procurement process.
- g. The SharePoint site CDPC Parking Garage Replacement RFQ 7599 will close at 3:01 PM on the SOQ Due Date. Any questions or issues on submitting must be addressed to the Designated Representative for the procurement prior to the expiration of the site. Please provide enough time to upload all required files.

Section 7 - Important Information Affecting Respondents:

7.1 Statement of Qualifications Requirements

- a. All inquiries regarding this RFQ shall be addressed to the following individual:

Designated Representative

E-mail: UpstateRFPCoordinator@dasny.org

- b. All questions shall be submitted by email to the Designated Representative, citing the particular RFQ section and paragraph number, by the Deadline for RFQ Questions to be considered by DASNY, and are to be resolved prior to the submission of a response to this RFQ. A list of all inquiries received with relevant responses will be posted on DASNY's website, www.dasny.org. Respondents are solely responsible for obtaining all such interpretations and supplemental instructions that have been issued.
- c. A Respondent may withdraw an SOQ any time prior to the final due date and time by written notification, signed by an authorized agent, to the contact person identified in Section 7, Item 7.1, a. The SOQ 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.
- d. If a Respondent discovers an ambiguity, conflict, discrepancy, omission or other error in this RFQ, the proposer should immediately notify the contact person identified in Section 7, Item 7.1, a. Notice of such error or omission should be submitted prior to the final due date and time for submission of SOQs. Modifications shall be made by addenda to this RFQ.
- e. If a Respondent fails, prior to the final due date and time for submission of SOQs, 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.
- f. No Respondent is entitled to rely upon any oral interpretation by DASNY or its Consultant(s) or their respective representatives or employees concerning the meaning of this RFQ.
- g. DASNY may, from time to time, issue one or more written addenda to this RFQ on the DASNY website. Failure of any Proposer to receive any addenda issued by DASNY shall not relieve the Proposer from any obligation, requirement, or other matters addressed therein. Each Proposer must acknowledge in its SOQ receipt of each addendum that has been issued by DASNY. If no addenda have been received, then the SOQ shall so acknowledge.
- h. A Respondent indicates its acceptance of the provisions and conditions enumerated in this RFQ by submitting an SOQ.

7.2 DASNY Requirements

- a. By submitting an SOQ, the Respondent covenants that the Respondent 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.
- b. Issuance of this RFQ, your submission of an SOQ in response, and the evaluation of your SOQ by DASNY does not commit DASNY to award a contract. Only the execution of a written agreement between DASNY and the successful Respondent following the future-issued RFP and RFP evaluation period will obligate DASNY in accordance with the terms and conditions contained in such agreement.
- c. This RFQ does not commit or obligate DASNY to pay any expenses incurred by the Respondent in the preparation of its response. All such expenses are solely at the risk of the Respondent. By submitting a response, the Respondent agrees that all responses, and associated documents, to this RFQ shall become the property of DASNY.
- d. DASNY shall not be liable for any cost incurred by the Respondent in SOQ preparation or in activities related to the review of this RFQ or any interview costs.
- e. Communications made by the Respondent to DASNY employees other than the Designated Representative about this process may subject the Respondent to disqualification. Other than the Designated Representative, prospective Proposers shall not approach DASNY employees during the period of this RFQ process about any matters related to this RFQ or any SOQ's submitted pursuant thereto.

7.3 DASNY Rights and Prerogatives

DASNY reserves the right to exercise the following prerogatives:

- a. To accept or reject any or all SOQ's and amend, modify or withdraw this RFQ.
- b. To change the final due date and time for SOQ's.
- c. To accept or reject any of the Design-Build Team's employees or proposed sub-contractors assigned to provide services on this Project and to require their replacement at any time. The Respondent shall obtain the written approval of DASNY of changes to the SOQ after it is submitted, including any changes with respect to sub-contractors. DASNY shall have the right to reject any proposed change to the Respondent's SOQ.
- d. DASNY reserves the sole right to accept any response to this RFQ that DASNY believes best meets its requirements. DASNY reserves the right to waive any irregularity, informality, or non-compliance in information received. This will in no way modify the RFQ documents or excuse the Respondent from full compliance with its requirements.

- e. DASNY reserves the right to share any information as necessary with its employees, subject matter experts, consultants, representatives, and its partners including, but not limited to, the [insert client and any other stakeholders].
- f. To consider modifications to SOQ's at any time before the award is made, if such action is in the best interest of DASNY.
- g. To interview Respondents prior to selection.
- h. To reject any SOQ containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the Respondent.
- i. To shortlist firms as DASNY feels necessary to advance this procurement.

Section 8 - 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 shortlisted firm(s) will be posted on DASNY's website.

Section 9 – Vendor Integrity and Executive Order 16

Vendor Responsibility:

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.

Executive Order 16:

On March 17, 2022, Governor Kathy Hochul issued Executive Order No. 16 (EO 16), which states: “All Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” Pursuant to EO 16, the Proposer is required to certify that the Proposer is not an ‘entity conducting business operations in Russia.’ Please confirm by completing and signing the Omnibus Certification included in this RFQ as an Attachment.

Section 10 - Freedom of Information Law and Public Disclosure

This RFQ and all information submitted in response to this RFQ 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 SOQ 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 SOQ from disclosure.