



DASNY
Dormitory Authority
of the State of New York



**The City University of New York (CUNY)
City College of New York
Aaron Davis Hall - Theater Renovations**

**Construction Manager-Build Services
Project No. 3410309999**

**Request for Qualifications
RFQ #7621**

October 15, 2025

Table of Contents

<u>Section Number</u>	<u>Page No.</u>
Section 1 - General Information:	2
Section 2 – Engagement Requirements:	5
Section 3 - Content of Statement of Qualifications:	6
Section 4 – Administrative Documentation:	9
Section 5 – Evaluation of the Statement of Qualifications:	10
Section 6 – Submission of Statement of Qualifications:	13
Section 7 – Important Information Affecting Respondents:	15
Section 8 – Notification:	17
Section 9 – Insurance:	16
Section 10 – Vendor Integrity and Executive Order 16:	17
Section 11 – Freedom of Information Law and Public Disclosure:	18
Section 12 – New York State Department of Labor (NYSDOL) Contractor Registry:	18
Attachments:	
a. DASNY Omnibus Certification	
b. Financial Viability Form	
c. Performance & Payment Bonding Requirements	
d. Sample Insurance Certificate and Requirements	
e. W-9 Form	

Section 1 - General Information:

1.1 Introduction to DASNY

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

1.2 Introduction to City University of New York (CUNY)

The City University of New York is the nation’s largest urban public university, a transformative engine of social mobility that is a critical component of the lifeblood of New York City. Founded in 1847 as the nation’s first free public institution of higher education, CUNY today has 25 colleges spread across New York City’s five boroughs, serving nearly 240,000 degree-seeking students of all ages and awarding 50,000 degrees each year. More than 80 percent of the University’s graduates stay in New York, contributing to all aspects of the city’s economic, civic and cultural life and diversifying the city’s workforce in every sector. The University’s historic mission continues to this day: provide a public first-rate education to all students, regardless of means or background.

The mission of The City University of New York is embodied in state education law, Article 125, Section 6201, as the finding and intent of the New York State Legislature.

1.3 Introduction to Facility

The City College of New York (CCNY), a distinguished senior college of The City University of New York (CUNY), is located on a historic 35-acre campus in the heart of upper Manhattan. Since its founding in 1847 as the Free Academy, CCNY has evolved into a comprehensive public institution known for its commitment to academic excellence, innovative research, and significant contributions to New York City's social and economic vitality. As a hub for intellectual and community engagement, CCNY provides a dynamic environment for learning and discovery. The college has a diverse student body and is supported by a robust infrastructure designed to facilitate a wide range of academic, research, and administrative functions.

1.4 DASNY Policy on Sustainability

New York State has set ambitious goals to address climate change by neutralizing its volume of Anthropogenic Emissions. As a result, New York State’s climate targets are among the most rigorous of any economy in the world. High-quality, efficient, and resilient spaces in which DASNY customer-agencies’ end users live, work, and play is fundamental, and represents the future state of the built environment in New York State.

DASNY recognizes the impacts of climate change on New York State’s air and water quality, forests, wildlife, people, communities, and economy. As one of the most prominent public builders in the nation, DASNY is uniquely positioned to act as a statewide leader in facilitating the promotion and advancement of the laws and executive

actions that govern sustainability and Climate Change Mitigation throughout New York State. Therefore, DASNY requires that all planning, design, construction, renovation, retrofit, or system/component replacement projects for which DASNY customer-agencies have directed the incorporation of sustainable design elements implement these elements to the greatest degree feasible.

1.5 Purpose

DASNY issues this Request for Qualifications (RFQ) seeking a responsive Statement of Qualifications (“SOQ”) from qualified CM Build Contractors capable of providing preconstruction services during design, construction management and construction implementation for the City College of New York, Aaron Davis Theater located at 129 Convent Avenue, New York, New York 10027 (the “Project”).

Construction Manager-Build is a project delivery method in which the Construction Manager provides consulting services during the design phase of the project, procures the construction phase trade contracts as the general contractor, and provides management services during the construction phase of the project. The CM-Build Contractor (hereinafter referred to as the “Construction Manager” or “CM”) will contract with DASNY to submit a Maximum Contract Price (“MCP”), which is established after the Construction Manager procures the trade packages. The Maximum Contract Price is the amount the OWNER agrees to compensate the CM for the costs of the project, including all construction costs, and all other projected costs including, the CM’s fees, the CM’s MCP contingency and the General Conditions Cost, exclusive of preconstruction costs.

Following receipt of the submitted SOQs, an established Evaluation Committee will identify a shortlist of CM Build Contractors that will continue with the development process for the Project. The shortlisted CM Build Contractor(s) will be provided with a future Request for Proposal (“RFP”) for the overall Project on which to fully develop a response to the RFP.

1.6 Project Background

The Aaron Davis Hall Theater Renovation project at The City College of New York (CCNY) involves significant upgrades to its two theater spaces, the building's exterior and lobby, and the installation of a new ADA-compliant elevator. The project aims to modernize the facility, improve accessibility, and enhance the student and community experience for arts and academic programs.

Construction Budget

The total construction budget including all hard for the Project is estimated at \$50,000,000 - 56,000,000. Further refinement of this budget with respect to the actual funds available for the Project will be provided with the future RFP to all CM Build Contractors that are selected to be shortlisted.

Project Timeline

The project schedule is currently under development and will be refined at the time of RFP. At the present time, the design is scheduled for completion by April 2026 and construction is anticipated to start by September 2026 and be completed by the end of April 2029.

1.7 Key Events and Dates

Responses to the RFQ are due in accordance with the schedule provided below. This schedule is firm unless DASNY changes the dates in an Addendum in writing that will be posted to DASNY's website at www.dasny.org. Respondents are solely responsible for obtaining all such changes to the submission schedule or other supplemental instructions and any interpretations and supplemental instructions that may have been issued, as well as acknowledging receipt of any interpretations and supplemental instructions that are issued.

<u>Event</u>	<u>Date</u>
Issuance of RFQ	10/15/2025
Deadline for RFQ Questions	10/24/2025 (3:00 p.m.)
Post Responses to RFQ Questions	10/28/2025
SOQ Due Date	11/05/2025 (3:00 p.m.)
Selection of Shortlisted CM's (not earlier than)	11/21/2025
RFP issued to Shortlisted CM's (anticipated)	12/10/2025
RFP Proposals Due (anticipated)	01/16/2026
Interviews (anticipated)	02/17-2/18/2026
Notice of Award (not earlier than)	02/20/2026
Contract Execution (not earlier than)	03/20/2026

1.8 Inquiries

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

1.9 Procurement Structure

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

The SOQ submittal, evaluation, and selection processes are defined herein. DASNY intends, but is not bound, to shortlist three (3) or more Construction Managers depending on the submittals received, provided, however, DASNY reserves the right to increase or decrease the number of shortlisted CM Build Contractors if deemed necessary.

The shortlisted CM Build Contractors will be provided with a future RFP for the overall Project on which to fully develop a response to the subsequent RFP.

The CM Build Contractors responding to the future RFP will be expected to provide a response that demonstrates that they have substantial experience and a proven track record in providing construction management services including project management and administration, constructability analysis, value analysis, cost estimation and scheduling, change order mitigation and management, and supervision and inspection. The CM Build Contractors

responding to the future RFP will be expected to develop a response sufficient to address site, budgetary, and schedule parameters provided for in the future RFP.

Throughout this RFQ, we may refer to the CM Build Contractor as “Respondent” or “Proposer” depending on the context.

Section 2 - Engagement Requirements:

2.1 Project Scope of Work

The project Scope of Work as defined in the 30% Design Submission and as accepted by CUNY and CCNY for inclusion in the project includes, in general, the following:

1. Full facility upgrades for conformance with the Americans with Disabilities Act and CUNY accessibility standards. This work includes, a new elevator providing accessibility to all levels of the facility, new seating positions within the Marion Anderson Theater, the relocation of the facility’s Green Room and general upgrade of toilet rooms, dressing rooms and public areas.
2. Public Rest Rooms will be upgraded for accessibility and will be enlarged to more adequately serve audience members and students using the facility.
3. Full facility upgrade of the entire Mechanical, Electrical, Plumbing and Fire Safety infrastructure, including new Emergency Generator.
4. Upgrade of the theatrical technical infrastructure including replacement of theatrical lighting controls and distribution. The Pit Filler at the Marion Anderson Theater will be replaced with a motorized system Pit Lift and will be modified for accessibility.
5. The Manual Counterweight Rigging at the Marion Anderson Theater will be inspected and repaired or replaced as required.
6. Seating at the Marion Anderson Theater will be replaced for improved comfort and to increase seating capacity.
7. The existing platform seating will be replaced with Telescopic Deployable Seating Risers at Theater B.
8. Architectural lighting will be upgraded and/or replaced throughout the building for current standards and energy efficiency.
9. A new amphitheater will be built for outdoor performances, and exterior areas will be regraded where necessary to provide a new accessible campus route to the building.
10. A new mezzanine will be constructed in the building lobby which, together with the new building elevator, will provide accessibility to the Marion Anderson Theater Mezzanine.
11. A new concession/security/information counter will be placed in the building lobby.

12. Acoustics will be upgraded throughout the facility providing both improved space-to-space transition and improved sound quality.
13. Audio Visual and IT infrastructure will be upgraded to current industry standards.
14. All sound equipment will be replaced to current standards.
15. Architectural finishes will be upgraded in public and support areas.
16. A new entry marquee will be added.
17. New interior and exterior signage will be installed to improve the visibility of the facility from the street and to improve the audience experience.

2.2 Qualifications and Certification Requirements

- a. The Respondent's Team possesses substantial experience providing projects of similar size, scope and complexity.
- b. The Respondent's Team possesses experience with major capital projects for both new construction and renovations of similar size, scope and complexity.
- c. The Respondent's Team shall demonstrate its experience with respect to meeting goals for Minority and Women Owned Business ("M/WBE") and Service-Disabled Veteran-Owned Business ("SDVOB") participation.
- d. The Respondent's Team is registered and authorized to do business in NYS or can provide proof that such registration for authorization is in progress.
- e. The Respondent's Team must have bonding capacity to provide performance and payment bonds reflective of the estimated construction value

2.3 Project Labor Agreement

Pursuant to the Infrastructure Investment Act, authorized projects with a total construction cost of not less than twenty million dollars (\$20,000,000) undertaken by DASNY solely in connection with the provisions of the Act shall only be undertaken pursuant to a PLA in accordance with section 222 of the New York State Labor Law.

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

Section 3 - Content of Statement of Qualifications:

3.1 Information to be Provided by Respondent in the SOQ

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

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

Tab 1. Cover Letter

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

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

Tab 2. Respondent's Experience (10-Page Limit)

Provide a description of your firm's experience providing similar services including recent relevant project experience, for the public and private sector. Provide five (5) projects your firm completed or substantially completed, within the last ten (10) years with the same or similar size and complexity as

this project with an emphasis on CM Build and/or similar delivery method. For each project provide: the project location, a brief description of the project, the total cost of construction, and the start and completion dates of the projects.

Tab 3. Organizational Structure (10-Page Limit)

Provide a description of your firm's organization and the resumes of partners, principals, associates and other key staff, including key subcontractors and subconsultants, proposed to provide services to DASNY, with particular emphasis on theatre renovation projects, CM-Build Projects or similar.

Tab 4. Project Approach (10-Page Limit)

Provide 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. Provide three (3) sample project schedules (8 1/2 x 11 paper) that were utilized on previous CM construction projects.

Tab 5. Bonding Capacity

Provide your firm's bonding capacity (both single and aggregate).

Tab 6. M/WBE and SDVOB History and Approach

This procurement is conducted in accordance with New York State Executive Law Article 15-A and Article 3 of the New York State Veteran's Services Law. It is the policy of DASNY to maximize opportunities for the participation of New York State Empire State Development (ESD) and Office of General Services (OGS) MWBE/SDVOBs as proposers, subcontractors, subconsultants, and suppliers on projects. DASNY is committed to diversity and equal employment opportunities among its contractors, consultants, and vendors.

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

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

- a. A description of Construction Management-Build or other types of alternative delivery projects of similar size, scope, and complexity where the Construction Managers met or exceeded the M/WBE and SDVOB utilization goals for the project and how the Construction Manager was able to achieve those specific goals. Provide a list of any programs the Construction Manager has implemented to promote the use of M/WBE and SDVOB firms.
- b. An explanation of the Construction Managers anticipated approach to maximizing M/WBE and SDVOB participation in both the design and construction phases of this Project. Indicate how M/WBE businesses and SDVOB companies will be incorporated into both the design and construction phases of the Project.

- c. An explanation of the Construction Managers' anticipated strategies to attract and engage the M/WBE and SDVOB community throughout the Project. Strategies should include plans to encourage teaming, joint ventures, and partnership to increase M/WBE and SDVOB utilization throughout the Project duration.
- d. A description of Construction Management-Build or other types of alternative delivery projects of similar size, scope, and complexity where the Construction Managers requested a reduction in M/WBE and SDVOB utilization goals

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

Tab 7. Diversity and Inclusion

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

Please disclose information regarding the diversity of the CM Build Contractors by providing the following:

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

Section 4 - Administrative Documentation:

4.1 Administrative Documentation to be Provided Separately by Respondent

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

- a. Responsibility Questionnaire (“VRQ”). DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). Proposers must provide a copy of the certification page to DASNY. To enroll in and use the System, see the System Instructions at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.
- b. A completed Omnibus Certification form included in this RFQ as an attachment.
- c. A completed W-9 Form, included in this RFQ as an attachment. If the proposer is a joint venture, provide a W-9 in the name of the joint venture and provide a copy of the executed joint venture agreement.
- d. 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 an Accounts Payable voucher confirming your firm’s registration with DOS is in progress.
- e. Provide a statement regarding the following:
 - i. The Proposer must agree to provide DASNY with pre- and post-audit access to documents, personnel, and other information necessary to conduct audits on request during the term of the Contract and for six years thereafter.
 - ii. The SOQ submitted must contain a representation that the Proposer is willing and ready to provide a response to the RFP if selected as one of the shortlisted Construction Managers.
 - iii. Disclose any potential conflicts of interest (refer to Exhibit A, “Code of Business Ethics - Certification” included in the attached DASNY Omnibus Certification).
 - iv. Acknowledging the Proposer’s intent to comply with the Performance & Payment Bonding requirements included in this RFQ as an attachment.
 - v. Indicating the Proposer is able to comply with the insurance requirements as listed in the attached Sample Insurance Certificate and Requirements.
 - vi. The Respondent’s agreement to enter into a Project Labor Agreement if so required.

Section 5 - Evaluation of the Statement of Qualifications:

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

Respondents will be evaluated on their ability to meet the requirements as detailed in this RFQ. DASNY will perform an evaluation based on the Respondent’s written response, internal and external references (if applicable), and, if

requested by DASNY, interviews and/or presentations. After the evaluation of written responses, additional information may be requested.

5.1 Preliminary Review

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

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

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

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

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

5.2 Evaluation Committee

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

5.3 Criteria for Selection

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

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

Respondent's Experience (60%)

- a. Proposed firm's experience providing similar services including recent relevant project experience for the public. and private sector.
- b. Proposed firm's five (5) projects demonstrates experience with projects of the same or similar size and complexity as this project

Organizational Structure (10%)

- a. Resumes of proposed staff/team, including subconsultants, demonstrates the firm and proposed team's experience with the services proposed to provide to DASNY, with particular emphasis on theatre renovation projects, CM-Build Projects or similar projects.

Project Approach (10%)

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

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

- a. Proposed Team's history and anticipated approach demonstrates a commitment to utilizing M/WBE and SDVOB firms and meeting the goals assigned to the procurement.
- b. Proposed Team's approach and commitment to diversity and current programs in diversity are inclusion demonstrates a history of hiring, training, developing, promoting and retaining minority and women staff in various job categories, illustrating a strong commitment to diversity.

5.4 Interviews

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

5.5 Final Evaluation

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

5.6 Recommendation and Approval

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

Section 6 - Submission of Statement of Qualifications:

6.1 Submission of Statement of Qualifications

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

- a. Email Downstaterfpcoordinator@dasny.org with the subject line: “RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations” - Request Access - Enter your Respondent’s Name.
 - i. Please provide the name and email address of any additional contact from your firm that may require access to submit the RFQ responses through the SharePoint site.
 - ii. An expression of interest does not qualify as a request for access. Please ensure that your firm explicitly requests access using the described procedure.
 - iii. Please request access at a minimum of 48 hours in advance and ensure access to the site works correctly.
- b. You will receive an email from Downstaterfpcoordinator@dasny.org with a link to a Microsoft SharePoint site: “RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations.” Please confirm receipt of this email and ability to access the SharePoint site.
- c. Click on the link within the SharePoint Email.
 - i. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater 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.
- d. Upload all required documents in PDF Format.
- e. Please save submissions as follows:
 - i. SOQ:

- Save file as: RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations – SOQ – “Enter Name of Firm here”
 - Click “Upload” or drag and drop
- ii. Administrative Documentation:
- Save file as: RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations – Admin - “Enter Name of Firm here”-VRQ
 - Click “Upload” or drag and drop
 - Save file as: RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations – Admin – “Enter Name of Firm here” – Omnibus
 - Click “Upload” or drag and drop
 - Save file as: RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations – Admin – “Enter Name of Firm here” - W9
 - Click “Upload” or drag and drop
 - Save file as: RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations – Admin – “Enter Name of Firm here” – DOS
 - Click “Upload” or drag and drop
 - Save file as: RFQ 7621 – CUNY City College of New York Aaron Davis Hall Theater Renovations – Admin – “Enter Name of Firm here” – Statement
 - Click “Upload” or drag and drop
- f. Once your documents are uploaded, DO NOT OPEN. The document submitted must be your final submission and cannot be modified.
- i. If you open your documents after they are submitted, the system will show it as “modified”.
 - ii. The submitted document will remain private and will not be visible to the other proposers throughout the procurement process.
- g. The SharePoint site “RFP 7621-CUNY City College of New York Aaron Davis Hall Theater Renovations” site will close at 3:01 PM on the SOQ Due Date. Any questions or issues on submitting must be addressed to the Designated Representative for the procurement prior to the expiration of the site. Please provide enough time to upload all required files.

Section 7 - Important Information Affecting Respondents:

7.1 Statement of Qualifications Requirements

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

Rachel Scaccia, Contract Administrator
E-mail: Downstaterfpcoordinator@dasny.org

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

7.2 DASNY Requirements

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

7.3 DASNY Rights and Prerogatives

DASNY reserves the right to exercise the following prerogatives:

- a. To accept or reject any or all SOQ's and amend, modify or withdraw this RFQ.
- b. To change the final due date and time for SOQ's.
- c. To accept or reject any of the Respondent's employees or proposed sub-contractors assigned to provide services on this Project and to require their replacement at any time. The Respondent shall obtain the written approval of DASNY of changes to the SOQ after it is submitted, including any changes with respect to sub-contractors. DASNY shall have the right to reject any proposed change to the Respondent's SOQ.
- d. DASNY reserves the sole right to accept any response to this RFQ that DASNY believes best meets its requirements. DASNY reserves the right to waive any irregularity, informality, or non-compliance in information received. This will in no way modify the RFQ documents or excuse the Respondent from full compliance with its requirements.
- e. DASNY reserves the right to share any information as necessary with its employees, subject matter experts, consultants, representatives, and its partners including, but not limited to, the [insert client and any other stakeholders].

- f. To consider modifications to SOQs at any time before the award is made, if such action is in the best interest of DASNY.
- g. To interview Respondents prior to selection.
- h. To reject any SOQ containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the Respondent.
- i. To shortlist Respondents as DASNY feels necessary to advance this procurement.

Section 8 - Notification

Upon completion of the selection process, DASNY will notify all Respondents of its decision. Notification will be sent to the primary contact only. Shortly after notification the shortlisted Respondent(s) will be posted on DASNY's website.

Section 9 – Insurance

The successful proposer will be required to comply with the insurance requirements as listed in the attached Sample Insurance Certificate and Requirements included in this RFP as an attachment.

Section 10 – Vendor Integrity and Executive Order 16

Vendor Responsibility:

As a public entity, DASNY may only contract with entities that are determined to be responsive and responsible and said entities are required to maintain responsibility throughout the term of the services being provided. Proposers shall submit a Vendor Responsibility Questionnaire (“VRQ”) which is designed to provide information to assess a proposed vendor's responsibility to conduct business in New York State. All VRQs shall be reviewed in accordance with applicable law, policy, rules, regulations and guidelines, including without limitation Executive Order Nos. 125, 170.1 and 192.

DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”). To enroll in and use the System, see the System Instructions at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>. Proposers must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for System assistance, contact the Office of the State Comptroller's (“OSC”) Help Desk at 866-370-4672 or 518- 408-4672 or by email at ciohelpdesk@osc.state.ny.us.

Executive Order 16:

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

Section 11 - Freedom of Information Law and Public Disclosure

This RFQ and all information submitted in response to this RFQ constitute “records” subject to disclosure pursuant to the New York State's Freedom of Information Law (Public Officers Law, Article 6, § 84-90, the “FOIL Law” or “FOIL”). FOIL reaffirms the public’s right to know how government operates and requires that DASNY make its records available for public inspection or copying, except to the extent that records or portions thereof fall within one or more grounds for denial set forth in the §87(2) of the FOIL Law.

Should you feel your SOQ contains any such trade secrets, other confidential or proprietary information or is otherwise exempt from disclosure pursuant to FOIL, you must submit a request to exclude such information from disclosure. Such request must be in writing, must detail the information that should be exempt from disclosure, and must state the reasons why such information should be excepted from disclosure. DASNY will not honor any attempt, by a Respondent, to omit its entire SOQ from disclosure.

Section 12 - 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>.**