



City of New York

Office of the Mayor

Office of Management and Budget

Request for Proposals

Capital Project Scope Development Services

Date: August 20, 2014

EPIN # 00214P0001



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TABLE OF CONTENTS

I.	TIMETABLE	4
A.	RELEASE DATE OF THIS REQUEST FOR PROPOSALS	4
B.	PRE-PROPOSAL CONFERENCE AND INQUIRIES	4
C.	PROPOSAL DUE DATE, TIME AND LOCATION	4
D.	PROPOSER INTERVIEWS	5
E.	ADDENDUM OR ADDENDA	5
F.	ANTICIPATED CONTRACT START	5
II.	SUMMARY OF REQUEST FOR PROPOSALS	6
A.	PURPOSE OF RFP	6
B.	ANTICIPATED CONTRACT TERM	7
C.	ANTICIPATED MAXIMUM AVAILABLE FUNDING	7
D.	ANTICIPATED PAYMENT STRUCTURE	7
III.	SCOPE OF SERVICES	8
A.	AGENCY GOALS AND OBJECTIVES	8
B.	AGENCY ASSUMPTIONS REGARDING CONTRACTOR APPROACH	8
C.	TASK ORDER PROCESS	15
D.	PARTICIPATING CONSULTANT'S SERVICES	17
E.	COMPLIANCE WITH LOCAL LAW 34 OF 2007 – ATTACHMENTS 6 AND 7	17
F.	WHISTLEBLOWER PROTECTION EXPANSION ACT RIDER – ATTACHMENT 8	17
G.	COMPLIANCE WITH THE IRAN DIVESTMENT ACT – ATTACHMENT 9	17
H.	SUBCONTRACTOR COMPLIANCE NOTICE – ATTACHMENT 10	18
I.	PARTICIPATION BY MINORITY OWNED AND WOMEN OWNED BUSINESS ENTERPRISES IN CITY PROCUREMENT – ATTACHMENT 11	18
J.	AGENCY ASSUMPTIONS REGARDING PERFORMANCE – BASED PAYMENT STRUCTURE	19
IV.	FORMAT AND CONTENT OF THE PROPOSAL	19
A.	INSTRUCTIONS	19
B.	PROPOSAL FORMAT	20
C.	PROPOSAL PACKAGE CONTENTS	22
V.	PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES	24
 APPENDIX A: STANDARD CONTRACT PROVISIONS		
ATTACHMENT 1 - STATEMENT OF UNDERSTANDING		
ATTACHMENT 2 - FORM FOR IDENTIFICATION OF SUB-CONSULTANTS		
ATTACHMENT 3 - PROPOSAL COVER LETTER		
ATTACHMENT 4 - PRICE PROPOSAL		
ATTACHMENT 5 - ACKNOWLEDGMENT OF ADDENDA		
ATTACHMENT 6 - COMPLIANCE WITH LOCAL LAW 34 OF 2007/ DOING BUSINESS DATA FORM		
ATTACHMENT 7 - DOING BUSINESS DATA FORM Q&A		
ATTACHMENT 8 - WHISTLEBLOWER PROTECTION EXPANSION ACT RIDER		
ATTACHMENT 9 - IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR NYC CONTRACTORS		
ATTACHMENT 10 - SUB-CONTRACTING COMPLIANCE NOTICE		

- ATTACHMENT 11 - PARTICIPATION BY MINORITY OWNED AND WOMEN OWNED
BUSINESS ENTERPRISES IN CITY PROCUREMENT**
- ATTACHMENT 12 - SCHEDULE B: SUBCONTRACTOR UTILIZATION PLAN/WAIVER
APPLICATION**
- ATTACHMENT 13 - DETERMINATION OF DISPLACEMENT**

I. TIMETABLE

A. RELEASE DATE OF THIS REQUEST FOR PROPOSALS

Date: Wednesday, August 20, 2014

All inquiries concerning this RFP should be directed to Ms. Michelle Rolón, the Authorized Agency Contact Person (“AACP”) at:

Telephone: 212-788-5821
Fax #: 212-788-9197
Email: contracts@omb.nyc.gov
Under the subject line “OMB RFP CPSD Questions”

B. PRE-PROPOSAL CONFERENCE AND INQUIRIES

Date: Monday, September 15th
Time: 9:00 – 11:00 am
Location: Conference Room 8 S1
255 Greenwich Street
New York, NY 10007

Attendance at the pre-proposal conference by prospective proposing firms is optional but strongly recommended. Space constraints limit attendance to one (1) person per proposing organization.

Questions received prior to the pre-proposal conference will be responded to at the conference. Questions received after the conference, but not less than 10 days prior, (no later than Sept. 26th, 2014 @ 3:00 pm) to the proposal due date will be responded to by addendum. All responses to questions will be made available to all firms who received this RFP. Telephone inquiries will not be addressed.

C. PROPOSAL DUE DATE, TIME AND LOCATION

All proposals must be received by OMB at the location listed below, on or before 3:00 p.m. on **October 7, 2014**, in the manner described below in Section IV "FORMAT AND CONTENT OF THE PROPOSAL".

Authorized Agency
Contact Person: Michelle Rolón
Title: Contracting Officer
Mailing Address: Mayor's Office of Management and Budget
255 Greenwich Place, 8th Floor
New York, New York 10007

Emailed or faxed proposals will not be accepted.

Proposals received at the above location after the proposal due date and time are late and will not be accepted by the City, except as provided under New York City's Procurement Policy Board Rules ("PPB Rules"). The City will consider requests made to OMB to extend the proposal due date and time prescribed above. However, unless the City issues a written addendum to this RFP which extends the proposal due date and time for all firms, the proposal due date and time prescribed above would remain in effect.

D. PROPOSER INTERVIEWS

Proposers may be required to attend interviews by the City during the week of November 17, 2014. It is expected that the proposed Engagement Manager, primary Project Manager(s), and other key proposed personnel be physically present at these interviews. However; the City reserves the right to select consultants and award contracts without conducting such interviews. The City will not reimburse any costs incurred for a proposer to attend an interview.

E. ADDENDUM OR ADDENDA

Proposers will acknowledge receipt of each addendum to this RFP. All addenda to this RFP will become part of the requirements for this RFP.

F. ANTICIPATED CONTRACT START

It is anticipated that the term of the contract(s) awarded from this RFP will be three years from the notice to proceed. The contract may include one (1) two-year option to renew. The City reserves the right, prior to contract award, to determine the length of the initial contract term and each option to renew, if any.

II. SUMMARY OF REQUEST FOR PROPOSALS

A. PURPOSE OF RFP

In an effort to control cost overruns, New York City capital projects will now undergo more intensive scope development and cost estimation prior to being included in the capital plan. Funds have been appropriated for comprehensive scope development and cost estimating by qualified outside architectural, construction management, or engineering firms. Projects will be selected that contain elements associated with the probability of cost overruns. In addition, projects may be selected that can serve as standards for associated projects of the same type. These preliminary assessments will enable the City to identify the true costs of a project and explore less expensive alternatives prior to capital commitment.

Capital Project Scope Development (CPSD) services may be requested for many of the City's capital projects including, but not limited to, buildings, structures, and facilities (e.g., firehouses, emergency medical services facilities, sanitation garages, parks, bridges, maintenance facilities, libraries, cultural institutions, courts, correction facilities, hospitals, health clinics, office buildings, housing, social service centers, piers, etc.). The extent of each Scope Development project may vary from the rehabilitation of all or a portion of an existing building, structure or facility to the construction of a new building, structure or facility. In addition, large-scale redevelopment projects and space programming may also be part of the CPSD Program.

The Office of Management and Budget (OMB) or ("City") is seeking up to four (4) appropriately qualified architectural and/or engineering firms to be available to perform CPSD services (as described in Section III: **SCOPE OF SERVICES**) for various construction projects for the City on an as-needed basis. Using this solicitation, the City intends to enter into contracts with multiple consultants who, once under contract with the City, will compete for assignments for City agency projects. For each project a consultant will be selected pursuant to a mini-bid procedure in accordance to the procedures set forth in Section III C – Task Order Process and with guidelines developed by OMB. The selection process will include an Agency request for services sent to each consultant and the evaluation of project proposals based upon evaluation criteria defined in the request. Each project will be governed by a task order, which will describe the scope of services, deliverables, approved resources, and cost of the particular project. A Task Order may procure a combination of any of the CPSD services described herein. The Consultant may be required to manage more than one Task Order at any given time.

Joint ventures and other consultant relationships are permitted. There is no minimum requirement for the proportion of work by either of the two joint-ventured parties. Joint ventures must carry the required insurance either as policies written specifically for the joint venture entity, or by using their existing single entity policies with endorsements written for the joint venture activity.

The City does not recognize the corporate configuration wherein one company is "in association with" another. Relationships between two or more firms must be either as a joint venture or as a prime consultant/sub-consultant(s) relationship. In the event that the City receives a Proposal in which two or more firms are described as being "in association with" each other, the City will treat the relationship as one of prime consultant/sub-consultant(s), and handle the evaluation

accordingly. If chosen as a Participating Consultant, the related contract documents will show only the prime firm on the signature page, and all other firms relegated to Appendix 5, Exhibit B, which lists the sub-consultants.

B. ANTICIPATED CONTRACT TERM

It is anticipated that the term of the contract(s) awarded from this RFP will be for a three (3) year period, with one (1) two-year renewal at the City's option.

C. ANTICIPATED MAXIMUM AVAILABLE FUNDING

It is anticipated that the total maximum available funding for the requirements contracts to be awarded from this RFP will be up to \$90,000,000 (\$90 million) for the initial three (3) year period. Based on the award of four contracts, the dollar amount per contract will be \$22.5 million per firm. This total dollar amount cannot be guaranteed since payment is on an as-needed basis. This dollar amount does not include the renewal option.

D. ANTICIPATED PAYMENT STRUCTURE

It is anticipated that the payment structure of the contract(s) awarded from this RFP will be based on a combination of deliverables and hourly rates as set forth in the Task Orders. (As described in Section III "**SCOPE OF SERVICES**—Task Order Process). The contracts awarded from this RFP will contain hourly rates for each of the titles listed in Attachment 4, Price Proposal for the initial 3 years of contract term which will be the basis of determining the cost of individual task orders. When services are required beyond the expertise of the consultants listed in the contract, sub-consultants may be utilized. If sub-consultants are used, a maximum of a 10% markup will be allowed with proper detailed invoices from the sub-consultants to the contracted firm. *With the prior approval of OMB, sub-consultants may be replaced.* OMB may require sub-consultant replacement.

III.SCOPE OF SERVICES

A. AGENCY GOALS AND OBJECTIVES

OMB's goal is to obtain high quality scope development services for the City. For purposes of the RFP city agencies requesting CPSD services will be referred to as "Sponsoring Agencies". Sponsoring Agencies are City Agencies that maintain and operate the project facility for which the need for scoping services has been determined. Early project scoping increases understanding of a project's function and its budget, increasing the chances that the project will remain within its initial budget and schedule parameters throughout the construction process.

B. AGENCY ASSUMPTIONS REGARDING CONTRACTOR APPROACH

For the purpose of this RFP, the Proposers shall assume that the following types of tasks may be assigned in a Task Order. The Consultant shall assume that CPSD Services shall include, but not be limited to, tasks expressly designated as Tasks for CPSD Services as described below:

1. Capital Project Scope Development (CPSD) Tasks

a) Project Scope/Concept Development

Identify and develop the project scope, including:

- the extent of the work
- program, site, and construction issues
- estimated personnel, equipment, and corresponding space and adjacency requirements
- costs associated with such scope

Assess and validate the project scope, modifying it as required.

Translate the project program into specific square foot and functional relationships and associated estimated costs.

Develop the project scope by means of such studies, analyses, field reconnaissance, and probes, as specified in the Task Order, which may include:

i. Existing Conditions Survey and Documentation

The consultant shall prepare drawings showing the existing conditions for all trades as necessary for the scope of work. These drawings shall be labeled, titled, dimensioned, and shall comprehensively relate to the context for design and programming assumptions. The consultant is responsible for all required measurements in the field of existing buildings or structures including their structural and MEP systems.

ii. Zoning Analysis

The Consultant shall provide a Zoning Analysis identifying all relevant issues including the appropriateness of the project with regard to site, use, bulk, setbacks, height

limitations, and the need for any required variances. The consultant will provide massing diagrams showing all height, set-back, and sky exposure plane requirements.

- iii. Site Analysis/Analysis of Existing Conditions
The Consultant shall assess the existing conditions of the proposed site, including sub-surface conditions. Study the urban setting of the site and the surrounding properties. Determine the suitability of the existing site conditions for the proposed project; listing the issues that would need to be resolved in order to make the site suitable. Inventory site plantings, subsoil conditions, water table location, extent of hazardous materials, offsite and on-site views, existing site amenities and constraints for site development.
- iv. Anticipated Growth or Diminishment
The Consultant shall analyze space and area requirements based on anticipated growth or program diminishment, within the established time periods for projecting future needs.
- v. Space Programming
The Consultant shall establish programmatic space requirements for the project. The program will identify all major rooms or spaces required for the project; identify each space by function, use, or occupant; indicate net square footage requirements for each space; and list all required furniture and equipment required to be located within each space. The consultant shall develop grossing factors to account for all circulation, egress, MEP equipment spaces, and other spaces required for the project but not specifically listed in the program. The consultant shall develop additional grossing factors to account for exterior and interior wall construction and other building structure. The consultant shall identify critical functional adjacencies for each space and indicate any other special requirements, such as environmental factors, security, and functional requirements.
- vi. Work Space Standards
Establish or confirm individual work space standards for each category of personnel to ensure uniformity of treatment and efficient space use.
- vii. Adjacency and Work Flow
Determine adjacency requirements and work patterns during normal and peak use period.
- viii. Special Purpose Areas
Develop requirements for special purpose service areas to allow for proper operation and building maintenance. These include supply and storage areas and spaces allocated for waste disposal and delivery systems.
- ix. Building Service Areas
Develop requirements for building service areas to allow for proper operation and building maintenance, including supply and storage areas and spaces allocated for waste disposal and delivery systems.
- x. Service Requirements
Establish requirements for building structural, mechanical, plumbing, electrical power and lighting, fire alarm, security, data and telecommunications systems, and acoustical

treatment. For each type of program space, identify environmental parameters such as ambient temperature, humidity, air exchange rate, light levels, access to daylight, and views and acoustics. Include foot candle levels for each space or room and an electric load summary and line diagram.

- xi. Engineering Requirements
Spaces shall be programmed for equipment of sufficient capacity to fulfill the parameters listed in the Service Requirements providing the facility with heating, ventilation, air conditioning, electrical, fire protection, plumbing, data and telecommunications, in conformance with applicable energy and water conservation requirements.
- xii. Building Code and Regulatory Analysis
- The Consultant shall identify all applicable codes and local laws relevant to the project.
 - The Consultant shall identify building and space occupancy groups, construction classifications, egress requirements, fire separation requirements, energy code requirements and other applicable requirements.
 - The Consultant shall identify code requirements for live loads, ventilation, fire protection, light levels, emergency lighting and power, plumbing fixtures, environmental noise levels, etc.
 - The Consultant shall identify the applicability of local, state, and federal environmental and regulatory processes and permits.
- xiii. Environmental Program Matrix
A matrix describing preferred conditions for each major type of space in the program. The conditions should include access to daylight, orientation views, acoustic needs, acoustic needs, temperature and humidity, air quality, and lighting quality. See sample matrix on DDC website, www.nyc.gov/buildnyc.
- xiv. Programmatic Inventory and Use
Survey and prepare an inventory of the use of existing space and unit activities for the functions included in the scope of the program. Analyze the functional and area requirements of each of these activities. Compare the extent of net existing area space with that of the proposed space.
- xv. Furniture and Equipment
List of furniture and equipment required for use in each typical and atypical space.
- xvi. Sustainable Goals
Provide project approach to comply with Local Law 86 or if LL 86 is not applicable then provide other required or recommended sustainable design standards. Provide analysis of applicable sustainable design standards and a preliminary LEED scorecard.
- xvii. Risk Assessment
Provide a risk-based analysis for different scenarios and options detailing estimated cost

changes. The purpose of this analysis is to identify the risks and/or problems that have the highest possibility of causing an increase in cost or delay of schedule, and suggest strategies to best avoid, tolerate, or mitigate the estimated impact.

xviii. Active Design

The consultant shall provide an analysis of opportunities to utilize Active Design, (<http://centerforactivedesign.org/dl/guidelines.pdf>) strategies where applicable.

b) Priority Identification and Development of Alternative Schemes

Identify the Sponsoring Agency's program priorities.

Based upon the priorities identified, develop at least two (2) additional project scope schemes for evaluation and related cost estimates.

c) Elemental Cost Estimate

Develop an elemental construction cost estimate for each option, alternative, phase or component of the project. Coordinate program and cost information and develop as many scope schemes as reasonably may be required, with a minimum of three, until the outcome of the consultant work in the scope development effort is concluded. The consultant shall provide a summation of construction cost for each trade in the estimates, with an added design contingency, General Conditions, Overhead and Profit, and escalation to the mid-point of construction as separate line items. The cost estimator developing the estimates must have valid certification.

The Consultant should submit data for comments as directed by the Sponsoring Agency, which also must approve the data before the Consultant prepares the cost estimate. After submitting the cost estimate, the Consultant will be available to answer questions from the Sponsoring Agency and from OMB and to support OMB's requests for budget substantiation by providing technical information and scope substantiation.

The Consultant should prepare and submit, by letter of transmittal with the Consultant's signature, six (6) hard copies, and a CD ROM or USB flash drive in Microsoft or PDF format of the cost estimate to the Sponsoring Agency unless otherwise specified in the Task Order.

d) Project Schedule

For each alternative, the Consultant shall present a schedule for the entire project duration including but not limited to milestones, due dates for all submittals, and the construction duration. The Consultant shall also acknowledge any special conditions that could impact the schedule under each alternative. Special conditions may include items such as phasing, relocation, swing space, and any related issues including acquisition or remediation.

e) Master Planning, if needed

If the City determines that a project's land use is complex and will require long-term/development phasing and multi-year funding, a master plan may become desirable. A master plan may be primarily site-oriented, building-oriented (single or multiple), oriented to the exterior or interior restoration of a building or buildings, or any combination thereof.

Except for furniture and equipment schemes, master planning will include all previously described Scope Development Tasks, but they will also demonstrate the depth and complexity of research appropriate to a multi-year, large-scale scope. The scope of a master plan may encompass not only construction, but landscape architectural, ecological impacts, land use, economic development, historic preservation, traffic and transportation, and community issues.

As in the standard Scope Development phase, master planners should examine a project's existing ecological, microclimatological, urban design, historical, zoning, and regulatory characteristics, as well as the concerns of pertinent community-based groups and jurisdictional entities as they relate to the project site and any existing or proposed structures. Beyond these requirements, master planning must be simultaneously more comprehensive in its data gathering and more attentive to evaluating the long-term impacts the findings would likely have on the ultimate planning and design recommendations to be generated. The master planning inventory must synthesize data into planning and design issues and prioritize these issues to guide recommended development options.

The master plan will investigate the known and potential growth needs of the Sponsoring Agency in the years to be covered by the master plan.

After inventory, analysis, issue identification, prioritization, and the development of various proposals, the City will choose to pursue one or a combination of recommended option(s). This option will be developed to document every phase of the multi-year plan, and will include a program for phase one based on available funding and possibly phase two of the plan.

2. CPSD Process

a) Project Team

Subject to the requirements of the Task Order, the Project Team should consist, at a minimum, of appropriate staff from:

- the Sponsoring Agency,
- clients of the Sponsoring Agency, if applicable,
- OMB,

- the Consultant,
- any Sub-consultants suggested by the Consultant and approved by the Sponsoring Agency and OMB

b) Kick-Off Meeting

The Project Team should discuss the following:

- Requirements of the Task Order
- Project intent, goals, and functions
- Project scope
- Sponsoring Agency standards and user needs
- Budget
- Site Data
- Schedule for Scope Development process

Within two weeks after the kickoff meeting, the Consultant will present, to the Sponsoring Agency and OMB for approval, a schedule to accomplish the requirements of the Task Order, including, but not limited to, an activities checklist with milestones and due dates for deliverables.

c) Progress Meetings

The Sponsoring Agency will schedule the progress meetings at which the Consultant will participate, make submittals and record the minutes (as described below), pursuant to the specific requirements of the Task Order.

d) Selection of Preferred Scheme among Alternatives and Endorsement of Budget

The final objective of the Scope Development Process is for the Project Team to select, from among the alternatives, a project scope/conceptual design. The estimated cost of which will become the project budget.

e) Presentation of Scope Development Report to OMB

A presentation of the Scope Development Report shall be given to OMB when the report has been finalized. The presentation must include a recommendation of the scheme selected by the Sponsoring Agency.

3. CPSD Deliverables

a) Progress Meeting Minutes

The Consultant will prepare minutes within three working days of progress meetings

and distribute to all attendees. The minutes should summarize the decisions made at the meeting and by whom why are made, and identify open issues and the persons responsible and the schedule for resolution.

b) Interim Reports

The Consultant shall submit interim reports for review in graphic and descriptive form, as many as may be reasonably required in the conduct of the study, until approvals are granted.

c) Report Preparation

The Consultant should submit data for comments as directed by the Sponsoring Agency, which also must approve the data before the Consultant prepares the final report.

d) Final Report

The Final Report shall contain:

- i. Summary of Requirements
- ii. Graphic and Descriptive Documentation
- iii. Site Development Assets and Constraints.
- iv. Space Requirements
- v. Alternative Schemes
- vi. Preliminary Construction Cost Estimate for each alternative
- vii. Project Schedule
- viii. Risk Assessment
- ix. To the extent the Task Order requires, the Consultant will investigate the following topics as described in greater detail above. The Final Report should describe the required analyses and conclusions:
 - a. Existing Conditions Survey and Documentation
 - b. Zoning Analysis
 - c. Site Analysis and Analysis of Existing Conditions
 - d. Anticipated Growth or Diminishment
 - e. Space Programming and Planning
 - f. Work Space Standards
 - g. Special Purpose Areas
 - h. Building Service Areas
 - i. Environmental Program Matrix
 - j. Building Code and Regulatory Analysis
 - k. Adjacencies and Work Flow Diagrams
 - l. Furniture and Equipment
 - m. Programmatic Inventory and Use
 - n. Engineering Requirements
 - o. Service Requirements
 - p. Sustainable Design Requirements

- q. Active Design Requirements
- r. Risk Assessment

e) Master Plan

If the Specific Requirements or Task Order for a project mandate generation of a Master Plan, the Consultant shall develop a Master Plan Report.

f) Design Review Comments Response

The Consultant is required to respond, in writing (electronic mail is acceptable), to comments by the Sponsoring Agency, or OMB. Response should be within two weeks, complete, and shall address the spirit of the comment as well as the specific issues.

C. TASK ORDER PROCESS

Contracts resulting from this RFP will offer access to CPSD Services to enable the City to better define early project scoping. In some cases this may be as early as the period of time before the City proposes a project for inclusion in a preliminary capital budget. Some projects in the capital budget that have not yet begun design, or are in an early stage of design, may also be candidates for access to CPSD Services. When a need for CPSD Services for a specific project is determined, the City will invite all firms under contract resulting from this RFP (Participating Consultants) to submit a proposal for CPSD Services for such project(s) as described herein.

Project assignments:

The following protocol will be used by the City to assign specific projects to the consultants.

1. The Department will notify each consultant in writing of a proposed project. Such notice (or Request for Services “RFS”) will include a description of the project, the Sponsoring Agency, the required deliverables, and the anticipated date for completion.

Consultants must respond to each CPSD request. Failure to respond to a request may deem the vendor non-responsive. Consultant shall submit a timetable, fee schedule, and approach for the particular project. The consultant would list and describe proposed performance-based payment components (i.e. milestone payments tied to deliverables for providing the proposed work).

2. The fee schedule for each task order shall not exceed the prices submitted by the contractor in the proposed fee schedule (Attachment 3) of the proposal.
3. The City will consider each proposal in terms of the consultant’s approach in developing the project, its ability to meet the anticipated completion date and the proposed fee schedule with the following evaluation criteria: creative approach & schedule (40 points), demonstrated experience to the Sponsoring Agency’s needs (25 points), price (35 points). Price will be

considered after the technical evaluation has been completed. The task order will be assigned to the consultant who the City determines will best satisfy the City's needs.

4. The Department will enter into negotiations with the assigned consultant. Such negotiation would result in a "task order" (i.e., memorandum of agreement) specifying the agreed upon scope of services, timetable, and fee for the particular project. Task Orders shall not exceed the term of the contract. The assigned contractor would not proceed with production without this agreement.

Multiple task orders may be initiated simultaneously resulting in overlapping scope development projects. The depth of analysis for each CPSD Project will vary. It is anticipated that the estimated duration of a task order assignment is based on scope complexity. The City will make the final determination as to the specific services to be included in the Task Order. When deemed necessary, the City may choose to reduce the analysis time frame by limiting the CPSD Services required.

Each Task Order issued shall specify the following:

- i. Description of the project for which services are required
- ii. Services to be performed by the Participating Consultant
- iii. Requirements for scheduling and/or phasing of the services
- iv. Time frame for the completion of services
- v. "Overall Not to Exceed Amount" for the services to be performed. Such Overall Not to Exceed amount shall be broken down into various amounts, depending on the required services and the method(s) of payment specified in the Task Order. Such amounts may include following: (1) Amounts for Staffing Hours (time card) and (2) Amounts for Reimbursable Services.
- vi. Each Task Order will delineate a payment structure based on deliverables that are received to the sole satisfaction of the City. A schedule for deliverables will be delineated in each task order.
- vii. Payment schedule as described in Section III-G, Agency Assumptions Regarding Performance-Based Payment Structure.

D. PARTICIPATING CONSULTANT’S SERVICES

The CPSD Services that a Participating Consultant may be required to provide for project(s) specified in the Task Order include, but are not limited to, the architectural, engineering, and cost estimating services needed to complete the assigned Tasks.

The terms and conditions regarding the Participating Consultant’s obligation to provide personnel for the performance of CPSD Services specified in the Task Order will be set forth in the Contract. The Participating Consultant agrees, throughout the term of the Contract, to provide personnel for the performance of all required CPSD Services, as directed by the City. The Participating Consultant may provide such personnel through its own employees and/or through sub-contracting firms, subject to the City’s approval. Changes in personnel after the start of the project must be approved.

E. COMPLIANCE WITH LOCAL LAW 34 OF 2007 – ATTACHMENTS 6 AND 7

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City established a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. For the purposes of the database, proposers are required to complete the attached Doing Business Data Form and return it with this proposal, and should do so in a separate envelope. (If the proposer is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a proposer has failed to submit a Data Form or has submitted a Data Form that is not complete, the proposer will be notified by the Agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the Agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the proposer has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

**F. WHISTLEBLOWER PROTECTION EXPANSION ACT RIDER –
ATTACHMENT 8**

Local Law Nos. 30 and 33 of 2012, codified at sections 6-132 and 12-113 of the New York City Administrative Code, the Whistleblower Protection Expansion Act, protect employees of certain City contractors from adverse personnel action based on whistleblower activity relating to a City contract and require contractors to post a notice informing employees of their rights. Please read Attachment 8, the Whistleblower Protection Expansion Act Rider, carefully.

G. COMPLIANCE WITH THE IRAN DIVESTMENT ACT – ATTACHMENT 9

Pursuant to State Finance Law Section 165-a and General Municipal Law Section 103-g, the City is prohibited from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Each proposer is required to complete the attached Bidders Certification of Compliance with the Iran Divestment Act, certifying that it is not on a list of entities engaged in investments activities in Iran created by the Commissioner of the NYS Office of General Services. If a proposer appears on that list, the Agency/Department will be able to

award a contract to such proposer only in situations where the proposer is taking steps to cease its investments in Iran or where the proposer is a necessary sole source. Please refer to Attachment for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <http://www.ogs.ny.gov/About/regs/ida.asp> for additional information concerning the list of entities.

H. SUBCONTRACTOR COMPLIANCE NOTICE – ATTACHMENT 10

The selected vendor will be required to utilize the City's web based system to identify all subcontractors in order to obtain subcontractor approval pursuant to PPB Rule section 4-13, and will also be required to enter all subcontractor payment information and other related information in such system during the contract term.

Please read Attachment 10, the subcontractor compliance notice as it relates to competitive solicitations.

I. PARTICIPATION BY MINORITY OWNED AND WOMEN OWNED BUSINESS ENTERPRISES IN CITY PROCUREMENT – ATTACHMENT 11

If the contract resulting from this Request for Proposals will be subject to M/WBE participation requirements under Section 6-129 of the Administrative Code of the City of New York, as indicated by the inclusion of Schedule B – M/WBE Utilization Plan (Attachment 12) and the Participation Goals indicated in Part I thereof, proposers must complete the Schedule B – M/WBE Utilization Plan and submit it with their proposal. Please refer to the Schedule B – M/WBE Utilization Plan and the Notice to All Prospective Contractors (Attachments 10 and 12) for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms. If the proposer intends to seek a full or partial waiver of the Participation Goals on the grounds described in Section 10 of the Notice to All Prospective Contractors, including but not limited to, proposer's intention to use its own forces to perform any or all of the required contract work would result in a failure to attain the Participation Goals, the proposer must request and obtain from the Agency a full or partial waiver of the Participation Goals (M/WBE Utilization Plan, Part III) in advance of proposal submission and submit the waiver determination with the proposal. Please note that if a partial waiver is obtained, the proposer is required to submit a completed Schedule B-M/WBE Utilization Plan based on the revised Participation Goals in order to be found responsive.

For Master Services Agreements:

If the Master Services Agreement awarded pursuant to this solicitation will be subject to Minority and Women-Owned Business Enterprises (M/WBE) participation requirements established under Section 6-129 of the Administrative Code of the City of New York, as indicated by the inclusion of Schedule B – M/WBE Participation Requirements for Master Service Agreements That Will Require Individually Registered Task Orders (Attachment 11), proposers must complete such Schedule B and submit it with their proposal.

Depending on the scope of work and the availability of M/WBEs to perform such work, agencies may set M/WBE participation goals on each individual task order issued pursuant to such Master Services Agreement. If M/WBE participation goals are established for an individual task order, Prime Contractors will be required to submit a completed Schedule B – M/WBE Utilization Plan For Independently Registered Task Orders That are Issued Pursuant to Master Service Agreements (MSA) unless a full waiver is obtained. If Prime Contractors submit a Schedule B, they will be required to fulfill the M/WBE participation goals on each individual task order, except to the extent that a full or partial waiver is obtained or such goals are modified by the agency. Please refer to the Schedule B – M/WBE Participation Requirements for Master Service Agreements That Will Require Individually Registered Task Orders and the Notice to All Prospective Contractors (Attachment 10) for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms.

J. AGENCY ASSUMPTIONS REGARDING PERFORMANCE – BASED PAYMENT STRUCTURE

The Agency has determined that the performance-based payment structure that will most likely assure that the selected proposer(s) will perform the work under the contract(s) awarded from this RFP in a manner that is cost-effective for the Agency and achieve the Agency’s goals and objectives set forth above is as follows:

- The Contractor would not receive payments until all required deliverables associated with a Task within each assigned Task Order (including, but not limited to, reports, electronic data as described as deliverables, and proper invoices) are received to the sole satisfaction to the City; and

Ten percent (10%) of all Task Order fees would be retained from each payment phase until completion and the receipt of all deliverables of the Task Order.

IV. FORMAT AND CONTENT OF THE PROPOSAL

A. INSTRUCTIONS

In responding to the RFP, Proposers should provide all information required in the format below. The proposal should be printed on 8 ½” x 11” size paper with no smaller than 12pt. type font and 1-inch margins. Pages should be paginated. In addition to hard-copy submissions, electronic versions of the proposal must be submitted on a CD ROM or USB flash drive in Microsoft or PDF compatible format.

The City requests that all proposals be submitted on paper with no less than 30% post consumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <http://www.epa.gov/cpg/products/printing.htm>). The proposal shall be as comprehensive as possible without being redundant. Failure to comply with any of these instructions will make the proposal non-responsive.

B. PROPOSAL FORMAT

1. Proposal Cover Letter

The proposal cover letter, Attachment 3, transmits the firm's proposal package to OMB. It should be completed, signed, and dated by an authorized representative of the firm.

2. Technical Proposal

a) Experience

Describe the relevant, recent (i.e., within the past 5 years) experience of the proposing firm, its sub-consultants, and individual staff members from both, in providing the work described in Section III of this RFP. Specifically address or provide the following:

- i. Describe the firm's experience providing Scope Development Services and cost estimating services.
- ii. Name each of the proposing firm's clients (current and within the past 5 years) who were provided services relevant to this solicitation. Describe in detail the services provided to these clients.
- iii. Specifically identify, and attach a resume of, the proposed Engagement Manager and Project Manager who would be assigned to this contract, Also attach resumes of architects, engineers, and cost estimating personnel who would be made available for inclusion on Task Order assignments. Each resume should include:
 - (a) Expertise and experience with the proposing firm
 - (b) Educational Background
 - (c) Project experience, area(s) of expertise, and years of experience in the area(s) of expertise
 - (d) State(s) in which s/he is registered professionally.
 - (e) A copy of any professional architecture, engineering, or cost estimating licenses and/or registrations. (Registered Architect, Professional Engineer, Cost Estimator certification.)
- iv. Complete Attachment 2 – Form for Identification of Sub-Consultants.
- v. Explain the firm's capability in securing, in a timely manner, qualified per diem sub-consultants on an as-needed basis. Proposers should include descriptions of previous examples.
- vi. Attach a list of three (3) recent relevant client references for whom the firm has

performed CPSD Services, including the name of the reference entity, a description of the nature of the work performed for the listed reference, and the name, title, address, and telephone number of a contact person at the reference entity.

b) Organizational Capability

Demonstrate the firms' organizational (i.e., technical, managerial, and financial) capability to provide the work described in Section III of this RFP. Specifically address the following:

1. Supply the firm's latest certified financial statement or audit report and organization chart
2. Describe and demonstrate the proposing firm's resourcefulness and outreach capabilities to assemble highly qualified architectural/engineering team members
3. In the case that the proposer is a joint venture, describe and demonstrate the inter-firm collaboration/established relationship of the joint venture firms. Delineate the areas of responsibility and expertise of each joint venture partner.

c) Proposed Approach

Describe in detail how the Consultant would provide the work described in Section III Scope of Services of this RFP and demonstrate how that approach would fulfill the City's goals and objectives. Focusing on actual projects, describe and demonstrate the effectiveness of the proposing firm's preferred approach to:

- i. Describe and demonstrate the proposer's ability to develop a project's scope
- ii. Describe and demonstrate how cost estimating will be performed
- iii. Describe in detail how a final report would be organized and formatted
- iv. Staffing: Each firm should assign an Engagement Manager who will function as an OMB liaison with the responsibility of reporting on the progress of all the task orders issued under the contract to the firm on a regular basis and having the ability to clearly explain to OMB budget analysts the engineering issues, options, and concerns during the project. In addition, each firm should assign one or more Project Managers for each project to handle the day-to-day activities.

Firms should propose an approach that they believe would achieve the City's goals and objectives. Firms may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section IV of the RFP.

3. Complete Attachment 1: Statement of Understanding

The Statement of Understanding form included as Attachment 1 of this RFP should be signed by a responsible partner or corporate officer of the proposing firm and submitted with the firm's Technical Proposal.

4. Price Proposal

Utilize the Price Proposal form (Attachment 4) to propose hourly rates for the staff members that would provide the services described in Section III of the RFP. In addition, list any other rates or cost factors that would apply to this proposed contract. Hourly rates quoted must include all auxiliary costs, such as printing, copying secretarial, typing, program entry, postage and delivery costs, etc. Hourly rates quoted must also include expenses for travel, meals, and lodging. Hourly rates quoted must include overhead costs including the cost of the Engagement Manager and Principals. These contract rates should be considered not-to-exceed rates for the duration of the contract. Rates proposed for a specific assignment can be equal to or lower than the rates provided.

C. PROPOSAL PACKAGE CONTENTS

The Proposal Package must contain all of the materials listed below. Firms should utilize this section as a checklist to ensure completeness prior to submitting their proposal to OMB.

1. A sealed inner envelope labeled "Identifying Information", containing one (1) original set of the documents listed below in the following order:
 - i. Proposal Cover Letter Form (Attachment 3)
 - ii. Acknowledgement of Addenda Form (Attachment 5)
 - iii. Iran Divestment Act Compliance Rider for NYC (Attachment 9)
 - iv. Schedule B: Subcontractor Utilization Plan/Waiver Application (Attachment 12)

2. A sealed inner envelope labeled "Technical Proposal", containing:
 - i. One (1) original set and four (4) duplicate sets of documents listed below in the following order:
 - Experience Narrative of Proposing Firm;

**Office of Management and Budget Request for Proposals (RFP) for Capital Project Scope
Development Services EPIN # 00214P0001**

- Resumes and/or Description of Qualifications;
 - Applicable licensing documentation;
 - Experience Narrative of Sub-consultant Firms and Resumes;
 - Firm's latest certified financial statement or audit report and organization chart
 - References
- ii. A copy of the "Technical Proposal" on CD ROM or USB flash drive in Microsoft or PDF format. This will not be returned to the proposer.

The governing document will be the hard copy of the Technical Proposal.

3. A separate sealed inner envelope labeled "Price Proposal" containing:
- i. One (1) original of the Price Proposal (Attachment 4)
 - ii. A copy of the Price Proposal (Attachment 4) on CD ROM or USB flash drive in Microsoft or PDF format.

The governing document will be the hard copy of the Price Proposal.

4. A fourth sealed inner envelope containing:
- i. "Subcontractor Utilization Plan" (Attachment 12, Schedule B, Part II) or;
 - ii. Approved Waiver of Target Subcontracting Percentage (Attachment 11, Schedule B, Part III) or;
 - iii. "Subcontractor Utilization Plan" (Attachment 12, Schedule B, Part II) and Approved Partial Waiver of Target Subcontracting Percentage (Attachment 12, Schedule B, Part III)
5. A fifth sealed inner envelope labeled "Doing Business Data Form" containing an original, completed Doing Business Data Form (see Attachment 7).
6. A sealed outer envelope, enclosing the five (5) sealed inner envelopes. The sealed outer envelope should have two (2) labels listing:
- i. The Contractors Name and Address, the Title and PIN number of this RFP, and the Name and Telephone number of the Contractor's Contact Person; and
 - ii. The Name, Title, and Address of the Agency Authorized Contact Person.

V. PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

1. Evaluation and Selection Procedures

All proposals accepted by the City will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that are determined by the City to be non-responsive will be rejected. The City’s Evaluation Committee will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below.

This is a Quality Based Selection (QBS). Proposals will be ranked by technical merit. An evaluation committee will review, evaluate and score all technical proposals in accordance with the criteria described above. This evaluation and scoring will determine each proposer’s technical score. The City reserves the right to interview proposers and visit their offices for the purpose of clarifying their technical proposals after which their initial scores may be re-evaluated. Proposers shall be ranked in accordance with their scores and the four (4) highest ranked firms will be short-listed.

The City will attempt to negotiate fair and reasonable prices with each short-listed proposer. If negotiations are successful, the prices negotiated with each respective proposer will be included in that proposer’s contract. If negotiations are not successful, the City will enter into negotiations with the next highest ranked firm(s). The City intends to award four (4) contracts.

Each proposer is required to submit a Price Proposal (Attachment 4). The City will only open Price Proposals of the firms selected for negotiation in accordance with the process described above.

Contract award will be subject to the timely completion of contract negotiations between the City and the Contractor.

2. Proposal Evaluation Criteria

- | | |
|---|-----|
| a) Demonstrated Quantity and Quality of Relevant Experience | 40% |
| b) Demonstrated Level of Organizational Capability | 40% |
| c) Approach and Methodology | 20% |

3. Basis of Contract Award

The City will award contracts to the responsive proposers whose proposals are determined to be the highest quality and most advantageous to the City, taking into consideration the overall quality of the proposal as measured against factors or criteria as are set forth in the RFP and successful negotiation of an appropriate fee. Such fee negotiation shall commence upon written notification and shall conclude no more than thirty days after the commencement of the fee negotiation. Contract award will be subject to the timely completion of contract negotiations between the City and the Contractor.

4. Contract Finalization

Upon selection, each successful proposer must execute the Contract with the City, subject to the conditions specified in this RFP and to the City's standard contract provisions (Appendix A), which shall not be modified. OMB only utilizes the formal Appendix A.

**Office of Management and Budget Request for Proposals (RFP) for Capital Project Scope
Development Services EPIN # 00214P0001**

SECTION VI - GENERAL INFORMATION TO PROPOSERS

- A. Complaints.** The New York City Comptroller is charged with the audit of contracts in New York City. Any proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 1005, New York, NY 10007; contract@comptroller.nyc.gov, or at (212) 669-2323. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.
- B. Applicable Laws.** This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-0010 or at: <http://www.nyc.gov/html/mocs/ppb/html/home/home.shtml>.
- C. General Contract Provisions.** Contracts shall be subject to New York City's general contract provisions, in substantially the form that they appear in "Appendix A—General Provisions Governing Contracts for Consultants, Professional and Technical Services" or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency's general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.
- D. Contract Award.** Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.
- E. Proposer Appeal Rights.** Pursuant to New York City's Procurement Policy Board Rules, proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency's determination regarding the solicitation or award of a contract.
- F. Multi-Year Contracts.** Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor's performance is not satisfactory. The Agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.
- G. Prompt Payment Policy.** Pursuant to the New York City's Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.
- H. Prices Irrevocable.** Prices proposed by the proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.
- I. Confidential, Proprietary Information or Trade Secrets.** Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.
- J. RFP Postponement/Cancellation.** The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.
- K. Proposer Costs.** Proposers will not be reimbursed for any costs incurred to prepare proposals.
- L. Vendex Fees.** Pursuant to PPB Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the Vendex system, including the Vendor Name Check Process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350. The estimated value for each contract resulting from this RFP is estimated to be (less than or equal to \$1million) (above \$1million).

**Office of Management and Budget Request for Proposals (RFP) for Capital Project Scope
Development Services EPIN # 00214P0001**

M. Charter Section 312(a) Certification. [IF APPLICABLE]

_____ The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not result in the displacement of any New York City employee within this Agency. See attached Displacement Determination Form.

_____ The Agency has determined that the contract(s) to be awarded through this Request for Proposals will result in the displacement of New York City employee(s) within this Agency. See attached Displacement Determination Form.

X_____ The contract to be awarded through this Request for Proposals is a task order contract that does not simultaneously result in the award of a first task order; a displacement determination will be made in conjunction with the issuance of each task order pursuant to such task order contract. Determinations for any subsequent task orders will be made in conjunction with such subsequent task orders.



(Agency Chief Contracting Officer)

August 20, 2014
Date

Message from the New York City Vendor Enrollment Center
Get on mailing lists for New York City contract opportunities!
Submit a NYC-FMS Vendor Application - Call 212/857-1680

ATTACHMENT 1: STATEMENT OF UNDERSTANDING

Re: Request for Proposals for Capital Project Scope Development Services

dated, _____ 2014.

By signing in the space provided below, the undersigned certifies, on behalf of _____
(the Proposer), that he/she:

- (i) has read and understands the scope and requirements of the services described in the RFP and all attachments and addenda;
- (ii) stipulates that the information in this Proposal is, to the best of his/her knowledge, true and accurate.
- (iii) the Proposer has the capacity to perform these services;
- (iv) the Proposer agrees, if its proposal is accepted, to enter into a contract with the New York City Mayor's Office of Management and Budget; and
- (v) the Proposer specifically agrees to carry all insurances specified in the Contract and to accept payment in accordance with the requirements of Contract.

Date

Authorized Signature

Telephone Number

Consultant Firm

Fax Number

Federal Tax I.D.

E-Mail Address

Address

ATTACHMENT 2: FORM FOR IDENTIFICATION OF SUB-CONSULTANTS

Re: Request for Proposals for Capital Project Scope Development Services
dated _____ 2014.

Section IV (B) (2) (IV) of the RFP requires the Proposer to identify by name the sub-consultants the Proposer intends to use to perform the required services.

The Proposer must list all architect/engineering firms and organizations of which the proposer has current affiliations and may be selected to perform the required services defined in the RFP as Sub-consultants. Sub-consultants can specialize in one or more of the following engineering disciplines:

- Architecture
- Structural Engineering
- Mechanical Engineering
- Electrical Engineering
- Civil Engineering
- Plumbing Engineering
- Cost Estimating Engineering Disciplines

The Proposer may include additional engineering disciplines and Sub-consultants as the Proposer deems necessary.

During the term of the contract, any changes to the following list will require approval by the City.

The Proposer has provided the following list of firms and organizations as potential sub-consultants.

No.	Firm Name	Description of Services
1		
2		
3		
4		
5		
6		
7		

Note: Proposers are not limited to five (5) firms. Please add rows if necessary.

Authorized Signature

Firm Name

ATTACHMENT 3: PROPOSAL COVER LETTER

RFP TITLE: CAPITAL PROJECT SCOPE DEVELOPMENT SERVICES

EPIN # 00214P0001

Proposer

Firm Name: _____

Address: _____

Tax Identification #: _____

Proposer's Contact Person:

Name: _____

Address: _____

Telephone #: _____

Proposer (Check each applicable box)

- | | |
|---|---|
| <input type="checkbox"/> Single Entity | <input type="checkbox"/> Prime Organization with Sub-contractors |
| <input type="checkbox"/> Incorporation/Consortium | <input type="checkbox"/> Not-for-Profit Corporation
(A copy of the organization's tax-exempt
Certification is attached) |

Proposer's Authorized Representative:

Name: _____

Title: _____

Signature: _____

Date: _____

Is the response printed on both sides, on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in the instructions to this solicitation?

- Yes No

ATTACHMENT 4: PRICE PROPOSAL

**CAPITAL PROJECT SCOPE DEVELOPMENT SERVICES
EPIN # 00214P0001**

Firm Name: _____

Hourly rates quoted must include all auxiliary costs, such as printing, copying secretarial, typing, program entry, etc. Hourly rates quoted must also include expenses for travel, meals, and lodging. Hourly rates quoted must include overhead costs including the cost of the Engagement Manager and Principals. These contract rates should be considered not-to-exceed rates for the duration of the contract. Rates proposed for a specific assignment can be equal to or lower than the rates provided.

Title	\$/hr
ARCHITECTURAL PERSONNEL	
Project Architect	_____
Project Manager (Architecture)	_____
Senior Architect	_____
ENGINEERING PERSONNEL	
Project Engineer	_____
Project Manager (Engineering)	_____
Senior Structural Engineer	_____
Senior Electrical Engineer	_____
Senior Mechanical Engineer	_____
Senior Plumbing Engineer	_____
Senior Civil Engineer	_____
PERSONNEL FOR ESTIMATING	
Senior Estimator	_____

Cost Proposal is being submitted by:

Name

Title

Signature

Date

ATTACHMENT 5: ACKNOWLEDGEMENT OF ADDENDA

<p>TITLE OF THE REQUEST FOR PROPOSALS: CAPITAL PROJECT SCOPE DEVELOPMENT SERVICES</p> <p>Dated _____</p>	<p>EPIN # 00214P0001</p>
<p>Instructions: The proposer must complete, sign, and date Part I or Part II of this form, whichever is applicable. This form serves as the proposer's acknowledgement of the receipt of Addenda to this Request for Proposals (RFP) which may have been issued by the agency before the Submission Deadline.</p>	
<p>___ Part I</p> <p>Listed below are the dates of issue for each Addendum received in connection with this RFP.</p> <p>Addendum # 1, dated _____</p> <p>Addendum # 2, dated _____</p> <p>Addendum # 3, dated _____</p> <p>Addendum # 4, dated _____</p> <p>Addendum # 5, dated _____</p> <p>Addendum # 6, dated _____</p> <p>Addendum # 7, dated _____</p> <p>Addendum # 8, dated _____</p> <p>Addendum # 9, dated _____</p> <p>Addendum #10, dated _____</p>	
<p style="background-color: #cccccc;"></p>	
<p>___ Part II</p> <p>No Addendum was received in connection with this RFP.</p>	
<p style="background-color: #cccccc;"></p>	
<p>Proposer Name</p>	
<p>Proposer's Authorized Representative:</p> <p>Name: _____</p> <p>Title: _____</p> <p>Signature: _____</p> <p>Date: _____</p>	