



# **Construction Manager-Build Services**

## **Request for Proposal RFP #7622**

### **SUNY New Paltz Capen Hall Renovation Project Project #3793609999**

Date: October 23, 2025

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Attachments:

- a. DASNY Contract – Pre-Construction Phase Services
- b. DASNY Contract – Construction Phase Services
- c. General Conditions for Construction
  - c2. Supplemental General Conditions
- d. Sample General Requirements for Construction
- e. Performance and Payment Bond Form
- f. Omnibus Certification
- g. W-9 Form
- h. Classification and Rate Form
- i. Construction Management Multiplier Form
- j. Sample Insurance Certificate & Requirements
- k. MWBE + SDVOB Utilization Plan
- l. Utilization Plan Scope Verification Form
- m. Diversity Questionnaire
- n. Campus map

## **Section 1 - General Information**

### **1.1 – Background:**

The Dormitory Authority State of New York (“DASNY”) (“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 bonds, notes, and other obligations, for a variety of public purposes. Under the Act, DASNY provides design, construction, and financing of capital facilities for the State University of New York, the City University of New York; and other State and local governmental entities, as well as a wide variety of other not-for-profit organizations specifically described in the Act.

### **1.2 – Introduction to SUNY New Paltz:**

Founded in 1828, SUNY New Paltz is located in the Hudson River Valley on a 257-acre campus that offers outstanding quality of life and world-class connections. SUNY New Paltz provides one of the most diverse and creative places of higher learning in the nation and is committed to preparing our students to excel in the rapidly changing world of the 21st century.

New Paltz is a competitive, four-year university college that delivers an extraordinary number of undergraduate majors in business, liberal arts and sciences, fine and performing arts and education as well as programs in the STEM fields, which are diverse and cutting-edge. Students develop close faculty relationships that encourage them to explore, take risks and exceed their expectations. Extensive research, independent study, internships and study abroad help to expand student horizons.

### **1.3 – Project Background:**

The project scope of work generally includes, but is not limited to asbestos abatement, selective demolition, concrete, masonry, metals, interior finishes, openings, roofing, finishes, specialties, furnishings, roofing, fire suppression, plumbing, mechanical, electrical, communication, fire alarm, sitework, and exterior improvements.

Project shall include, selective demolition, asbestos-containing material removal and hazardous waste removal, including removal of ceiling plaster and of built-in wardrobes as ACM. Installation of building-wide fire protection system, construction of soffits and new finishes as required by removals.

In addition, the demolition and reconfiguration of the existing bathrooms of Capen Hall shall include new partitions, doors and hardware, finishes, fixtures, and toilet accessories. The scope of work also includes the reconfiguration of the sprinkler system into the bathrooms and replacement of the existing exhaust system with roof mounted Energy Recovery Ventilator system including supply and return ductwork.

The demolition and reconstruction of existing bathrooms shall include finishes and fixtures, domestic risers and distribution and sanitary risers, lighting, power, and fire alarm systems. Upgrades to existing hydronic piping, valves, and pumps are also included.

In addition, the scope of work includes the renovation of offices, conference room, and resident director apartment and office.

Reconfiguration and new finishes for the first-floor business suite in the south wing with a new exterior entrance.

Finishes shall include, but not limited to, resilient flooring and painting including tile, carpet and signage. Electrical and fire alarm work as required by removals. Removal of existing bedroom doors and frames. Installation of doors and frames, including a new hard wired card access system.

Refer to Section 3, Tab 3-m, **Alternate Schedule and Logistical Plan** for additional information

#### 1.4 – Purpose and Project Overview:

DASNY seeks proposals from Construction Managers to provide, professional construction management services during construction phases of the project for SUNY New Paltz Capen Hall using a Construction Manager-Build (“CM-Build”) project delivery method. A CM-Build project delivery method is similar to a Construction Manager-at-Risk project delivery method, in that the Construction Manager procures the construction phase trade contracts and manages the construction phase of the project. However, in a CM-Build delivery method, a Guaranteed Maximum Price is not provided prior to bidding the trade packages, rather a Maximum Contract Price (“MCP”)<sup>1</sup> is established after the Construction Manager procures the trade packages. The CM-Build Contractor (hereinafter referred to as the “Construction Manager” or “CM”) is a Construction Manager who will contract with DASNY to submit an MCP. The MCP shall be determined by the aggregate of the construction trade packages and the approved fee for services provided by the CM pursuant to the Contract and applicable General Conditions for Construction. **The estimated value of the construction is between \$8,500,000.00 and \$10,000,000.00.**

Services will be performed and executed in two separate contracts: Pre-Construction Contract and Construction Contract. Costs associated with General Conditions Work Items will be included as part of the Construction Contract and will include but are not limited to the items listed in Appendix B of the attached sample Construction Contract. DASNY’s standard General Conditions for Construction will apply to all Construction Work.

Pre-Construction phase services will occur after the design phase of the project. The CM will be an integral member of the Project Team, consisting of representatives from the Owner, the Design Professional, and other Consultants, as required. The Owner will manage the Design Professional. Generally, it will be the responsibility of the CM to integrate the design and construction phases, utilizing their skills and knowledge of general contracting to develop schedules, prepare detailed project construction estimates, study labor conditions, and in any other way deemed necessary, to contribute to the development of the project during the Pre-Construction Phase. The CM shall also work with DASNY and the campus to develop and recommend a site logistic plan establishing a safe way to move construction equipment, materials and supplies in and out of the work zone to help minimize disruption to vehicular and pedestrian operations. Upon selection of the CM by the Owner, the Pre-Construction phase contract will authorize the CM to provide Pre-Construction Phase services only, including without limitation the provision of an MCP for the final completion of the Project by the CM. Provisions may be made for early bid packages which are identified during the Pre-Construction contract should the need arise.

At the end of the Pre-Construction Phase, and in accordance with the terms and conditions of this RFP, the Owner will execute a Construction Contract. Construction phase services will include the award and management of numerous principal and specialty trade contracts (previously bid during the pre-construction phase) to provide the actual construction of the Project, as well as the award and management of general conditions work items (i.e. site security, temporary utilities, etc.). The Construction Contract will be based on the accepted MCP that was developed as part of the Pre-Construction Contract. During the Construction Phase, the CM will be responsible for affecting the construction of the project within the MCP by providing all necessary construction services through Trade Contractors selected as hereinafter provided.

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<sup>1</sup> **MAXIMUM CONTRACT PRICE (MCP)** is the amount the OWNER has agreed to pay the CM for the costs of the project subject to the terms of the Construction Phase Contract, including all construction costs, and all other projected costs including, the CM’s fees, the CM’s MCP contingency and the General Conditions Cost.

The substantial completion date for this project is November 23, 2026. Liquidated damages will be assessed in the amount of \$8,000.00 per day for each and every calendar day that the CM fails to complete within this timeframe. Liquidated damages increase to \$22,000 per day for each and every calendar day that the CM fails to complete past the two-week timeframe. Liquidated damages increase to \$45,000 per day for each and every calendar day that the CM fails to complete past the four-week timeframe.

#### 1.5 – The Contract:

Attached to this RFP as Attachments a., b., and c. are the forms of the Contract for Construction Manager-Build work DASNY proposes to be executed between the selected Proposer and DASNY. It is the expectation that the attached forms of the Contract will be used; however, if the Proposer has any questions, comments, requests, exceptions, or objections (collectively, “objections”) to the Contract, they shall be set forth in writing, in Section 3, Tab 6 of the proposal, for DASNY’s review and consideration. Any objections raised by a Proposer must be commercially reasonable. The nature of any such objections will be among the criteria used by DASNY in determining the selected Proposer. If DASNY believes, in its sole and absolute discretion, that any objections raised by a Proposer are commercially unreasonable, DASNY may reject such Proposer’s proposal. Failure to submit such questions, comments, requests, or exceptions prior to selection of the selected Proposer will constitute a waiver of those issues by the Proposer. All provisions of the Contract that have not been objected to by a Proposer shall be deemed accepted and agreed to by such Proposer. DASNY may, at any time during the Evaluation Period and in its sole and absolute discretion, modify, amend, or change the terms and provisions of the Contract.

The selected Proposer must enter into the Contract with DASNY in substantially the same form and substance as Attachments a., b., and c., subject to any modifications that DASNY and the selected Proposer shall agree to in accordance with the terms of the Contract, within fourteen (14) days after receiving notice that it has been selected as the successful Proposer. DASNY, in its sole discretion, may extend this period an additional thirty (30) days. DASNY may select a different Proposer if the initially selected Proposer does not sign the Contract with DASNY by the end of the fourteen (14)-day or extended period.

DASNY reserves the right to negotiate terms and conditions at all times prior to execution of the Contract. Nothing limits DASNY’s right, before its selection of the selected Proposer, to engage in discussions or negotiations with any or all Proposers, relating to the proposed terms of the Contract or the substance of any proposal submitted in response to this RFP.

#### 1.6 – Key Events and Dates:

| <b><u>Event</u></b>                                | <b><u>Date</u></b>  |
|----------------------------------------------------|---------------------|
| Issuance of RFP                                    | 10/23/25            |
| Pre-Proposal Meeting/Site Visit                    | 10/29/25 (10:00 AM) |
| Deadline for RFP Questions                         | 11/04/25 (3:00 PM)  |
| Post Responses to RFP Questions                    | 11/07/25            |
| Proposal Due Date                                  | 11/21/25 (3:00 PM)  |
| Interviews/Presentations (if required, week of) ** | 12/15/25            |
| Notice of Pre-Award (not earlier than)             | 12/21/25            |
| Preconstruction Contract Award                     | 01/05/26            |
| Construction Contract Award                        | 03/06/26            |
| Construction Starts (Bldg. Turnover)               | 06/01/26            |
| Notice of Substantial Completion                   | 11/23/26            |

**\*A Pre-Proposal Meeting will be held at DASNY Field Office – SUNY New Paltz Campus, 1 Hawk Drive New Paltz, New York on October 29, 2025, at 10:00am.** A campus map is included as an attachment to this RFP.

**Firms are to RSVP to the pre-proposal meeting, by October 27, 2025, by email to the Designated Representative at [UpstateRFPCoordinator@dasny.org](mailto:UpstateRFPCoordinator@dasny.org)** by providing the name, title, and contact information of the meeting attendee(s). Should there be any changes or updates to the pre-proposal meeting, firms will be notified via addendum.

The purpose of this meeting is to describe the project, goals and to answer any questions presented by the Proposers. Representatives of DASNY and SUNY New Paltz will be available to answer questions regarding this RFP. Immediately following the Pre-Proposal Meeting, a tour of the site will be conducted.

**\*\*If necessary, Interviews/Presentations will be held at DASNY Headquarters, 515 Broadway, Albany, New York during the week of December 15, 2025. Details regarding the interviews/presentations will be sent at later date.**

#### 1.7 – Preliminary Project Schedule:

a. The preliminary Milestone Dates are as follows:

|                                                                               |          |
|-------------------------------------------------------------------------------|----------|
| • Milestone 1 Long Lead Item Submittals Approved                              | 03/16/25 |
| • Milestone 2 Site Staging/Building access for Pre-demolition                 | 05/20/26 |
| • Milestone 3 All project submittals/Composite Coordination Drawings          | 05/20/26 |
| • Milestone 4 Building turn over to Construction Manager                      | 06/01/26 |
| • Milestone 5 Selective Demolition/Abatement                                  | 06/19/26 |
| • Milestone 6 Wall framing Complete                                           | 08/17/26 |
| • Milestone 7 MEP and FP rough in complete                                    | 09/17/26 |
| • Milestone 8 Finishes Complete                                               | 11/17/26 |
| • Milestone 9 MEP Testing and Balancing Complete                              | 11/19/26 |
| • Milestone 10 Punchlist Complete                                             | 11/20/26 |
| • Milestone 11 Notice of Substantial Completion                               | 11/23/26 |
| • Milestone 12 Contractor Return to Campus to Perform Inspection for Warranty | 10/23/27 |

- b. Additional Working Hours: As noted in section 1.7, all work and activities related to the project may need to be performed during “extended” and/or “off-Hours” including Nights and Weekends as required for meeting the milestone dates and completion of the project. In addition, multiple mobilizations may be required to perform the work identified in the project. The CM shall coordinate and schedule all work with the Owner and the Facility. Working Hours shall be as required and approved by the owner. Refer to Section 3, Tab 3 L&M for additional information. Note: the CM shall coordinate all punch list work as required during the project and plan accordingly. No work will be permitted after Substantial Completion.

## Section 2 - Engagement Information

### 2.1 – Scope of Services:

Refer to Appendix A, “Scope of Services” listed within each of the attached DASNY Contracts (Pre-Construction Contract and Construction Contract) for the detailed scope of services.

## 2.2 – Qualifications and Certifications:

Firms responding to this RFP are expected to meet the following:

- Have completed a minimum of three (3) projects of similar size, scope, and complexity within the past five (5) years, including at least one (1) project providing Construction Manager-at-Risk (or CM-Build) services on a college campus (multi-phase Project experience is preferred);
- Experience delivering projects within a tight construction schedule; deliver project on time project schedule.
- Employ an experienced staff with thorough knowledge of their area(s) of expertise;
- Demonstrate ability to coordinate project delivery, effective management, proactive solutions, while projecting and solving problems.

## 2.3 – Project Management Software:

In accordance with the General Conditions for Construction and the General Requirements for Construction, Project Management Software such as, Primavera P6<sup>™</sup>, and 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). 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 tabs that correspond with each of the numbered tabs below. Your technical proposal must contain sufficient information to assure DASNY of its accuracy.

Tab 1. Include a **Cover Letter** with the following items:

- a. The name, title, telephone number, and email address of the individual within your firm who will be DASNY’s primary contact concerning this RFP.
- b. The name, title, telephone number, and email address of the individual within your firm who will be DASNY’s primary contact throughout the life of the contract, should your firm be selected.
- c. The name, title, telephone number, and email address of the individual within your firm who is authorized to bind your firm contractually (if different from the individual identified in response to bullet b), should your firm be selected.
- d. The primary contact’s name, title, telephone number, and email address for each subconsultant (if applicable) who will perform work under this contract.
- e. The identities of the primary staff proposed to provide services relating to this RFP.

- f. A statement to the effect that your firm is willing to perform all services identified in Section 2, Item 2.1 and will abide by the terms of the RFP, including all attachments.
- g. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. DASNY reserves the right to reject a technical proposal that contains an unsigned cover letter. If the Proposer is a joint venture, the proposal shall be signed by the joint venture. Anyone signing the proposal as an agent shall file with it, legal evidence of his or her authority to execute such proposal.

Tab 2. **General Qualifications:** Provide 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 organization and the resumes of partners, principals, associates, and other key staff proposed to provide services to DASNY, with particular emphasis on experience with alternative construction procurement methods and Construction Management experience.
- b. A description of your firm's experience providing similar services including recent relevant project experience (within the past 5 years), for the public and private sector. Provide a minimum of three (3) recent, relevant projects examples. Include the names, titles, and phone numbers of at least three (3) references, excluding DASNY employees and a summary of the services provided.

Tab 3 **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. **Overall Approach:** Describe your firm's approach to providing the requested scope of services.
- b. **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, Tab 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.
- c. **Constructability Issues:** Identify four (4) constructability issues in regard to projects listed under the Qualifications category (Section 3, Tab 2.b) and provide a brief description of your firm's approach to reviewing each.
- d. **Cost Model/Estimates:** Provide the cost model format used on one of the completed projects provided under the Qualifications category (Section 3, Tab 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.
- e. **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.
- f. **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.

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- g. **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, Tab2.b) of a safety plan that is customized for a specific project and specific activities on that project.
- h. **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, Tab 2.b).
- i. **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.
- j. **EMR Rating:** Provide your Experience Modification Rate (EMR)-Workers Compensation Board claim rating.
- k. **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.
- l. **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.
- m. **Alternate Schedule and Logistical Plan:** This project is required to be delivered in accordance with the Milestone Schedule above in Section 1.7 The Owner will consider an alternate approach to the schedule utilizing the Summer 2027 (June – July 2027) if it demonstrates cost savings for a particular scope of work. The work proposed during this additional time must be started and completed within the given period and **cannot** be started during the initial phase per the Milestone Schedule and partially finished for use during the second semester during the occupancy of the building. Any work considered in the alternate schedule should NOT impact the full usage of the building by the campus effective the date of Substantial Completion. If the alternate schedule option is accepted, Liquidated Damages will be assessed at the initial phase per the Milestone Schedule, for the completion of proposed scope prior to the second semester for the school year 2026-2027, and at the Alternate Schedule Summer 2027. Describe your firms alternate approach including the proposed scope to the schedule and anticipated savings if proposing this optional alternate.
- Tab 4. **M/WBE and SDVOB Utilization:** This procurement is conducted in accordance with New York State Executive Law Article 15A and Article 3 of the New York State Veteran Services Law. 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 written documentation of good faith efforts to provide for meaningful participation by M/WBE and SDVOB firms in the work wherever feasible.

Illustrate the Proposer's commitment to utilizing M/WBE and SDVOB's by providing the following:

- a. **A completed Utilization Plan and Scope Verification Form**, included in this RFP as **Attachments**, listing all proposed NYS ESD Certified M/WBE subconsultants, Subcontractors, and suppliers, OGS Certified Service-Disabled Veteran-Owned Businesses (SDVOB) subconsultants, Subcontractors, and suppliers, and Non-M/WBE subconsultants, Subcontractors, and suppliers you "may" use if selected for this contract. No dollar amounts should be entered at this time. Upon selection, a new utilization plan with dollar amounts will be required. The goals for this contract are 18% MBE, 12% WBE, and 6% SDVOB. The goals refer to the percentage of utilization of your M/WBE and SDVOB subconsultants, Subcontractors, and suppliers.

Tab 5. **Proposer Team 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 within your firm by providing the following:

- a. **A completed Diversity Questionnaire** included in this RFP as Attachment I., 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.
- b. 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.

Tab 6. **Contract Objections:** As set forth in Section 1.5, above, each Proposer must examine the Contract carefully and identify, in writing and with as much detail and specificity as possible, all requests of information, questions, comment requests, exceptions or objections, if any, that the Proposer may

have to the Contract for DASNY's review and consideration. Not all contract provisions are negotiable. Every request for such interpretation must be received by the Deadline for RFP Questions outlined in Section 1.6. Failure to submit such questions, comment requests, or exceptions prior to award of the selected Proposer will constitute a waiver of those issues by the Proposer.

Such interpretation or correction, as well as additional Contract provisions the Owner shall decide to include, shall be issued in writing by the Owner as an Addendum, the Addendum will be posted to DASNY's website by the deadline to Post Responses to RFP Questions outlined in Section 1.6. Such Addendum shall become a part of the Contract and shall be binding on prospective Proposer whether the Proposer receives or acknowledges the actual notice of such Addendum. Requirements of the Contract shall apply to Addenda. Only interpretations, corrections or additional Contract provisions issued in writing by the Owner as Addenda shall be binding.

At the time of submitting a proposal, each Proposer shall be presumed to have read and to be familiar with the Contract. The failure or omission of any Proposer to receive or to examine any Contract shall in no way relieve any Proposer from any obligation in respect to the submission of a proposal by a Proposer.

#### **Section 4 - Content of Cost Proposal**

##### **4.1 – Information to be provided by Proposers:**

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

Tab 1. Include a **Cover Letter** with the following items:

- a. The name, title, telephone number, fax number and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
- b. A statement to the effect that the price quoted is an irrevocable offer good for 120 days.
- c. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a cost proposal that contains an unsigned cover letter.

Tab 2. Provide estimated staffing requirements and costs associated with performing the identified Scopes of Service for Pre-Construction Phase and Construction Work Phase as follows:

- a. Pre-Construction Phase: Direct Salary Costs (hours and rates).
- b. Pre-Construction Phase: Fringe Benefits including a detailed breakdown of the components of your fringe benefit rate.
- c. Pre-Construction Phase: Overhead and Profit in accordance with (Section 4, Tab 3).
- d. Construction Phase: Field Staff Direct Salary Costs (hours and rates)

- e. Construction Phase: Field Staff Fringe Benefits including breakdown (if different from Section 4, Tab 2.b).
- f. Construction Phase: Fee Percentage in accordance with (Section 4, Tab 5).

Note: General Conditions Work Items shall be included as part of Construction Contract as per Appendix B of said Contract.

- Tab 3. Provide documentation indicating your firm's Overhead and Profit Multiplier for the Pre-Construction Phase. The calculation should include all direct labor expenses, indirect and operating expenses, and proposed profit.
- Tab 4. Complete the attached Classification & Rate Form to support the unloaded salaries and rates of your employees detailed in Section 4, Tab 2.a and 2.d.
- Tab 5. Provide a Construction Phase Fee Percentage for the management of the Construction Phase. The Fee Percentage shall be applied to the initial value of the Trade Contracts, Bonds, Sub-Guard Insurance, as approved by the OWNER (please review the contract terms and conditions of the Construction Phase Contract for additional information). The Fee Percentage includes all CM home office costs, including officers as well as home office and local office support staff, together with all CM overhead costs and profit. This Fee Percentage shall also include all required services of a home office Project Executive, by whatever name called. The fee includes the management of all General Conditions associated with the Project. No additional overhead or profit on direct labor for the Construction Phase will be paid beyond the Construction Phase Fee.
- Tab 6. Provide a statement indicating your firm is able to obtain the required insurances as listed in the attached Sample Insurance Certificate & Requirements.
- Tab 7. Provide an estimated cost for General Liability Insurance coverage for the project.

## Section 5 - Content of Administrative Proposal

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. Proposers shall submit a Vendor Responsibility Questionnaire ("VRQ") in accordance with Section 11 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](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 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.
- d. Proof of registration to do business in New York State with New York State Department of State (DOS) or County Clerk, as applicable. 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. Provide the New York State Department of Labor Registration Number and a copy of the Registration Certification.
- 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 Attachment e. - “Omnibus Certification” included in the attachments).
  - iv. Acknowledging the Proposer’s intent to comply with the Performance & Payment Bonding requirements included in this RFP as an attachment.

## **Section 6 - Evaluation of Proposals**

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFP; (2) to identify the complying firms that have the highest probability of satisfactorily performing the scope of services. The evaluation process will be conducted in a comprehensive and impartial manner. The evaluation will be conducted as set forth herein.

### **6.1 – Preliminary Review:**

DASNY reserves the right to reject and return to the Proposer all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in Sections 3 and 4. Incomplete proposals may be rejected.

### **6.2 – Evaluation:**

Proposals will undergo an evaluation process conducted by an Evaluation Committee selected by DASNY. The Evaluation Committee will evaluate the proposals based upon the criteria for selection set forth below.

### **6.3 – Criteria for Selection:**

This will be a qualification-based selection taking into consideration only the information provided in the Technical Proposal. Each proposal will be evaluated for competency, completeness and responsiveness based on the Proposer’s expertise, technical qualifications, and RFP response in relation to the evaluation criteria established by this RFP.

The Evaluation Committee shall consider the following evaluation criteria:

- a. General Qualifications
- b. Project Experience

- c. Project Approach
- d. Quality Assurance Quality Control & Safety
- e. Firm Staffing Plan
- f. M/WBE and SDVOB Participation
- g. Firm Diversity

#### 6.4 Interviews:

DASNY reserves the right to determine whether interviews will be necessary and conducted with some or all of the Proposer's. The purpose of the interview is to further document the Proposer's ability to provide the required services and to impart to the Evaluation 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 is considered part of the evaluation process and 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 Evaluation Committee prior to the interview.

#### 6.5 Final Evaluation:

Upon conclusion of the evaluation process, inclusive of 5.1, 5.2, 5.3, and 5.4 above, the highest scoring Proposer able to provide the required services and meet the business needs of DASNY will be selected by the Evaluation Committee.

#### 6.6 Recommendation and Approval:

The Evaluation Committee will make a recommendation for tentative Contract award. Upon approval by DASNY, a formal notification of tentative Contract award will be issued.

### **Section 7 - Submission of Proposals**

#### 7.1 – Submission of Technical and Cost 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 Team may not be able to assist Proposers with troubleshooting errors if submissions are not made in a timely manner.

- a. You will receive an email from [UpstateRFPcoordinator@dasny.org](mailto:UpstateRFPcoordinator@dasny.org) with a link to a Microsoft SharePoint site: "RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations." Please confirm receipt of this email and ability to access the SharePoint site.
- b. 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 RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations "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.

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- c. Upload all required documents in PDF Format.
- d. Please save each Proposal as follows:
- i. Technical Proposal:
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations – Tech – Enter your Firm’s Name Here
    - Click “Upload” or drag and drop
  - ii. Financial Proposal:
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations - Financial - Enter your Firm’s Name Here
    - Click “Upload” or drag and drop
  - iii. Administrative Proposal:
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations – Admin - Enter your Firm’s Name Here -VRQ
    - Click “Upload” or drag and drop
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations – Admin - Enter your Firm’s Name Here – Omnibus
    - Click “Upload” or drag and drop
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations – Admin - Enter your Firm’s Name Here - W9
    - Click “Upload” or drag and drop
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations – Admin - Enter your Firm’s Name Here – DOS
    - Click “Upload” or drag and drop
    - Save file as: RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations – Admin - Enter your Firm’s Name Here – Statement
    - Click “Upload” or drag and drop
- e. 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 document will remain private and will not be visible to the other Proposers throughout the procurement process.
- f. The RFP# 7622 – CM Build - SUNY New Paltz Capen Hall Renovations site will close at 3:01 PM on the Proposal 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 8 - Important Information Affecting Proposers**

### **8.1 – Proposal Requirements:**

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

Rachel Scaccia, Contract Administrator  
Designated Representative  
E-mail: UpstateRFPCoordinator@dasny.org

- a. 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 inquiries received with relevant responses will be posted on DASNY's website, [www.dasny.org](http://www.dasny.org).
  - b. Proposers responding to this RFP shall be solely responsible for checking the website throughout the RFP process for responses to questions, and no individualized notices shall be provided.
2. A Proposer may withdraw a proposal 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 8, Item 8.1.1. 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 8, Item 8.1.1. 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 given by written notice to all parties who have received this RFP.
  4. If a Proposer fails, prior to the final due date and time for submission of proposals, to notify DASNY of a known error or an error that reasonably should have been known, the Proposer shall assume the risk of proposing. If awarded the contract, the Proposer shall not be entitled to additional compensation or time by reason of the error or its late correction.
  5. A Proposer indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal.

#### 8.2 – DASNY Requirements:

1. By submitting a proposal, the Proposer covenants that the Proposer will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.
2. DASNY shall not be liable for any cost incurred by the Proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.
3. Other than the contact person identified in Section 8, Item 8.1.1, 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 sub-contractors assigned to provide services on this project and to require their replacement at any time. The Proposer shall obtain the written approval of DASNY of changes to the technical proposal after it is submitted, including any changes with respect to sub-contractors. DASNY shall have the right to reject any proposed change to the Proposer's technical proposal.
5. To waive or modify any irregularities in proposals received after prior notification to the Proposer. This will in no way modify the RFP documents or excuse the Proposer from full compliance with its requirements.
6. To consider modifications to proposals at any time before the award is made, if such action is in the best interest of DASNY.
7. To request a revised cost proposal from firms selected as finalists.
8. To accept a proposal for the engagement containing other than the lowest cost proposal.
9. To interview Proposers prior to selection.
10. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the Proposer.
11. To begin negotiations with the next most responsive Proposer to this RFP should DASNY be unsuccessful in negotiating a contract with the selected Proposer within a reasonable time frame.
12. To contract with more than one firm.

#### 8.4 – Contractual Requirements:

##### 1. Contract

- a. By submitting a proposal, the successful Proposer agrees to reference the RFP as part of the resulting contract.
- b. DASNY may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet client program requirements consistent with the RFP.
- c. Award of a contract is subject to contract negotiation and approval of such contract by the appropriate DASNY authorities.

##### 2. Modification of Contract

- a. Any modification to the original contract signed between the successful Proposer and DASNY will require the mutual consent of the successful Proposer and DASNY.

- b. Any contract or amendments thereto will be considered effective only after approval 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 - 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 10 - Negotiation**

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

**Section 11 - Insurance**

The successful Proposer will be required to comply with the Insurance requirements located in Article X of the Pre-Construction Contract, Article IX of the Construction Contract, and Article 15 of the attached General Conditions for Construction.

**Section 12 - 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](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](mailto: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 RFP as Attachment e.

#### **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>.**