

Project: V.C.P Requirements Contract for Commissioning and Related Services for Various Projects, Citywide

PIN: 8502015VP0010-12P

Date: March 23, 2015

Time: 10:00AM

To: All Attendees

From: Rebecca Massey

Minutes of March 23, 2015 Pre-Proposal Conference

Department of Design and Construction Attendees:

Keesha Smartt, ACCO Professional Contracts, Contract Manager
Mathew Park, Public Buildings, Chief of Commissioning
Alan Baily, Public Buildings, Director
Rebecca Massey, Public Buildings, Project Director
Jinguo Zhange, ACCO Contract Opportunity, Deputy Director
Ann-Chevealle Brown, ACCO Contract Opportunity, Analyst
Carlo Di Fava, ACCO Professional Contract Staff, Director

General

Keesha Smartt, Contract Manager of ACCO Professional Contracts, opened the meeting by introducing herself and DDC Attendees.

Mathew Park, Chief of Commissioning, Public Buildings, spoke about the commissioning program at DDC.

- These contracts cover initial commissioning of new buildings, substantial reconstruction, and additions. It will also include energy auditing and retro-commissioning of existing city-owned buildings.
- Commissioning is a systematic process to verify that a project is designed, constructed, and operated as intended. It is a form of quality control to ensure for the owner, architect, design engineer, contractors, and operations staff that systems and equipment function correctly upon

- installation, that the project is documented and turned over properly, and that equipment is operated efficiently to meet changing program requirements in existing buildings.
- Commissioning confirms the integration of all project expectations--from planning to acceptance and ongoing use--through design review, field inspection and functional performance testing, oversight of operator training and verification of record documentation. Benefits of commissioning include reduced energy usage, lower operating costs, fewer contractor callbacks, improved building documentation and increased occupant productivity as a result of a better workplace environment.

Rebecca Massey, Project Director, Public Buildings, spoke about the evaluation criteria of the technical proposal:

- Please note that the “Proposal Evaluation Criteria” detailed on RFP-9, shall be revised to read as follows:
 - Demonstrated Quantity and Quality of Successful Relevant Experience (Weight 40%)
 - Quality of Proposed Approach (Weight 30%)
 - Demonstrated Level of Organizational Capability (Weight 30%)
- Technical proposals should include:
 - A firm-wide overview of relevant work
 - Please include information about firm size, annual revenue on similar work, number of individuals qualified to perform relevant work, or other information required to demonstrate that the firm has the capacity to manage several large projects simultaneously.
 - Please include a more detailed description of at least one successful commissioning job. Demonstrated success on LEED jobs and jobs that include envelope commissioning are preferred.
 - Please include a more detailed description of at least one successful energy audit and/or retro-commissioning job. Demonstrated success on a NYC Local Law 87-2009 is preferred.
 - A staffing plan detailing the relevant certification and experience of proposed staff.
 - A plan for how the tasks and deliverables described in the contract would be delivered during the course of a DDC project; both new building commissioning and energy auditing and/or retro-commissioning work should be addressed.
 - Samples of principle deliverables described in the contract.

Ann-Chevealle Brown, Analyst, ACCO Contract Opportunity, spoke about the M/WBE requirements:

- This project is subject to Local Law 1, the city’s new M/WBE Program which became effective in July of 2013.
- The M/WBE participation goals for these contracts are **10%** and are in line with overall goals set Citywide.
- Firms will need to submit the Schedule B- M/WBE Utilization Plan in their proposal package for ACCO review. If corrections are needed, firms will be notified.

- Please refer to Attachment 7 for further details. Additional information may be found at www.getcertified.com

Keesha Smartt, Contract Manager, ACCO Professional Contracts, reviewed the submission requirements:

- Refer to page RFP-1, Section 1, Timetable:
 - The proposal due date is Tuesday, April 7th, 2015, no later than 4:00 PM.
 - Please note that the entrance to DDC is on 30th Place, not Thomson Avenue.
 - All inquiries must be submitted in writing no later than one week prior to the due date of April 7th, 2015.
- Refer to page RFP-8, Section IV, Acknowledgement of Addenda :
Any addendum(s) shall be posted to the DDC webpage (<http://ddcftp.nyc.gov/rfpweb>). Each addendum must be included in the proposal, along with the completed Acknowledgement of Addenda form, Attachment 5.
- Refer to page RFP-29, Attachment 10: Subcontractor Reporting
 - Vendors and Subcontractors are encouraged to register and create an account in the Payee Information Portal (PIP), www.nyc.gov/pip. By enrolling in PIP, you can receive future solicitations from the City.
- Please refer to RFP-8, Section IV, Format and Content of the Proposal. Submittal must include:
 - One original and four copies of the technical proposal—including the completed Forms 254 and 255, a Statement of Understanding and Certification, an Iran Divestment Act Compliance Rider, Identification of Key Personnel, and Acknowledgement of Addenda—in a sealed envelope, clearly marked “Technical Proposal;”
 - One original M/WBE Utilization Plan, and/or one copy of approved waiver or partial waiver, in a separate sealed envelope clearly labeled “M/WBE Utilization Plan;” and
 - One original Doing Business Data Form, in a separate envelope clearly labeled “Doing Business Data Form.”

The following is a summation of questions and answers from the conference. The following should be considered the official responses to the questions.

Question: Will an extension be granted allowing proposals to be submitted after the 04/07/2015 deadline?

Answer: No. Barring major unforeseen circumstances, all proposals must be submitted by 04/07/2015 to be considered.

Question: Is the 10% MWBE goal meant to apply to the contract, or to individual Task Orders issued under the contract?

Answer: The 10% MWBE goal applies to the contract, not to individual task orders.

Question: Schedule B requests information about fees, which will not be available until individual task orders are issued. How should proposers proceed?

Answer: An assumed approximate amount will be acceptable for completion of this form.

Question: What percent of work under this contract is expected to be commissioning of new construction work, compared to energy auditing work or retro-commissioning work.

Answer: The majority of work issued under this contract is anticipated to be for the commissioning of new buildings, additions and substantial reconstruction work. Energy auditing and retro-commissioning work are expected to be a smaller portion of work issued under these contracts. DDC begins projects as they are requested by various client agencies, and therefore cannot provide a precise projection of each type of work to be issued under this contract.

Question: What types of buildings are typical of DDC's portfolio?

Answer: DDC works with a wide variety of municipal buildings, including, but not limited to: Firehouses, police precincts, libraries, parks facilities, office buildings, data centers, detention facilities, cultural institutions, garages, courthouses, and medical offices.
As per section 7.3.6 of the contract, "Standard Building Types" include offices, courthouses, police stations, fire stations, libraries, schools, residential buildings, and recreational facilities. "Complex Building Types" include correctional facilities, museums, hospitals, and laboratory facilities. "Simple Building" includes garages and storage facilities.

Question: Will there be work in residential buildings?

Answer: Yes. Some DDC facilities, such as firehouses and Department of Homeless Services shelters, may be designated as residential buildings. Other building types, such as detention facilities, may have permanent occupants with a non-residential code designation. This is not anticipated to be the primary space use for DDC projects.

Question: Is Schedule B required for this proposal?

Answer: Yes, Schedule B must be submitted.

Question: May the attachment listing key personnel be modified to include more staff?

Answer: Yes. Provided all listed positions are included, more than three staff members may be listed on this form.

Question: Please explain the difference between project award for complex and non-complex projects.

Answer: A non-complex project will be issued to each consultant in turn via a standardized rotation. Complex projects will be awarded through evaluation of responses to a project-specific RFP issued to the four consultants holding commissioning contracts.

Question: If a consultant is awarded a task order under the rotation system, may the consultant decline to work?

Answer: No. Refusal or failure to proceed with the services detailed in the contract when and as directed by the Commissioner shall constitute a material breach of contract.

Question: Please elaborate on the rotation selection process.

Answer: Upon award of contract, each of the four consultants shall be assigned a ranking, one through four. The first non-complex project issued under these contracts shall be awarded to the consultant designated as "Consultant One," the second non-complex project shall be awarded

to “Consultant Two,” next to “Consultant Three,” “Consultant Four,” and the fifth non-complex project shall be awarded to “Consultant One.” This rotation shall continue, in order, through the duration of the contract.

In the event the consultant is selected for a project through the rotational process, the Commissioner reserves the right to bypass the consultant for that project and select the next consultant on the list, if the Commissioner determines that the consultant may be unable to provide the required services in a satisfactory and timely fashion. Projects determined to be “Complex Projects” shall be awarded by soliciting a competitive proposal among the consultants rather than by rotation.

Question: Is the MWBE participation percentage designated in the contract a goal or a requirement?

Answer: These contracts have a 10% MWBE participation goal. This is not a requirement.

Question: Will all buildings owned and operated by DDC require work during the duration of these contracts?

Answer: DDC does not own or operate any buildings; nor does DDC determine the capital program of any client agency. DDC initiates capital work when directed to by a client agency. The client agency is responsible for determining the scope of work and providing funding.

Question: Will all buildings owned and operated by DDC’s client agencies require work during the duration of these contracts?

Answer: DDC has no control over or projection of what, or how much, capital work will be initiated by any given client agency.

Question: The minimum requirements for key personnel, presented in Subsection D of Section III, are unclear as to whether a P.E. license is required for the Project Engineer only, or if a P.E. license is required for the Contract Executive, Project Engineer, and Project Manager. Please clarify.

Answer: Only the Project Engineer is required to hold a P.E. license. Please note that this must be a New York State P.E. license.

Question: Please clarify how the fee curves relate to the all-inclusive hourly rates.

Answer: Work shall be priced according to fee curves or hourly rates. Fee curves for mechanical system commissioning, electrical system commissioning, energy auditing and retro-commissioning studies shall be inclusive of all work and deliverables described in the corresponding section of the contract. Envelope commissioning and additional work not included in the scope described in the contract shall be priced based on the hourly rates of the required specialists.

Question: Schedule B requires a projection of the dollar value of work subcontracted under this contract. Because work is awarded on a task order basis, the proposer does not have this information. Please advise.

Answer: Please approximate the amount of work that will be subcontracted under the contract.

Question: Who is the main point of contact for further information requests or submittal of proposal?

Answer: Please direct all requests for information or clarification, as well as the required proposal paperwork, to:

Keesha Smartt

Professional Contracts Section
Department of Design and Construction
30-30 Thomson Avenue, 4th Floor
Long Island City, NY 11101
E-mail: Smarttke@ddc.nyc.gov
Phone: (718) 391-2825

Question: Are there any additional directions for delivering the proposal?

Answer: If a representative of your firm is delivering the package in person, please be sure to enter at the 30th Place Entrance and proceed to the 4th Floor receptionist, who will contact Keesha Smartt to accept the delivery from you. FedEx or other delivery services are not expected to encounter problems. Respondents are held responsible for ensuring that Keesha Smartt receives the RFP response package by the stated deadline.

Question: In the provided sample contract Compliance with Local Law 87 is referenced. Is it the intention to apply and certify buildings for LL87 with the NYC Department of Buildings as part of this proposal?

Answer: Yes, sections 6.3.3 and 6.4.3 of the contract are intended to include certification of these projects to the New York City Department of Buildings. Please note that responses to DOB comments and concerns shall be considered reporting requirements, and are included in this item.