



**Office of Mental Health (OMH)
Greater Binghamton Health Center
Garvin Building #75 – Renovate Floors 3,
4 and 5**

**Construction Manager-Build
Project No. 371230**

**Request for Proposal
RFP #7626**

Date: February 2, 2026

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Section 1 - General Information

1.1 – Background:

The Dormitory Authority State of New York (“DASNY”) is a public benefit corporation of the State of New York empowered by Titles 4 and 4-B of the Public Authorities Law (the “Act”), to provide design and project management services, 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 the New York State Office of Mental Health (OMH) and the Greater Binghamton Health Center (GBHC):

Introduction to OMH:

The New York State Office of Mental Health (OMH) oversees a large multi-faceted mental health system serving nearly 800,000 individuals per year. This includes operating 23 psychiatric centers and overseeing the Nathan S. Kline Institute and New York Psychiatric Institute. OMH regulates and certifies more than 6,500 programs operated by local governments and nonprofit agencies.

Introduction to GBHC:

The Greater Binghamton Health Center (GBHC) provides comprehensive outpatient and inpatient services for adults and children who are mentally ill. For adults needing inpatient care, the Center provides a wide range of treatment services based on a holistic care model, including an Admission/Intensive Treatment Service, Intermediate Treatment Service, Geropsychiatric Service, and three inpatient treatment malls. GBHC envisions becoming a Center of Excellence in the Promotion of Mental Health by providing strength based, person centered, recovery focused treatment and services in partnership with individuals, families, and the community. Their mission is to provide a safe environment, acquire and use evidence-based practices, facilitate recovery using a person-centered approach, and improve health and wellness.

1.3 – Project Background:

The Garvin Building, also known as Building #75, is the main building on the GBHC campus providing all inpatient residential, program, and patient support services such as nutrition, clinics, and safety offices. The building was constructed in 1948 and has five stories above grade with both basement and sub-basement levels below grade. The building is comprised of non-combustible construction and is only partially sprinklered. The Project at the Garvin Building will include the renovation of interior spaces on floors three, four, and five. The third-floor renovations will include wings “B”, “C”, “D”, and “E” which totals approximately 37,200 gross square feet. The fourth-floor renovations will include all wings and totals approximately 47,000 gross square feet. Limited renovations on the fifth floor will cover approximately 32,000 gross square feet. Wing A of the third floor may also be renovated in a subsequent phase of this project.

1.4 – Purpose and Project Overview:

DASNY seeks proposals from Construction Managers to provide, professional construction management services during the design and construction of the OMH Greater Binghamton Health Center Garvin Building #75 Various Floor Renovations (3, 4 and 5) project 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 is involved during the design phase of the project, 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”)¹ 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 project is between **Thirty Million and Thirty-Six Million Dollars (\$30,000,000 - \$36,000,000)**.

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 during 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. 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.

The substantial completion date for this project is June 1, 2028. Liquidated damages will be assessed in the amount of \$1,000.00 per day for each and every calendar day that the CM fails to complete within this 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 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 5 of the Proposal, for DASNY’s review and consideration. Any

¹ **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.

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:

| <u>Event</u> | <u>Date</u> |
|--|---------------------|
| Issuance of RFP | 02/02/26 |
| Pre-Proposal Meeting/Site Visit | 02/04/26 (11:00 AM) |
| Deadline for RFP Questions | 02/09/26 (3:00 PM) |
| Post Responses to RFP Questions | 02/13/26 |
| Proposal Due Date | 02/27/26 (3:00 PM) |
| Interviews/Presentations (if required, week of) ** | 04/02/26 |
| Notice of Pre-Award (not earlier than) | 04/17/26 |

A Pre-Proposal Meeting will be held at the Greater Binghamton Health Center Garvin Building #75, 425 Robinson Street Binghamton New York on Wednesday, February 4th, 2026 at 11:00AM. A campus map is included as an attachment to this RFP. Closest parking is either Lot B or C. Attendees should enter at the Garvin main entrance, stopping at the safety desk. All attendees will need to present picture ID to the safety officer on duty. Currently there is a mask mandate for all who have not received an influenza vaccine.

Firms are to RSVP to the pre-proposal meeting, by February 2, 2026, by email to the Designated Representative at 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 the Office of Mental Health will be available to answer questions regarding this RFP. Immediately following the Pre-Proposal Meeting, a tour of the site will be conducted.

**Interviews/Presentations will be held at DASNY Headquarters, 515 Broadway, Albany, New York during the week of April 2nd, 2026. Details regarding the interviews/presentations will be sent at later date

1.7 – Preliminary Project Schedule:

The preliminary project schedule is as follows:

- 100 % Documents – January 30, 2026
- CM-Build Selection – April 2026
- CM-Build – Notice of Award – May 2026
- Construction Start – June 2026
- Substantial Completion Date – June 2028

Section 2 - Engagement Requirements

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 Certification Requirements:

Firms responding to this RFP must meet the following:

- Have completed a minimum of three (3) projects of similar size, scope, and complexity within the past ten (10) years, including at least one (1) project providing Construction Manager-at-Risk, CM-Build, or other alternative project delivery services;
- Experience delivering projects within a tight construction schedule;
- Experience delivering projects requiring logistics planning and coordination in an occupied buildings;
- Employ an experienced staff with thorough knowledge of their area(s) of expertise;

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 P6TM, and/or PMWeb®, will be utilized as the management tools to plan, track, and record all project-related schedules, correspondence, submittals, transmittals, meeting minutes, requests for information, daily logs, project costs, change management, and reporting. In addition, DASNY at their option will deploy these systems from available web-based and/or Application Service Provider (ASP) system(s). 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.

2.4 – Project Labor Agreement (PLA)

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

The construction cost for this project exceeds the threshold identified in the Act, and an executed PLA is in place.

DASNY previously conducted a feasibility analysis to determine the feasibility of implementing a Project Labor Agreement (PLA) for this Project and found that a PLA would enhance the construction of the Project from a time, quality and cost standpoint and would satisfy the requirements for use of a PLA contained in New York State Labor Law section 222.

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, 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.
- 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 in conjunction with the proposed utilization plan. 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.

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 k., 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, the Proposer shall identify, in writing, all questions, comments, requests, exceptions, or objections if any, that the Proposer may have to this Contract for DASNY's review and consideration.

Tab 7. Firm/Team Financial Responsibility Information

- a. Supply the Current Ratio (current assets/current liabilities) experience for the Respondent for the past five (5) years, with a signed statement from the representative individual(s) from the Respondent. If the Respondent is or intends to be an LLC, partnership, or joint venture, then each of the identified Team Members who are or will be the managing member(s), partners, or joint venture parties, respectively, shall also supply their Current Ratio (current assets/current liabilities) experience for the past five (5) years.
- b. Provide current liabilities (accounts payable, notes payable, accrued expenses, provisions for income taxes, advances, accrued salaries, and accrued payroll taxes) for the Respondent. If the Respondent is or intends to be an LLC, partnership, or joint venture, then each of the identified Team Members who are or will be the managing member(s), partners, or joint venture parties, respectively, shall also supply their current liabilities (accounts payable, notes payable, accrued expenses, provisions for income taxes, advances, accrued salaries, and accrued payroll taxes).
- c. Name of firm preparing the supplied financial statement(s) and date thereof.
- d. The Respondent shall provide a completed Financial Viability Form included in this RFQ as an attachment. If the Respondent is or intends to be an LLC, partnership, or joint venture, then each of the identified Team Members who are or will be the managing member(s), partners, or joint venture parties, respectively, shall also provide a completed Financial Viability Form.

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).
- g. Construction Phase: Please include an itemized list of General Conditions for Phases 3 and 3A of this Project.

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 or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.
- b. A completed DASNY 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 d. - “DASNY 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 a Committee selected by DASNY. The Committee will evaluate the proposals based upon the criteria for selection set forth below.

6.3 – Criteria for Selection:

The criteria for selection is broken down as follows:

- **General Qualification (30 pts)**
 - Description of firm's organization and resumes of key personnel demonstrate experience with alternative construction procurement methods and Construction Management. – **15 pts**
 - Firm's description and project examples illustrate the firm's experience providing similar services including recent and relevant public and private sector project experience – **15 pts**
- **Project Approach (30 pts)**
 - Firm's overall approach to and understanding of the Scope of Work including the firm's value analysis process and value analysis approach to this project – **10 pts**
 - Firm's project approach to reviewing the constructability issues of the project – **10 pts**
 - Firm's approach to maintaining schedule and cost-effectiveness – **10 pts**
- **QA/QC & Safety (10 pts)**
 - Description of Firm's Quality Assurance/Quality Control program throughout construction – **5 pts**
 - Examples illustrate a well thought out plan that includes in-house safety resources, monitoring/enforcement to ensure OSHA compliance, violations, emergency response, evacuation plan and reporting – **5 pts**
- **Firm's Staffing Plan (10 pts)**
 - Staffing plan illustrates staff to be utilized during the pre-construction and construction phases and provides a description of how the staff will be assigned and how they will be maintained throughout the course of the project – **10 pts**

- **M/WBE & SDVOB Participation (10 pts)**

- Prime Firm's approach to M/WBE utilization and completed Utilization Plan demonstrates their commitment to meeting the MBE and WBE goals assigned to this procurement – **5 pts**
- Prime Firm's approach to SDVOB utilization and completed Utilization Plan demonstrates their commitment to meeting the SDVOB goals assigned to this procurement – **5 pts**

- **Firm Diversity (10 pts)**

- Prime Firm's Diversity Questionnaire and current programs in diversity and inclusion demonstrates a history of hiring, training, developing, promoting and retaining minority and women staff, illustrating a strong commitment to diversity – **5 pts**
- Prime Firm's Diversity Questionnaire illustrates a strong commitment to diversity with demographics of staff assigned to this engagement – **5 pts**

6.4 – Interviews:

DASNY reserves the right to determine whether interviews will be necessary. The purpose of the interview is to further document the proposer's ability to provide the required services and to impart to the Committee an understanding of how specific services will be furnished. The proposed lead principal, as well all other key personnel proposed to provide the services must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

Section 7 - Submission of Proposals

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

- a. You have received an email from UpstateRFPcoordinator@dasny.org with a link to a Microsoft SharePoint site: "RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75" Please use this same SharePoint site to upload your RFP documents.
 - i. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 "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.
- c. Upload all required documents in PDF Format.

d. Please save each Proposal as follows:

i. Technical Proposal:

- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 – Tech – Enter your Firm's Name Here
- Click “Upload” or drag and drop

ii. Cost Proposal:

- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 - Cost - Enter your Firm's Name Here
- Click “Upload” or drag and drop

iii. Administrative Proposal:

- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 – Admin - Enter your Firm's Name Here -VRQ
- Click “Upload” or drag and drop
- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 – Admin - Enter your Firm's Name Here – Omnibus
- Click “Upload” or drag and drop
- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 – Admin - Enter your Firm's Name Here - W9
- Click “Upload” or drag and drop
- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 – Admin - Enter your Firm's Name Here – DOS
- Click “Upload” or drag and drop
- Save file as: RFP# 7626 – CM Build – OMH GBHC-Garvin Building #75 – 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# 7626 – CM Build – OMH GBHC-Garvin Building #75 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:

Sara Miner, Procurement 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.
- 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, Article 15 of the attached General Conditions for Construction, and Attachment c2. – Supplemental 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 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 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>.**