



Raise the Age (RTA) - New Specialized Secure Youth Detention Facility Project

Construction Manager (Pre-Construction and Construction Phase Services)

Request for Proposal (RFP) RFP# 7612

Date: April 10, 2025

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Section 1 - General Information

1.1 – Introduction to DASNY

The Dormitory Authority State of New York (DASNY) is a public benefit corporation of the State of New York empowered by Titles 4 and 4-B of the Public Authorities Law (the “Act”), to provide design and project management services to, and to issue its bonds, notes and other obligations, for a wide variety of public purposes. Under the Act, DASNY provides a multitude of services in various forms in connection with the design, construction and financing of capital facilities for State University of New York, including dormitories and educational facilities; City University of New York Senior Colleges; Community Colleges; Boards of Cooperative Educational Services; Cities and Counties with respect to Court Facilities and combined occupancy structures, as defined by law; the Department of Education of the State of New York with respect to certain facilities under its jurisdiction; other State and local governmental entities; independent colleges and universities; facilities for the aged; certain not-for-profit hospitals and nursing homes, as well as a wide variety of other not-for-profit organizations specifically described in the Act.

1.2 – Introduction to Westchester County

Westchester County is located in the U.S. state of New York. It is the seventh most populous county in New York State and the most populous county north of New York City. According to the 2020 United States Census, the county has a population of 1,004,456, an increase of 55,344 (5.8%) from the 949,113 population counted in the 2010 census. Situated in the Hudson Valley, Westchester covers an area of 450 square miles (1,200 km²), consisting of six cities, 19 towns, and 23 villages. Westchester County government provides a broad array of services and programs. The Westchester County Department of Probation is a law enforcement agency that annually handles cases involving more than 1,000 youth in the Family Court system and more than 6,000 adults in the criminal courts. The Westchester County Department of Public Works and Transportation maintains county buildings and roads, oversees the county’s capital construction program, and offers shared services for local governments and districts. More information is available at Westchestergov.com.

1.3 - Background, Overview, and Scope of Work

Background

Summary of NYS Mandate

Per the New York State mandate “Raise the Age” (RTA) issued in April of 2017 16 and 17-year-old felons are to be removed from the adult population in Jails and be housed separately in existing Juvenile Detention Facilities under a separate new category called Adolescent Offenders or AOs. The deadline for 16-year old’s transition was October 1st, 2018, and for 17-year old’s, the transition deadline was October 1st, 2019. The state has encouraged all counties to make joint provisions utilizing existing facilities by modifying them accordingly to the new regulations known a subpart 180-3 of 9 NYCRR. The New York State Office of Children and Family Services (OCFS) in conjunction with the New York State Commission of corrections (SCOC) are responsible for the regulatory and budgetary oversight of the program. Subpart 180-3 entitled “Specialized Secure Detention Facilities” spells out the exact requirements of the new AO category from administration and operation to physical plant requirements. The state will reimburse counties 100% for RTA facility improvement costs including planning.

Westchester County Proposal to Meet the RTA Mandate

Up until now, Westchester County has been sending overflow Adolescent Offenders to other facilities throughout the state that are able to provide the appropriate housing. However, the high cost and inconvenience factors have necessitated the need for a larger regional facility. With the State's support, Westchester County has been granted considerations to design and build a new facility on the grounds of its existing Woodfield Cottage Facility located at 20 Hammond House Road, Valhalla, NY 10595. The new facility will contain a maximum of 80 beds for youth. The youth correctional facility design shall encourage rehabilitation by focusing on juvenile correctional facility design principles that are restorative, such as daylighting, and calming acoustics which create spaces in which young people can thrive. It is assumed that the facility will serve male and female youths subject to detention by Family Court or an Adolescent Court Judge, including Juvenile Delinquents (JD), Juvenile Offenders (JO) and Adolescent Offenders (AO).

Overview

DASNY, on behalf of Westchester County, has retained Urbahn Architects PLLC to prepare Bridging Documents for Design-Build project delivery of a Secure/Specialized Secure Youth Detention Facility.

The new Westchester County Secure/Specialized Secure Youth Detention Facility, which will replace the current inadequate detention infrastructure of the existing Woodfield Cottage Facility and expand the capacity to securely house up to 80 youth, including the 'Raise the Age' (RTA) youth population.

The Basic programmatically components of the project can be seen below:

| Program Component | DGSF |
|--|----------------|
| 1.000 Facility Entrance and Visiting | 3,426 |
| 2.000 Executive Administration | 2,958 |
| 3.000 Security Operations | 1,649 |
| 4.000 Staff Support Services | 6,968 |
| 5.000 Admissions, Transport and Release | 3,984 |
| 6.000 Housing - Male | 27,513 |
| 6.400 Shared Housing Support Space | 5,313 |
| 7.000 Housing - Female | 8,135 |
| 8.000 Health Services | 5,636 |
| 9.000 Food Services | 5,892 |
| 10.000 Laundry | 1,841 |
| 11.000 Education, Programs and Recreation | 19,659 |
| 12.000 Counseling | 564 |
| 13.000 Facility Support | 4,202 |
| 14.000 Central Plant | 4,000 |
| Total Dept. Gross Square Feet (DGSF) | 96,426 |
| <i>x building grassing factor 1.25</i> | |
| Total Building Gross Square Feet (BGSF) | 120,532 |

The critical role that DASNY will be expecting from the selected Construction manager is that of day-to-day on-site representative with focus on keeping budget in line with COUNTY expectations, ensuring that the project schedule is adhered to, the construction quality is of the highest it can be and that the programmatic requirements are met.

It should be noted that the existing Woodfield Cottage facility will remain in full operation during construction of the new youth detention building. Once the new facility is complete youth will be transferred

to the new building and demolition of the old building will begin. Once demolition is complete outdoor recreation facilities and a parking lot will be constructed for the new facility.

Project Scope of Work

The Youth facility; will be a three (3) story building on +2.5 Acres of County land on the Valhalla Campus, Westchester NY. The Construction Manager will be required to:

1. Review Bridging consultant final design package.
2. Analyze and reconcile the final cost estimate.
3. Manage the bidding process of the Design/ Build teams.
4. Assist in project scheduling.
5. Inform State and County client of all site activity.
6. Run bi-weekly progress meeting.
7. Review and direct RFI, shop drawing documents
8. Assist in coordination of transition from old facility into new facility.
9. Monitor demolition of existing facility.
10. Monitor activity required to create new parking and recreational area.
11. Manage the punch listing and final sign-off of the project.

1.4 - Purpose

DASNY seeks proposals from Construction Managers to provide professional construction management services for the Pre-Construction Phase, Construction Phase, and the Administration of General Conditions of a new Secure/Specialized Secure Youth Detention Facility at Westchester County. The Construction Manager will serve as an owner's representative on behalf of DANY as well as a technical advisor providing support to DASNY and Westchester County. DASNY anticipates initially contracting with the Construction Manager to provide Pre-Construction Phase services, and in coordination with Westchester County, will provide authorization to proceed into the Construction Phase at the appropriate later date.

1.5 – Sustainability

DASNY Policy:

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 Proposer, 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.

Sustainable Design:

The project will include a design that maximizes the use of renewable energy measures and energy efficiency measures and reduce the reliance on fossil fuel, including County sustainability guidelines, DASNY and State sustainability guidelines and policies. It is anticipated that the project will be designed following LEED Gold Standards, which includes the completion of a LEED Checklist; however, submission to LEED for approval is not anticipated at this time.

1.6 - Key Events and Dates

| <u>Event</u> | <u>Date</u> |
|---|----------------------|
| Issuance of RFP | 04/10/2025 |
| Pre-Proposal Meeting | 04/23/2025 (1:00 PM) |
| Deadline for RFP Questions | 04/28/2025 (3:00 PM) |
| Post Responses to RFP Questions | 05/02/2025 |
| Proposal Due Date | 05/09/2025 (3:00 PM) |
| Interviews/Presentations (not earlier than) | 05/28/2025 |
| Notice of Award (not earlier than) | 06/04/2025 |

***A Pre-Proposal Meeting** will be held via Microsoft Teams on April 23, 2025, at 1:00 pm. Attendance is strongly encouraged. If your firm wishes to attend, please provide the Designated Representative listed in Section 7.1 below with the names and email addresses of all attendees no later than TBD. Additional details regarding the Microsoft Teams Meeting will be provided at a later date.

The purpose of this meeting is to describe the project, goals and to answer any questions presented by the proposers. Representatives of DASNY and Westchester County will be available to answer questions regarding this RFP.

****Interviews/Presentations will be held via virtual meeting on the above-referenced date. It is expected that your firm will host and coordinate the virtual meeting presentation.** Details regarding the interviews/presentations will be sent at later date.

1.7 – Inquiries

All inquiries concerning this RFP, or any other aspects of this procurement must be submitted in writing by emailing the Designated Representative at downstaterfpcoordinator@dasny.org, during the Q&A period identified. Verbal and telephone inquiries are prohibited. In order to provide DASNY sufficient time to reply, questions must be received no later than the date/time included in Section 1.7, Key Events and Dates. A final record of the questions and associated responses will be issued by the Designated Representative by email.

1.8 – Preliminary Project Schedule

The preliminary project schedule is as follows:

- Program Phase – Completed
- Initial Bridging Documents – July 2025
- Final Bridging Documents – January 2026

- Design-Build Procurement – June 2026
- Construction Documents – December 2026
- Phase 1 Construction – New Building – (Estimate) December 2028
- Phase 2 Construction – Demo Existing Facility – (Estimate) July 2029
- Phase 3 Construction – Sitework – (Estimate) June 2029
- Substantial Completion Date – January 2030

*Dates are subject to change.

Section 2 - Engagement Requirements

2.1 - Scope of Services:

A detailed scope of services is included in Appendix A of the attached Sample Contracts.

2.2 – Qualification and Certification Requirements:

Firms responding to this RFP must meet the following:

Minimum Qualifications:

- Have completed a minimum of five (5) projects of similar size, scope, and complexity within the past ten (10) years providing Construction Manager Services;
- Demonstrated experience with providing Construction Manager Services for Design-Build projects of similar size, scope, budget, complexity and schedule;
- Experience with major capital projects related to the design and construction of secured detention facilities that operate with comprehensive security measures completed of similar size, scope, budget, complexity and schedule;
- Experience delivering projects within a tight construction schedule;
- Employ an experienced staff with thorough knowledge of their area(s) of expertise;
- Employ a Project Executive and /or Project Manager with thorough knowledge and experience regarding secured detention facilities;
- Experience as a Construction Manager with phased construction projects, including design-build projects, working under a Project Labor Agreement (PLA);
- Experience with sustainable projects that maximize the use of renewable energy measures and energy efficiency measures and eliminates reliance on fossil fuel. Including county sustainability guidelines, DASNY and State sustainability guidelines and policies. It is anticipated that the project

will be designed following LEED Standards, which includes the completion of a LEED Checklist; however, submission to LEED for approval is not anticipated at this time

- Experience with the applicable Regulatory Requirements, Standards, Materials and System Guidelines, design and standard specifications;
- Project estimating capabilities for major capital projects;
- Experience evaluating and analyzing project schedules for major capital projects;
- An established and verified QA/QC Program, including experience with Change Management and Risk Management;
- An established and well documented Safety Plan; and
- Experience providing CM services for projects for clients in the public sector such as government entities, agencies or organizations.

Preferred Qualifications

- Experience providing services for projects involving similar types of facilities, such as: Youth Juvenile Detention Facilities, Correctional Facilities, In-Patient Secure Mental Health Facilities, Anti-Ligature Facilities, and Education Facilities.
- Experience providing similar services for projects within Westchester County and its surrounding counties, including metro NYC and Lower Hudson Valley.
- Employ personnel, whom will be assigned to this project, with thorough knowledge and experience regarding secured detention facilities.
- Employ personnel, whom will be assigned to this project, with experience working within the Westchester County and its surrounding counties.

2.3 – Project Construction Budget:

The estimated order of magnitude is \$150 million.

2.4 – Project Management Software:

Project Management Software such as Primavera P6™, or PMWeb®, will be utilized as the management tools to plan, track, and record all project-related schedules, correspondence, submittals, transmittals, meeting minutes, requests for information, daily logs, project costs, change management, and reporting. In addition, DASNY at their option will deploy these systems from available web-based and/or Application Service Provider (ASP) system(s). At DASNY's discretion, the selected team may be required to utilize other Project Management system(s) or other project-related software as needed. Firms responding to this RFP shall engage these systems, hereinafter referred to as "The Project Management System", for all project deliverables. Should any of the abovementioned software systems be replaced during the term of this engagement, the Construction Manager shall utilize the replacement Project Management Software system for all project deliverables at no additional cost to the Owner.

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, and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
- b. The primary contact's name, title, telephone number, and email address for each subconsultant 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 mandatory services identified in Section 2, Item 2.1, Appendix A of the Contract and will abide by the terms of the RFP, including all attachments.
- e. 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.

The maximum allowed length for your Tab 1 response is three (3) pages.

Tab 2. Firm and Subconsultant Team

Provide the following information related to your firm and subconsultant team:

- a. A description of your firm and Subconsultant team's organization and the resumes of partners, principals, associates and other key staff proposed to provide services to DASNY.
- b. An organizational chart describing the organizational structure of the proposed firm and subconsultant team members and their intended roles and responsibilities.
- c. A description of your firm and subconsultant team's previous experience working together.
- d. A detailed description of your firm and subconsultant's approach to collaborating with the project team to ensure a streamlined and well-coordinated project.

The maximum allowed length for your Tab 2 response is five (5) pages. As resumes will not count towards this page limit, please provide these at the end of your Tab 2 response.

Tab 3. Project Experience

Provide descriptive information demonstrating your firm's qualifications for completing this project and a statement as to why your firm should be selected. DASNY requests that each proposer provide information regarding the following:

- a. A description of your firm's experience providing similar services including recent relevant project experience, for the public and private sector.
- b. Provide a minimum of five (5) recent, relevant project examples. At least three (3) project examples, from within the past 10 years, must illustrate the firm and/or subconsultant team's experience providing services for projects of similar size and scope, particularly including Design-Build delivery and projects with secured facilities, and for a variety of project phases. It is preferred that at least one project should be for a completed project within the NYC Metro or Lower Hudson Valley region.

Project examples must include the following information:

- a. Official project name and address; Summary of the scope of services provided;
 - b. Explanation of challenging, complex, or unique aspects of the projects in relation to the services provided;
 - c. All team members both corporate and individual involved and their role in the project;
 - d. The timeframe in which your firm and/or subconsultant's work was performed;
 - e. Overall project monetary value that includes initial budget and totals for change orders.
 - f. A breakdown of the value of services provided by your firm, subconsultant(s), and subcontractor(s);
 - g. Name and contract information of owner; and
 - h. Identification of a project contact with knowledge of the services provided by your team (if different than owner) excluding DASNY employees with their name, title, and phone number.
- c. Provide up to five (5) examples of project cost estimating capabilities particularly including analysis of Lump Sum cost submission for accuracy and reasonableness, as well as the process to determine a Guaranteed Maximum Price (GMP).
 - d. Include the names, titles and phone numbers of at least three (3) references excluding DASNY employees and a summary of the services provided; it is preferred that the references provided are for the recent, relevant project examples provided for item (b).

The maximum allowed length for your Tab 3 response is twenty (20) pages.

Tab 4. Project Approach

Provide a descriptive summary, developed in response to the RFP, as to your firm's approach to the following items including, but not limited to, all information noted below:

- a. A detailed description of your firm's approach to providing the requested scope of services. Include a timeline and schedule for completion of all aspects of the engagement, including a preliminary project schedule. Additionally, please provide your firm's experience with Change Management and Risk Management.
- b. Provide a detailed description of your firm and subconsultant team's approach to evaluating the design services with regard to alternative technical concepts (ATC) and constructability.
- c. Value Analysis: Describe the process by which your firm performs value analysis so as to achieve an appropriate balance between costs, aesthetics, sustainable design and function. Provide a sample value analysis report from one (1) of the projects listed under the Qualifications category (Section 3, Item 2.b). In addition, provide a summary as to this value analysis effort inclusive of total number of items studied, total dollar value, total number of accepted items and total corresponding value of the accepted items.
- d. Constructability Issues: Identify four (4) constructability issues in regard to projects listed under the Qualifications category (Section 3, Item 2.b) and provide a brief description of your firm's approach to reviewing each.
- e. Cost Model/Estimates: Provide the cost model format used on one of the completed projects provided under the Qualifications category (Section 3, Item 2.b) and describe how this cost model was developed and the timing of its updates during design, and summarize how the final construction cost related to this cost model. Provide the cost model to be used on this project.
- f. Project Tracking/Reporting: Describe your firm's approach and procedures for project tracking and reporting, including scheduling, accounting, etc. Provide examples of a progress report including schedule tracking, cost control and reporting, and show how the cost model estimates track to the accounting and invoicing.
- g. Quality Assurance/Control Program – Describe how your firm implements quality assurance/control throughout construction. Provide samples/examples of your quality control program inclusive of applicable documentation.
- h. Safety Program – Describe your firm's safety program as it pertains to your in-house safety resources, monitoring/enforcement to ensure OSHA compliance, violations, emergency response, evacuation plan and reporting. Provide examples from one of the completed projects under the Qualifications category (Section 3, Item 2.b) of a safety plan that is customized for a specific project and specific activities on that project.
- i. Requests for Information (RFI) and shop drawings: Describe your firm's approach to handling these documents to ensure accuracy and timeliness. Provide examples of applicable logs on a project noted in the Qualifications category (Section 3, Item 2.b).
- j. Staffing Plan: Provide a staffing plan illustrating the staff intended for use during the pre-construction phase and another staffing plan illustrating the staffing during the construction phase. Include a description of how your firm will assign and maintain core project team members throughout the life of this project.

- k. EMR Rating: Provide your Experience Modification Rate (EMR)-Workers Compensation Board claim rating.
- l. Subcontractor and Labor Market Analysis: provide a preliminary procurement plan outlining proposed bid packages and potential subcontractor bidders for each package. Provide input on availability of labor for the various trades for the duration of the project. Provide an example of (sub)contractor outreach performed by your firm to help support the competitive bidding process that includes a brief description of the outreach, the number of contractors solicited, the number of contractors who responded positively to the outreach, and the number of bids ultimately received.
- m. Schedule and Budget: Describe your firm's approach to completing these projects on schedule and your procurement strategy and approach with the subcontractor community to result in a competitive and cost-effective outcome. Include a timeline and schedule for completion of all aspects of the engagement, including a preliminary project schedule.
- n. Sustainability: describe your approach on Projects using the various green building 3rd party rating systems or incorporating green building technologies into Projects.
- o. A description of how your firm will monitor the allotment and performance of work in order to achieve an efficient administration of the project.
- p. Risk Management and Mitigation: Assess how the contractor plans to identify and manage potential risks. Look for a proactive approach to risk mitigation, indicating a well-prepared and reliable contractor. Provide a proposed Risk Management and Mitigation plan, or a sample plan from a previous similar project.
- q. Communication Plan: Provide a proposed communication plan, or a sample plan from a previous similar project.
- r. Change management: Provide a proposed change management plan, or a sample plan from a previous similar project.

The maximum allowed length for your Tab 4 response is twenty-five (25) pages.

Tab 5. M/WBE and SDVOB Utilization

This procurement is conducted in accordance with New York State Executive Law Article 15-A and Article 3 of the New York State Veteran Services. It is the policy of DASNY to maximize opportunities for the participation of MWBE/SDVOBs as bidders, subcontractors, subconsultants, and suppliers on projects.

DASNY is committed to diversity and equal employment opportunities among its contractors, consultants, and vendors. 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. 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 your firm's commitment to utilizing M/WBE and SDVOB's by providing the following:

- a. A description of how your firm approaches M/WBE and SDVOB utilization by providing a detailed narrative on how your firm utilizes M/WBE and SDVOB firms and any programs your firm has implemented to promote the use of M/WBE and SDVOB firms.

- b. A completed Utilization Plan, included in this RFP as an attachment, listing all proposed ESD Certified MWBE sub-consultants, sub-contractors, and suppliers and Non-MWBE subconsultants, subcontractors, and suppliers you “may” use if selected for this contract. **No dollar amounts should be entered at this time.** With each project assignment, a new plan with dollar amounts will be required. The goals for this contract are 18% MBE and 12% WBE. The goals refer to the percentage of utilization of your MWBE subconsultants, sub-contractors, and suppliers.
- c. A completed Use of Service-Disabled Veteran-Owned Businesses Plan, included in this RFP as an attachment listing all proposed subconsultants, subcontractors, and suppliers including OGS Certified Service-Disabled Veteran-Owned Businesses (SDVOB) that are of equal quality to those that may be obtained from non-SDVOBs if selected for this contract. Certified SDVOBs can be identified at [Office of General Services \(ny.gov\)](http://ny.gov). **No dollar amounts should be entered at this time.** With each project assignment, a new plan with dollar amounts will be required. The SDVOB goal for this contract is 6%. The goal refers to the percentage of utilization of your SDVOB subconsultants, subcontractors, and suppliers.

Tab 6. Firm Diversity

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 within your firm by providing the following:

- a. A narrative explaining the Proposer’s approach and commitment to diversity within the work environment and an overview of the Proposer’s current programs in diversity/inclusion.
- b. A completed Diversity Questionnaire included in this RFP as an attachment, which elicits information about the Proposer’s total work force, broken down by specific ethnic background and gender, and a staffing plan of the anticipated work force to be utilized on this engagement with DASNY. As indicated on the Diversity Questionnaire, the Proposer must also include information on its current programs in diversity/inclusion. This questionnaire elicits information about each responding Proposer to verify that its work environment and team makeup specific to this opportunity demonstrates a strong commitment to diversity.
- c. By responding to this RFP, 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.

Section 4 - Content of Cost Proposal

4.1 - Information to be provided by Proposers

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

Tab 1. Cover Letter

Include a **cover letter** with the following items:

- a. The name, title, telephone 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. Staffing Requirements and Costs

Provide estimated staffing requirements and costs associated with performing the identified Scopes of Service as follows:

- a. Pre-Construction Phase:
 1. Bridging Consultant Phase Fee: Direct Salary Costs (hours and rates). Fringe Benefits in accordance with (Section 4, Tab 3). Overhead and Profit Fee in accordance with (Section 4, Tab 3).
 2. Design-Build Procurement Phase Fee: Direct Salary Costs (hours and rates). Fringe Benefits in accordance with (Section 4, Tab 3). Overhead and Profit Fee in accordance with (Section 4, Tab 3).
 3. Design-Build Design Phase Fee: Direct Salary Costs (hours and rates). Fringe Benefits in accordance with (Section 4, Tab 3). Overhead and Profit Fee in accordance with (Section 4, Tab 3).
- b. Construction Phase: Field Staff Direct Salary Costs (hours and rates). Fringe Benefits in accordance with (Section 4, Tab 3). Overhead and Profit Fee in accordance with (Section 4, Tab 3).
- c. General Conditions: Provide an itemized breakdown of estimated General Conditions Work Items. The term "Work" as used herein, refers to the General Conditions Work Items normally required at the location of the Project, and includes the performance of all labor and the furnishing of all plant, materials, supplies, equipment, and other facilities and things necessary or proper for or incidental to the carrying out and completion of this project.

Tab 3. Overhead and Profit Multiplier

Complete the attached CM Multiplier Form and provide backup documentation indicating your firm's Fringe Benefits and Overhead and Profit Fee for the Pre-Construction Phase and/or Construction Phase. The calculation should include all direct labor expenses, indirect and operating expenses and proposed profit.

Tab 4. Classifications and Rates

Complete the attached Classification & Rate Form to support the unloaded salaries and rates of your employees under this contract.

Tab 6. Required Insurance Statement

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

The following is a list of required information that must be provided by the proposer. The information must contain sufficient detail to assure DASNY of its accuracy.

- a. Proposers shall submit a Vendor Responsibility Questionnaire (“VRQ”) in accordance with Section 12 of this RFP. DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). Proposers must provide a copy of the certification page to DASNY. To enroll in and use the System, see the System Instructions at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. If proposing as a joint venture, Proposers must provide a copy of the certification page for each entity involved in the joint venture and a certification page for the joint venture, specifically. If proposing as a joint venture, Proposers must provide a copy of the certification page for each entity involved in the joint venture and a certification page for the joint venture, specifically.
- b. A completed Omnibus Certification form included in this RFP as an attachment.
- c. 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. If a joint venture, a copy of its joint venture agreement and the filed Registration of Assumed Name with the County Clerk for the County in New York State where operations are being conducted.
- d. Proof of registration to do business in New York State with New York State Department of State (DOS) or a copy of the application filing and Accounts Payable voucher confirming your firm's registration with DOS is in progress. If proposing as a joint venture, Proposers must provide proof for each entity involved in the joint venture and a copy of the Registration of Assumed Name with proof of filing with the County Clerk for the County in which operations are to be performed.
- e. As set forth in Section 1.6, above, the Proposer shall identify, in writing, all questions, comments, requests, exceptions, or objections, if any, that the Proposer may have to this Contract for DASNY's review and consideration.

- f. 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 proposal submitted must contain a representation that the Proposer is willing and ready to provide any services requested or required in a timely manner.
 - iii. Disclose any potential conflicts of interest (refer to Exhibit A, “Code of Business Ethics - Certification” included in the attached DASNY Omnibus Certification).

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 at a reasonable cost to DASNY. 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.

6.3 - Criteria for Selection

The criteria for selection shall be the qualifications and requirements listed in Sections 2 and 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 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 Proposal

DASNY will be accepting electronic proposals only. Proposals will be accepted electronically on or before 3:00 pm on the Proposal Due Date. Follow the directions below to upload your proposal 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 RFP. **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.

1. Email DownstateRFPcoordinator@dasny.org with the subject line: "RFP 7612-Request Access-Firm Name."
 - a. Please provide the name and email address of any additional contact 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 DownstateRFPcoordinator@dasny.org with a link to a Microsoft SharePoint site: "Westchester RTA -CM RFP."
3. Click on the link. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the Westchester RTA -CM 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. Five documents will need to be uploaded and include:
 - a. Technical Proposal
 - b. Cost proposal
 - c. Vendor Responsibility Certification,
 - d. DASNY Omnibus Certification, and
 - e. W-9 Form

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

- a. Technical Proposal:
 - i. Save file as: Westchester RTA RFP-Tech-firm name
 - i. Click "Upload" or drag and drop
- b. Cost proposal:
 - i. Save file as: Westchester RTA RFP-Cost-firm name
 - ii. Click "Upload" or drag and drop
- c. Vendor Responsibility:
 - i. Save file as: Westchester RTA RFP-VRQ-firm name
 - ii. Click "Upload" or drag and drop
- d. DASNY Omnibus Certification:
 - i. Save file as: Westchester RTA RFP-Omnibus-firm name
 - ii. Click "Upload" or drag and drop

- e. W-9 Form:
 - i. Save file as: Westchester RTA RFP-W9-firm name
 - ii. Click “Upload” or drag and drop
- 5. Once your documents are uploaded, DO NOT OPEN. The document submitted must be your final submission and cannot be modified.
 - a. If you open your documents after they are submitted, the system will show it as “modified”
 - b. The submitted document will remain private and will not be visible to the other proposers throughout the procurement process.
- 6. The Westchester RTA-CM RFP site will close at 3:01 PM on May 9, 2025. 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 shall be addressed to the following individual:

Victoria Rojas Valencia
Sr. Procurement Administrator
E-mail: DownstateRFPcoordinator@dasny.org

All questions shall be submitted in writing or 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, Item 7.1.1. 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, Item 7.1.1. 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 posted on DASNY’s website, www.dasny.org.
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, Item 7.1.1 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 your firm's employees or proposed subconsultants assigned to provide services on this project and to require their replacement at any time. The Proposer shall obtain the written approval of the Owner of changes to the technical proposal after it is submitted, including any changes with respect to subconsultants. The Owner 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 and execution 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 10 of the attached Sample Pre-Construction Contract, and Article 9 of the attached Sample Construction Phase Contract. Where there is a conflict between the requirements of this RFP and Exhibit C-Insurance of the Project Management Agreement between DASNY and The County of Westchester, New York, the more onerous requirement shall apply.

Section 12. Vendor Responsibility 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 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. Additional guidance is provided within the VRQ Quick Reference Guide for Vendors, which is included as Attachment O.

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 Professional is required to certify that the Professional is not an ‘entity conducting business operations in Russia.’ Please confirm by completing and signing the Omnibus Certification included in this RFP as an Attachment. The complete text of EO 16 can be found [here](#).

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.

Section 14 - New York State Department of Labor (NYSDOL) Contractor Registry

All contractors and subcontractors submitting bids or performing construction work on public work projects or private projects covered by [Article 8 of the Labor Law](#) are required to register with the New York State Department of Labor (NYSDOL) under [Labor Law Section 220-i](#). The law defines a “contractor” as any entity entering into a contract to perform construction, demolition, reconstruction, excavation, rehabilitation, repair, installation, renovation, alteration, or custom fabrication. The law defines “subcontractor” as any entity subcontracting with a contractor to perform construction, demolition, reconstruction, excavation, rehabilitation, repair, installation, renovation, alteration, or custom fabrication,

which is subject to Article 8 of the Labor Law. Contractors are responsible for verifying that any subcontractors they work with are registered. Contractors need to register before submitting any new bids or commencing new work on a covered. Subcontractors need to register before commencing new work on a covered. **Any bid received that fails to provide the New York State Department of Labor (DOL) registration number on the form of bid as required shall be rejected as non-responsive. For additional information regarding the Registry or to register, please visit: <https://dol.ny.gov/contractor-and-subcontractor-landing>.**