



## **SUNY New Paltz**

### **Capen Hall Renovations**

**RFP No. 7622**

### **Questions & Answers RFP Phase**

| <b>No.</b> | <b>Questions</b>  | <b>DASNY Responses</b>  |
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| 1.         | How will the CM subcontractors be procured: via public bid, or from a pre-selected/pre-qualified list of bidders. If the latter, which entity will determine the pre-selected list of bidders and their qualifications.   | The CM is required to pre-qualify all potential subcontractors and submit to DASNY for review/approval for each trade package.  |
| 2.         | Section 1.4 – Please confirm the CM will be required to enter into a contract for the construction phase of the project for a Maximum Contract Price (MCP), whereby the CM will be responsible for any costs in excess of the agreed upon MCP, including any potential scope gaps in the trade buyouts; versus an open book buyout where the CM, for example, is reimbursed for such scope gaps as well as other similar costs. | The CM is responsible to procure the trade packages as per the drawings and specifications. The total sum of the trade package buyout, plus Owner approved and negotiated CM staffing costs, CM fee, CM General Conditions and CM contingency shall represent the Maximum Contract Price (MCP). |
| 3.         | There are many references to a Payment and Performance Bond throughout the RFP. Please confirm the CM will be responsible to obtain the Payment and Performance Bond for the full value of construction costs.  | The CM will be required to provide Payment and Performance Bonds for the full value of the construction costs.  |
| 4.         | Please confirm Builder's Risk policy will be held by DASNY. Please provide the policy deductible.   | DASNY holds Builder's Risk. The AOP deductible is \$100,000 at present, subject to change with policy renewals. Other deductible amounts may apply in certain claim circumstances.  |
| 5.         | Draft contract indicates project fee percentage should not be applied to General Conditions and General Requirements. To simplify future accounting and project administrative efforts we'd like to propose including fee percentage markup on all General Conditions and General Requirements. Please confirm if this will be acceptable.  | Project Fee will be as per the terms and conditions outlined within the contract.   |
| 6.         | Currently liquidated damages do not include a grace period. We propose a grace period on LD's up to student move in date. Please confirm if acceptable.   | A grace period will not be allowed.   |



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| 7.  | Currently liquidated damages are not capped. We propose capping liquidated damages at 25% of project fee. Please confirm if this cap is acceptable.  | There will be no cap for liquidated damages.  |
| 8.  | Due to the extremely aggressive schedule we recommend DASNY engage a 3rd party prior to our onboarding to perform a peer review of the contract documents to flush out constructability issues or other conflicts prior to our engagement. Please advise if this can occur. The quality of the documents has potential to greatly impact the schedule.   | Due to the aggressive schedule DASNY will not be engaging a third party to perform peer reviews. The CM proposer should thoroughly review the documents prior to submitting the proposal. |
| 9.  | Due to the extremely aggressive construction schedule we advise DASNY share all approved submittals for equipment cutsheets and product data from other projects that are 1:1 applicable to Capen Hall and include these as part of the future subcontractor bid packages and assign these pre-approved submittals to the corresponding subcontractor so that material orders can commence upon subcontract award without the need for a new submittal process which will consume time. Please advise if this approach will be accepted. | The milestone schedule allows time for submittals and material acquisition.   |
| 10. | Please confirm if RFI's and change orders issued to date on other recent projects on campus have been reviewed by the design team and incorporated into the Capen Hall bid set. We believe this will be of high value.   | Where applicable - this has been completed.   |
| 11. | General Conditions 3.01(B) states we cannot rely upon the accuracy of any subsurface investigation reports/tests. We should be able to rely upon testing reports provided to us from the Owner. Please confirm this language can be removed or modified accordingly.   | The General Conditions will not be modified.  |
| 12. | General Conditions 4.02 – language here suggests we are liable for errors and omissions in the Contract Documents. We would like to add limiting clause that we are only liable for errors and omissions in the CDs that we discover or reasonably should have discovered.   | The General Conditions will not be modified.  |
| 13. | General Conditions 7.01(C) states we cannot charge any overhead/profit on affiliates work. We would like to remove this language from contract. Please confirm if acceptable.  | The General Conditions will not be modified.  |
| 14. | We would like a mutual waiver of consequential damages similar to the AIA A201, Section 15.1.6. Please confirm if this can be added within contract language.  | The proposed change is not acceptable.  |



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| 15. | Due to the aggressive schedule we anticipate early trade awards will be required prior to development of full MCP and final construction contract. Please advise if DASNY will allow us to issue award recommendations and provide corresponding rolling construction agreement that will be amended to reflect final MCP. | CM Build Contractor is responsible for a procurement plan outlining how they intend to procure the trade packages. The procurement plan is subject to review and approval by DASNY. Early works packages are allowable with Owner approval. |
| 16. | Due to the aggressive schedule we recommend DASNY fast track the CM selection process such that notice of pre-award is issued in first week of December. Please advise if this is possible.  | The CM needs to manage the schedule, labor and work hours to complete the project on time. DASNY intends to expedite the procurement process whenever possible.   |
| 17. | Please clarify if contractor fee can be applied to General Liability Insurance. Construction Contract Article 5(5) states fee can be applied to Sub-Guard Insurance but is silent to General Liability Insurance.  | Fee cannot be applied to General Liability insurance.   |
| 18. | Please confirm if existing As-Built drawings of the building are available for the CM's review and reference.  | As-Built drawings are not available.  |
| 19. | The preconstruction contract notes Value Analysis as "Not Applicable," while the deliverables table lists it as a deliverable. Please clarify whether a Value Engineering/Value Analysis submission is required as part of this RFP.   | Value Analysis is not required.   |
| 20. | Please confirm whether PMWeb will be the official platform for all project correspondence, RFIs, submittals, and schedules, as Primavera P6 is also specified in the project documents.  | P6 is required for the schedule only. PMWeb will be utilized for all other correspondence.  |
| 21. | <b>Construction Phase:</b> Please confirm whether the CM is responsible for procuring and coordinating all third-party inspections directly, or if DASNY will schedule and manage inspections while the CM provides access and support.  | DASNY will procure all third-party inspection firms directly. The CM is responsible for coordinating all third-party inspections.   |
| 22. | <b>Preconstruction Phase:</b> Please confirm whether any additional inspections are required beyond the existing condition investigation reports (Hazardous Materials, Civil, etc.).   | No additional inspections are needed.   |
| 23. | Please confirm if DASNY expects any staffing levels (e.g., full-time Superintendent or Safety Manager) during the pre-construction and construction phases.  | Please comply with Division 1 requirements of the project manual.   |
| 24. | Please confirm that no other projects will be ongoing at Capen Hall while the scope of work of this contract is being executed.  | No other projects will be on-going at Capen Hall.   |



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| 25. | Considering that the schedule is aggressive and high liquidated damages costs associated with this project, if the contractor ascertains that a second summer is required to complete the project, then please confirm that the milestone dates will be adjusted accordingly and the liquidated damages will start from the revised milestone dates. | Refer to RFP Section 3.1, Tab 3(m).  |
| 26. | Based on the extensive bid submission requirement and tight deadline, we request a bid extension by at least 2 weeks?  | A bid extension will not be allowed.   |
| 27. | Please advise if this project will be built via PLA, Union labor, or prevailing wages. Can all work be awarded to one GC who would have trades as subs?  | This project is not subject to a PLA. NYS prevailing wage rate requirements apply. The work cannot be subcontracted to a singular GC.  |
| 28. | Please confirm if existing elevators can be used for construction (with proper protection and attention to capacity)?  | Yes, elevators can be used for construction with proper protection.  |
| 29. | How late will contractors be allowed to work. Will Saturday Sunday work be allowed?  | It is the CM's choice to request approval for working additional or extended hours at DASNY's discretion. Multiple shifts and weekend work is allowed for this project. CM to submit DOL PW30 to DASNY prior to start of work to identify all trades and hours to be worked. |
| 30. | Is the existing roof under warranty? Please provide copies and information regarding roofing manufacturer.   | Refer to Section 075300.   |
| 31. | Can As-Built Drawings be provided?   | See question No. 18  |
| 32. | In the architectural finish plans the symbols designating linoleum floor tiles and porcelain ceramic tiles are not clearly distinguishable. Please clarify.  | Refer to the finish schedule for all finish selections.  |
| 33. | FP drawings show sprinkler work in bedrooms. However Architectural drawings do not show same. Please advise.   | Please comply with Fire Protection drawings.   |
| 34. | Please specify if any tree protection is expected to be provided by the contractor.  | If required, when working adjacent to any trees.   |
| 35. | Will Contractor be required to provide security guard?   | No.  |
| 36. | Has the A/E team investigated the lead time for the equipment and fixtures they have specified?  | Yes, this is typical construction.   |
| 37. | Will CM's MWBE status count towards project's MWBE requirements?   | The firm will receive credit towards only one certification – not both.  |
| 38. | The RFP mentions two software programs that the client utilizes - Primavera P6 and PMWeb. Please advise if the CM will need to purchase licenses for that software (specifically PMWeb) in order to gain access to the client's existing database to input project data or if the CM is  | There is no cost to utilize PMWeb. P6 is required for the schedule only. PMWeb will be utilized for all other correspondence.  |



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|     | expected to purchase the software as a stand-along program.   |  |
| 39. | Is the CM reimbursed for the cost associated with the purchase of PMIS software licenses as a general condition item? Can DASNY/CUNY share the contact information for their sales representative at PMWeb?   | See question No. 38.   |
| 40. | If a firm is certified as a MWBE firm, confirm if they send counts to only one certification (MBE or WBE) or do they get credit for both MBE and WBE.   | See question No. 37.   |
| 41. | Confirm if the VendRep form shall be for Construction or Non-Construction.  | Vendor responsibility questionnaire will be required for both the pre-construction contract and the construction contract.                     |
| 42. | Confirm if the CM Multiplier Form needs to be completed if the CM's multiplier rate is 2.5 or less. Is there any backup required to be submitted with the Multiplier Form?  | If the CM's multiplier is 2.5 or below, the multiplier form is not needed, however, the multiplier should be reflected on the CM's letterhead. |
| 43. | In Tab 2 of our proposal submission, the RFP documents included the Classification & Rate form and the Multiplier form. Is there a preferred form to be used for providing the breakdown of Hours & Rates for the Direct Salaries in the Pre-Construction Phase and Construction Phase. | The proposals shall be submitted on a DASNY Standard Cost Proposal (SCP) form.   |
| 44. | Confirm that the building will be turned over to the CM vacant and emptied of all DASNY fixtures, furnishes, and equipment.   | Yes.   |