Construction Manager as Agent Services

Request for Proposal
RFP #7640

CUNY Baruch College
17 Lex Field Bldg. Reno Ph 2A
Project #389050

Date: November 24, 2026

Request for Proposal (RFP)

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

1.2 – Introduction to 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.

1.3 – Introduction to Baruch College:

Baruch College is part of a tradition that dates 160 years to the founding, in 1847, of the Free Academy, the very first free public institution of higher education in the nation. (Baruch's landmark building at 23rd Street and Lexington Avenue occupies the site of the Free Academy). Established in 1919 as City College's School of Business and Civic Administration, the school was renamed in 1953 in honor of Bernard M. Baruch—statesman, financier, and devoted alumnus. In 1968 the school became an independent senior college in The City University of New York (CUNY) system.

Situated on Lexington Avenue near the Flatiron/Gramercy Park district of Manhattan, Baruch College is in the heart of one of the world's most dynamic financial and cultural centers. The College is within easy reach of Wall Street, Midtown, and the global headquarters of major companies, firms, and organizations. This "real-world classroom" adds immeasurably to the value of a Baruch education and offers unparalleled internship, career, and networking opportunities. Some of the nation's top executives are Baruch alumni, and many of them regularly come to campus to share their expertise with current students.

1.4 - Project Background

In the spring of 2025, a Scoping Study was performed for the final stages of work for the renovation of Baruch's historic Field Building at 17 Lexington Avenue. For the Scoping Study, the 2022 "17

Lexington Restacking plan" was analyzed to test the alignment of the 2022 plan with college priorities and developing a phasing plan for the final phases of the renovation of the historic building.

Concurrently to the Scoping Study, CUNY has worked with the college to fully develop a detailed campus-Wide Masterplan, which is expected to be issued in the Spring of 2026 (still pending). While the College and CUNY do not wish to delay planning for the next phases in the renovation of the Field Building, the College and CUNY would like to take additional steps to ensure that the completed renovations of 17 Lexington are in full alignment with Baruch's evolving Master Plan.

1.5 - Purpose and Project Overview:

DASNY seeks proposals from Construction Managers to provide professional construction management services throughout design, procurement, construction, commissioning, and project closeout for the Pre-Construction Phase, Construction Phase, and the Administration of General Conditions for the renovation of 6th, 7th, 15th and 16th Floors at Baruch College of The City University of New York of an actively occupied and operational college campus.

Project Description:

The project is the renovation of the 6th, 7th, 15th and 16th Floors at 17 Lexington Avenue, New York, NY, for Baruch College of The City University of New York. The 6th and 7th Floor shell spaces and connecting hallways will be fitted out for Student Life programming. The 15th and 16th floors will be fitted out for research programming with open labs and shared lab support, and window replacement is included within the renovated areas. The project also includes building-wide infrastructure upgrades to support future lab renovations under the 2022 Masterplan: chilled water, hot water and acid waste risers, an acid waste neutralization system, and upgraded cooling capacity for the entire 17 Lexington Avenue facility. It is anticipated that there will be substantial environmental remediation and workplace safety plan required. This project will be completed in two (2) phases. The work breakdown by phase can be found in Section 2.1 of this RFP.

Project Scope of Work:

Construction Management Services shall include, but are not limited to, project management and administration, constructability analysis, value analysis, cost estimating and scheduling, change order mitigation and management, and supervision and inspection.

The project will be designed, bid and constructed as two separate packages. A description of the construction scope of work is further outlined below:

Construction Phase Package A: fit-out of the 6th and 7th floors for Student Life programming, building-wide riser infrastructure for future lab floors, and the building cooling capacity upgrade.

Construction Phase Package B: fit-out of the 15th and 16th floors for research programming.

Construction Phase A – 6th & 7th Floor Fit-Out, Lab Floor Infrastructure & Cooling Capacity Upgrade:

- Fit-out of the existing 6th and 7th floor shell spaces (9,110 SF total) for Student Life programming, organized around a central lounge with focus zones, recharge lounges and collaboration rooms.
- Fit-out of the hallways between the Student Life spaces on the 6th and 7th floors, with finishes to match the adjacent Student Lounge.
- Window replacement within the spaces in scope.
- Chilled water, hot water and acid waste riser infrastructure for the future lab floors and the rest of the building, sized for future fit outs.
- It is anticipated that there will be substantial environmental remediation and workplace safety plan required.
- New chilled water risers between the cellar and the 16th floor.
- Enlarge existing hot water risers between the cellar and the 4th floor.
- Acid waste risers and tanks serve the entire building's future lab renovations. Five (5) acid waste/vent risers between the Cellar and the 16th floor.
- Upgrade of the building's cooling capacity to support the entire building. Furnish, rig, and install 2x 300-ton chillers into cellar. Additional cooling tower to be laid out and installed on 17th floor roof. Existing CT roof dunnage to be extended to receive the new CT.
- Development of a construction phasing plan to sequence the work and maintain building operations during construction.

Construction Phase B – 15th & 16th Floor Fit-Out

- Fit-out of the 15th and 16th Floors (16,375 SF total) for research programming, consisting of open research labs with shared lab support, open workstations, and offices.
- Window replacement within the spaces in scope.

Construction Budget:

The estimated construction value of the project is $41,000,000.00. The anticipated completion date for the project is May 22, 2029.

1.6 – Sustainability

DASNY Policy:

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 and climate change mitigation strategies, advance Sustainable Design, climate change adaptation, resilience, and GHG reduction, through the identification, assessment, and implementation of sound Sustainable Design principles, climate change risks, and necessary to mitigate such risks.

The Proposer may be expected to (as applicable):

1. Promote and advance Sustainable Design, climate change adaptation, resilience, and GHG reduction, through the identification, assessment, and implementation of sound Sustainable Design principles, climate change risks, and the strategies and measures necessary to mitigate such risks in all Qualifying Design and Construction Projects at the Client's discretion.

2. Inform, define, confirm, delineate, and detail all applicable project goals and requirements related to Sustainable Design and Climate Change Mitigation in project programming and/or design meeting discussions,
   a. Applicable regulatory and legal requirements
   b. Relevant codes and standards
   c. GHG emissions reductions
   d. Energy efficiency
   e. Water conservation
   f. Indoor environmental quality
   g. Waste management
   h. Transportation
   i. Sustainable operations
   j. Renewable energy
   k. Climate Resilience
   l. Third-Party certification

3. Develop project specific goals and requirements related to Sustainable Design and Climate Change Mitigation in concert with, and in consideration of, the goals and requirements of the customer-agency and those of New York State and/or the local municipality as expressed in applicable laws and executive actions,

4. Define and document established project goals and requirements associated with Sustainable Design and Climate Change Mitigation for ongoing inclusion in project discussions, including those discussions determining budget and scheduling, and

5. Document all concepts, calculations, decisions, and product selections used to meet established Sustainable Design and Climate Change Mitigation goals in the project's Basis of Design (BOD) document.

6. If the client wishes, develop and document the projected annual electric savings (kWh), fossil fuel savings (MMBtu), GHG emissions reduction (MTeCO2), and annual cost avoidance result from project implementation in PMWeb to measure progress and inform future policy revisions. Document this information in the Post Design Input Form required at the end of design.

7. If the client wishes, facilitate the pursuit of energy efficiency, beneficial electrification, and renewable energy incentives or tax rebates by providing data and documentation as requested.

8. For projects that meet the predesignated thresholds, provide Executive Order 22 related data through the below documents:

Phase	**Form**	**Threshold**
Design	Post Design Input Form	No threshold; all projects
Design	Owner's Project Requirements	Over $250,000; non-emergency projects
Design	Decarbonization and Climate Resiliency Design Guide Minimums Form	Over $20 million
Construction	Environmental Product Declarations Reporting Form	Over $1 million and material specific quantity thresholds
Construction	Construction Debris Reporting Form	Over $1 million

1.7 – The Contract

Services will be performed in two phases and executed in two (2) separate contracts (Construction Phase Services and General Conditions for Work Phase Services) for Phase A. Services will be performed in three (3) separate contracts (Design Phase Services, Construction Phase Services, and General Conditions for Work Phase Services) for Phase B.

Attached to this RFP as Attachments (a.) and (b.) are the forms of the Contract for Construction Manager-Build Work DASNY proposes to be executed between the selected Proposer and DASNY. It is the expectation that the attached forms of the Contract will be used, however, if the Proposer has any questions, comments, requests, exceptions, or objections (collectively, "objections") to the Contract, they shall be set forth in writing, as outlined in Section 5 – Content of Administrative Proposal, for DASNY's review and consideration. Any objections raised by a Proposer must be commercially reasonable. The nature of any such objections will be among the criteria used by DASNY in determining the selected Proposer. If DASNY believes, in its sole and absolute discretion, that any objections raised by a Proposer are commercially unreasonable, DASNY may reject such Proposer's Proposal. Failure to submit such questions, comments, requests, or exceptions prior to selection of the selected Proposer will constitute a waiver of those issues by the Proposer. All provisions of the Contract that have not been objected to by a Proposer shall be deemed accepted and agreed to by such Proposer. DASNY may, at any time during the Evaluation Period and in its sole and absolute discretion, modify, amend, or change the terms and provisions of the Contract.

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.

1.8 - Key Events and Dates:

Event	Date	
Issuance of RFP	11/24/26	
Pre-Proposal Meeting/Site Visit	12/03/26	(11:00 AM)
Deadline for RFP Questions	12/10/26	(3:00 PM)
Post Responses to RFP Questions	12/16/26	
Proposal Due Date	12/28/26	(3:00 PM)
Interviews/Presentations	01/28/27	
Notice of Award (not earlier than)	02/08/27	

A Pre-Proposal Meeting will be held at DASNY Field Office – CUNY Baruch College, One Bernard Baruch Way, 55 Lexington Avenue (at 24th Street) | New York, NY 10010 on December 3, 2026, at 11:00am.

The purpose of this meeting is to describe the project and goals and to answer any questions presented by the proposers. Representatives of DASNY 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 DASNY Headquarters, 28 Liberty Street, 55th Floor, New York, York on January 28, 2027. Details regarding the interviews/presentations will be sent at later date.**

1.9 – Inquiries

All inquiries concerning this RFP, or any other aspects of this procurement must be submitted in writing by emailing the Designated Representative at downstaterfpcoordinator@dasny.org. during the Q&A period identified. Verbal and telephone inquiries are prohibited. In order to provide DASNY sufficient time to reply, questions must be received no later than the date/time included in Section 1.8, Key Events and Dates. A final record of the questions and associated responses will be issued by the Designated Representative by email.

1.10 – Preliminary Project Schedule

The preliminary project schedule is as follows:

- Pre-Construction Contract Pre-Award Letter – (no earlier than) 02/08/27
- Letter of Intent and Pre-Construction Contract for Signature – (no earlier than) 03/08/27
- Construction Documents – 05/01/2027
- Phase A Construction – (estimated) – 05/01/2027
- Phase B Construction – (estimated) – 09/30/2027
- Substantial Completion Date – 05/22/2029

*Dates are subject to change based on Owner's requirements.

Section 2 - Engagement Requirements

2.1 - Scope of Services: "Refer to Appendix A, "Scope of Services" listed within each of the attached DASNY Contracts (Design Phase Services, Construction Phase Services and/or General Conditions Work Phase Services) for the detailed scope."

2.2 – Qualification and Certification Requirements:

- Have completed a minimum of five (5) projects of similar size, scope, and complexity within the past ten (10) years providing Construction Manager-as-Agent services, including at least one (1) project providing Construction Manager-as-Agent, to the public and private sector;
- Experience that illustrates the team's experience providing services for a wide variety of project types and for projects of which required phasing.
- Experience delivering projects within a tight construction schedule;
- Employ an experienced staff with thorough knowledge of their area(s) of expertise;
- Project estimating capabilities;

- An established and verified QA/QC Program; and
- An effective Safety Plan.

2.3 – Project Management Software:

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

Section 3 - Content of Technical Proposal

3.1 - Information to be provided by Proposers:

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

Tab 1. Cover Letter

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

a. The name, title, telephone number, and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.

b. The primary contact's name, title, telephone number, and email address for each subconsultant who will perform work under this contract.

c. The identities of the primary staff proposed to provide services relating to this RFP.

d. A statement to the effect that your firm is willing to perform all mandatory services identified in Section 2, Item 2.1 and will abide by the terms of the RFP, including all attachments.

e. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a technical proposal that contains an unsigned cover letter. If the proposer is a joint venture, the proposal shall be signed by the joint venture. Anyone signing the proposal as an agent shall file with it, legal evidence of his or her authority to execute such proposal.

The maximum allowed length of your Tab 1 response is one (1) page.

Tab 2. Firm and Subconsultant Team

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

a. A description of your firm and Subconsultant team's organization and the resumes of partners, principals, associates and other key staff proposed to provide services to DASNY.

b. An organizational chart describing the organizational structure of the proposed firm and subconsultant team members and their intended roles and responsibilities.

c. A description of your firm and subconsultant team's previous experience working together.

d. A detailed description of your firm and subconsultant's approach to collaborating with the project team to ensure a streamlined and well-coordinated project.

The maximum allowed length of your Tab 2 response is five (5) pages, excluding resumes.

Tab 3. Project Experience

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

a. A description of your firm's experience with major higher education multi phased renovation projects in occupied and operational facilities, of similar size, value, scope and complexity, or with comparable projects of similar complexity and size.

b. A description of your firm's experience with higher education or comparable facilities projects in occupied and operational facilities, including experience and in-depth understanding of New York City codes, New York City Construction Industry permitting requirements, PLAs, market and occupancy requirements.

c. Provide a minimum of five (5) recent, relevant project examples, with a minimum of two (2) in the public sector.

   Project examples must include the following information:

   a. Official project name and address; Summary of the scope of services provided;

   b. Explanation of challenging, complex, or unique aspects of the projects in relation to the services provided;

   c. All team members both corporate and individual involved and their role in the project;

   d. The timeframe in which your firm and/or subconsultant's work was performed;

   e. Overall project monetary value that includes initial budget and totals for change orders.

f. A breakdown of the value of services provided by your firm, subconsultant(s), and subcontractor(s);

g. Name and contract information of owner; and

h. Identification of a project contact with knowledge of the services provided by your team (if different than owner) excluding DASNY employees with their name, title, and phone number.

i. Include the names, titles and phone numbers of at least three (3) references excluding DASNY employees and a summary of the services provided.

The maximum allowed length for your Tab 2 response is twenty (20) pages. As resumes will not count towards this page limit, please provide these at the end of your Tab 2 response.

Tab 4. Project Approach

Provide a descriptive summary, developed in response to the RFP, as to your teams (prime and subconsultants) comprehensive project approach, and approach to the requested scope of services, including but not limited to constructability, phased scheduling, cost estimating, value engineering, and change order mitigation and management to the following items including, but not limited to, all information noted below:

a. A detailed description of your firm's approach to providing the requested scope of services. Include a timeline and schedule for completion of all aspects of the engagement, including a preliminary project schedule.

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, Item 2.b). In addition, provide a summary as to this value analysis effort inclusive of total number of items studied, total dollar value, total number of accepted items and total corresponding value of the accepted items.

c. Constructability Issues: Identify four (4) constructability issues in regard to projects listed under the Qualifications category (Section 3, Item 2.b) and provide a brief description of your firm's approach to reviewing each.

d. Cost Model/Estimates: Provide the cost model format used on one of the completed projects provided under the Qualifications category (Section 3, Item 2.b) and describe how this cost model was developed and the timing of its updates during design and summarize how the final construction cost related to this cost model. Provide the cost model to be used on this project.

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, Item 2.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, Item 2.b).

i. Staffing Plan: Provide a staffing plan illustrating the staff intended for use during the pre-construction phase and another staffing plan illustrating the staffing during the construction phase. Include a description of how your firm will assign and maintain core project team members throughout the life of this project.

j. EMR Rating: Provide your Experience Modification Rate (EMR)-Workers Compensation Board claim rating.

k. Subcontractor and Labor Market Analysis: provide a preliminary procurement plan outlining proposed bid packages and potential subcontractor bidders for each package. Provide input on availability of labor for the various trades for the duration of the project. Provide an example of (sub)contractor outreach performed by your firm to help support the competitive bidding process that includes a brief description of the outreach, the number of contractors solicited, the number of contractors who responded positively to the outreach, and the number of bids ultimately received.

l. Schedule and Budget: Describe your firm's approach to completing these projects on schedule and your procurement strategy and approach with the subcontractor community to result in a competitive and cost-effective outcome. Include a timeline and schedule for completion of all aspects of the engagement, including a preliminary project schedule.

m. Sustainability: describe your approach on Projects using the various green building 3rd party rating systems or incorporating green building technologies into Projects.

n. Performance Monitoring: A description of how your firm will monitor the allotment and performance of work in order to achieve efficient administration of the project.

The maximum allowed length for your Tab 3 response is twenty-five (25) pages.

Tab 5. M/WBE and SDVOB Utilization

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

DASNY is committed to diversity and equal employment opportunities among its contractors, consultants, and vendors. It is the policy of DASNY to maximize opportunities for the participation of Minority-Owned, Women-Owned (M/WBE), and Service-Disabled Veteran-Owned Businesses (SDVOB) firms as bidders, subcontractors, and suppliers on projects. The selected Proposer shall use good faith effort to provide for meaningful participation by M/WBE and SDVOB firms in the work where feasible.

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

a. **A completed Preliminary Utilization Plan,** included in this RFP as an **Attachment,** 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 revised 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 MWBE and SDVOB subconsultants, sub-contractors, and suppliers.

Tab 6. Firm Diversity

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

Please disclose information regarding the diversity within your firm by providing the following:

a. A narrative explaining the Proposer's approach and commitment to diversity within the work environment and an overview of the Proposer's current programs in diversity/inclusion.

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

c. By responding to this RFP, each Proposer acknowledges that:

    i. The Proposer will not discriminate against any employee or applicant for employment because of race, creed, color, gender, religion, national origin, military status, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts with DASNY.

ii. The Proposer will state in all solicitations or advertisements for employees that, in the performance of this Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, gender, religion, national origin, military status, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status.

Section 4 - Content of Cost Proposal

4.1 - Information to be provided by Proposers:

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

Tab 1. Cover Letter

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

a. The name, title, telephone number, and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.

b. A statement to the effect that the price quoted is an irrevocable offer good for 120 days.

c. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a cost proposal that contains an unsigned cover letter.

Tab 2. Staffing Requirements and Costs

Provide estimated staffing requirements and costs associated with performing the identified Scopes of Service for the Design Phase (Phase B) and/or Construction Phase and/or General Conditions for Work Phase as follows. **Please be sure to provide a breakdown for each Phase (A & B)**.

a. Design Phase (Phase B): Direct Salary Costs (hours and rates).

b. Design Phase (Phase B): Fringe Benefits in accordance with Section 4, Tab 3.

c. Design Phase (Phase B): Overhead and Profit Fee 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, Item 2.b).

f. Construction Phase: Overhead and Profit Fee in accordance with Section 4, Tab 5.

g. General Conditions: Provide an itemized breakdown of estimated General Conditions Work Items. The term "Work" as used herein, refers to the General Conditions Work Items normally required at the location of the Project, and includes the performance of all labor and the furnishing of all plant, materials, supplies, equipment, and other facilities and things necessary or proper for or incidental to the carrying out and completion of this project.

Tab 3. Overhead and Profit Multiplier

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

Tab 4. Classifications and Rates

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

Tab 5. Required Insurance Statement

Provide a statement indicating your firm is able to obtain the required insurances as listed in the attached Sample Insurance Certificate & Requirements.

Tab 6. Cost for General Liability Insurance

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. The information must contain sufficient detail to assure DASNY of its accuracy.

a. Proposers shall submit a Vendor Responsibility Questionnaire (VRQ") in accordance with Section 13 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 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 a copy of the application filing and Accounts Payable voucher confirming your firm's registration with DOS is in progress.

e. As set forth in Section 1.7 above, the Proposer shall identify, in writing, all questions, comments, requests, exceptions, or objections, if any, that the Proposer may have to this Contract for DASNY's review and consideration.

f. The Proposer shall submit a completed DASNY Procurement – Company Attributes Form included in this RFP as an attachment.

g. Provide a statement regarding the following:

   i. The Proposer must agree to provide DASNY with pre- and post-audit access to documents, personnel, and other information necessary to conduct audits on request during the term of the Contract and for six years thereafter.

   ii. The proposal submitted must contain a representation that the Proposer is willing and ready to provide any services requested or required in a timely manner.

   iii. Disclose any potential conflicts of interest (refer to Exhibit A, "Code of Business Ethics - Certification" included in the attached DASNY Omnibus Certification).

Section 6 - Evaluation of Proposals

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

6.1 - Preliminary Review

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

6.2 – Evaluation

Proposals will undergo an evaluation process conducted by a committee selected by DASNY. The Committee will evaluate the proposals based upon the criteria for selection set forth below. Firms will be selected to meet the anticipated business needs of DASNY, to further DASNY's mission to increase MWBE and SDVOB utilization and participation and provide opportunities to new firms that have not previously contracted with DASNY.

6.3 - Criteria for Selection

The criteria for selection are broken down as follows:

- **Firm and Subconsultant Team (30 pts.)**

- Resumes of firm's key personnel and subconsultants which demonstrate experience and ability to provide the requested services **- 10 pts.**
- Firm, including any sub-consultants organization and team makeup exhibit the necessary qualifications and experience to provide the requested scope of services **- 10pts.**
- Firm and staffing approach to management of the project assignments of varying size, scope, and complexity simultaneously, while maintaining the appropriate per project level input of senior management and expert staff exhibits proper measures taken to ensure the successful implementation of each assignment **- 10pts.**

- **Project Experience (20 pts.)**
  - Description of the firm's experience with major higher education multi-phased renovation and multi-phased projects of similar size, value, scope, and complexity, or with comparable projects of similar complexity and size which exhibit the necessary qualifications and experience to provide the requested scope of services **– 10 pts**.
  - Description of firm's experience with higher education or comparable facilities projects in occupied and operational facilities, including experience and in-depth understanding of New York City codes, New York City Construction Industry permitting requirements, PLAs, market, and occupancy requirements which exhibit the necessary qualifications and experience to provide the requested services **– 5 pts.**
  - Project examples (5) illustrate the firm's experience providing services for projects of similar size and scope, including Construction Manager as Agent Services for a wide variety of project types and services **– 5 pts.**

- **Project Approach (30 pts.)**
  - Firm's overall project specific approach to and understanding of the Scope of Work including the firm's value engineering and value analysis for the project indicates a clear understanding of the scope of services – **5 pts.**
  - Firm's project approach on constructability issues of the project, maintaining schedule and cost-effectiveness, and monitoring the sustainability goals of the project demonstrate the firm's ability to provide the requested scope of service – **5 pts**.
  - Firm's approach to project tracking, reporting, and scheduling while maintaining a tight schedule and cost-effectiveness of the project is clearly defined – **4 pts.**
  - Description and examples of Firm's Quality Assurance/Quality Control program throughout construction is clearly defined – **2 pts.**
  - Safety program 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 – **3 pts.**
  - Description of Firm's approach to handling RFI's and Shop Drawings illustrate the Firm's ability to provide the requested scope of services – **2 pts.**
  - Staffing plan illustrates experienced 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 project **- 2 pts.**
  - Firm's EMR Rating is below 1.0 – **3 pts.**
  - Firm's preliminary procurement plan is detailed and demonstrates the firm's understanding and ability to complete the requested scope of services – **2 pts.**
  - Description of Firm's approach on monitoring allotment and performance of work to achieve efficient administration of this project – **2 pts.**

- **M/WBE and SDVOB Utilization (10 pts.)**
  - Prime Firms' 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 demonstrate 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 – **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 as all other key personnel proposed to provide the services, must be present and participate in the interview. The interview will be evaluated based on 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.

6.5 – Final Evaluation

Upon conclusion of the evaluation process, the highest scoring proposers able to provide the required services and meet the business needs of DASNY will be selected by the Evaluation Committee.

6.6 – Recommendation and Approval

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

Section 7 - Submission of Proposals

7.1 **- Submission of Technical, Cost, and Administrative Proposal**

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

1. Email DownstateRFPcoordinator@dasny.org with the subject line: "RFP 7640-Request Access-Firm Name."

    a. Please provide the name and email address of any additional contact from your firm that may require access to submit the RFP responses through the SharePoint site.

b. An expression of interest does not qualify as a request for access. Please ensure that your firm explicitly requests access using the described procedure.

c. Please request access at a minimum of 24 hours in advance and ensure access to the site works correctly.

2. You will receive an email from DownstateRFPcoordinator@dasny.org with a link to a Microsoft SharePoint site: "Baruch 17 Lex – CM RFP"

3. Click on the link. If you have an existing Microsoft account, you will be asked to login and then you will be routed directly to the Baruch 17 Lex-CM RFP "Documents" page.

   a. If you do not have a Microsoft account, you will need to register for a Microsoft account before you can access the link.

4. Seven documents will need to be uploaded and include:
   a. Technical Proposal
   b. Cost proposal
   c. Vendor Responsibility Certification,
   d. DASNY Omnibus Certification, and
   e. W-9 Form
   f. DOS Registration
   g. Statement

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

a. Technical Proposal:
   i. Save file as: Baruch 17 Lex -Tech-firm name
   i. Click "Upload" or drag and drop

b. Cost proposal:
   i. Save file as: Baruch 17 Lex -Cost-firm name
   ii. Click "Upload" or drag and drop

c. Vendor Responsibility:
   i. Save file as: Baruch 17 Lex -VRQ-firm name
   ii. Click "Upload" or drag and drop

d. DASNY Omnibus Certification:
   i. Save file as: Baruch 17 Lex -Omnibus-firm name
   ii. Click "Upload" or drag and drop

e. W-9 Form:
   i. Save file as: Baruch 17 Lex -W9-firm name
   ii. Click "Upload" or drag and drop

f. New York State Department of State (DOS) Registration
   i. Save file as: Baruch 17 Lex -DOS-firm name

ii. Click “Upload” or drag and drop

g. Statement
   i. Save file as: Baruch 17 Lex -statement-firm name
   ii. Click “Upload” or drag and drop

5. Once your documents are uploaded, DO NOT OPEN. The document submitted must be your final submission and cannot be modified.
   a. If you open your documents after they are submitted, the system will show it as “modified”
   b. The submitted document will remain private and will not be visible to the other proposers throughout the procurement process.

6. The Baruch 17 Lex 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 Project before that time using the email in Bullet 1. Please ensure you give yourself enough time for uploading all files.

Section 8 - Important Information Affecting Proposers

8.1 - Proposal Requirements

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

   Lisa Willard
   E-mail: DownstateRFPcoordinator@dasny.org

   Proposers should note that all clarifications 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. 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 7, Item 7.1.1. The proposal may thereafter be resubmitted, but not after the final due date and time. Modifications offered in any other manner, oral or written, will not be considered.

3. If a Proposer discovers an ambiguity, conflict, discrepancy, omission or other error in this RFP, the proposer should immediately notify the contact person identified in Section 7, Item 7.1.1. Notice of such error or omission should be submitted prior to the final due date and time for submission of proposals. Modifications shall be made by addenda to this RFP. Such clarifications will be posted on DASNY’s website, www.dasny.org.

4. If a Proposer fails, prior to the final due date and time for submission of proposals, to notify DASNY of a known error or an error that reasonably should have been known, the Proposer shall assume the risk of proposing. If awarded the contract, the proposer shall not be entitled to additional compensation or time by reason of the error or its late correction.

5. A Proposer indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal.

8.2 - DASNY Requirements

1. By submitting a proposal, the Proposer covenants that the Proposer will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.

2. DASNY shall not be liable for any cost incurred by the Proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.

3. Other than the contact person identified in Section 7, Item 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 subconsultants assigned to provide services on this project and to require their replacement at any time. The Proposer shall obtain the written approval of the Owner of changes to the technical proposal after it is submitted, including any changes with respect to subconsultants. The Owner shall have the right to reject any proposed change to the Proposer's technical proposal.

5. To waive or modify any irregularities in proposals received after prior notification to the proposer. This will in no way modify the RFP documents or excuse the proposer from full compliance with its requirements.

6. To consider modifications to proposals at any time before the award is made, if such action is in the best interest of DASNY.

7. To request a revised cost proposal from firms selected as finalists.

8. To accept a proposal for the engagement containing other than the lowest cost proposal.

9. To interview proposers prior to selection.

10. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the proposer.

11. To begin negotiations with the next most responsive proposer to this RFP should DASNY be unsuccessful in negotiating a contract with the selected proposer within a reasonable time frame.

12. To contract with more than one firm.

8.4 - Contractual Requirements

1. Contract

    a. By submitting a proposal, the successful proposer agrees to reference the RFP as part of the resulting contract.

    b. DASNY may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet client program requirements consistent with the RFP.

    c. Award of a contract is subject to contract negotiation and approval of such contract by the appropriate DASNY authorities.

2. Modification of Contract

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

    b. Any contract or amendments thereto will be considered effective only after approval and execution by the appropriate DASNY authorities.

3. Interpretation

    The contract shall be construed and interpreted in accordance with the laws of New York State. New York State shall be the forum for disputes.

4. Public Announcements

    Upon selection of the successful proposer and contract execution, public announcements or news releases pertaining to the contract shall not be made without prior written consent of DASNY.

Section 9 - 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 - Debriefing

Upon notification that an offer was unsuccessful, an unsuccessful proposer or bidder may request a debriefing regarding the results of its response to this solicitation. Requests for debriefing must be submitted in writing to the DASNY Designated Contact identified in this solicitation following receipt of written notification that the proposer or bidder was unsuccessful. The purpose of the debriefing is to provide feedback regarding the strengths and weaknesses of the proposer's or bidder's submission and to identify opportunities for improvement in future procurements. DASNY will not disclose information regarding the successful proposer or bidder or any direct comparison to the successful proposer or bidder.

Section 11 - Negotiation

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

Section 12 - Insurance

The successful proposer will be required to comply with the Insurance requirements located in Article 10 of the attached Sample Pre-Construction Contract, and Article 9 of the attached Sample Construction Phase Contract.

Section 13 -Vendor Responsibility and Executive Order 16

Vendor Responsibility

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

DASNY requires vendors to file the VRQ online via the New York State VendRep System (the "System"). To enroll in and use the System, see the System Instructions 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 Professional is required to certify that the Professional is not an 'entity conducting business operations in Russia.' Please confirm by completing and signing the Omnibus Certification included in this RFP as an Attachment. The complete text of EO 16 can be found here.

Section 14 – 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 accepted from disclosure. DASNY will not honor any attempt by a firm, to omit its entire proposal from disclosure.

Section 15 - 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**.