

**Department of Design and Construction
New York City Housing Recovery Office**

**Community Recovery Construction Management Pre-Solicitation Conference
Questions and Answers**

1. Can the homeowners select their own contractor?

Under a separate program called Choose Your Own Contractor, homeowners have the option to use a Build it Back contractor or the option to choose their own contractor. Homeowners will continue to have the option to select a contractor.

2. Will the unions allow the Construction Management firms that are signed up with these unions to hold contracts with nonunion contractors to perform the work?

The CM firms should coordinate with the unions and other partners when developing their proposals.

3. Is the work open to nonunion companies?

Yes, nonunion companies will be able to participate.

4. Are there Project Labor Agreements?

There are no Project Labor Agreements.

5. Is there prevailing wage?

Prevailing wage does not apply to contracts awarded from this solicitation.

6. Are there Davis Bacon requirements?

Davis Bacon does not apply to contracts awarded from this solicitation.

7. Is there any federal funding for this project?

Yes, this project is 100% federally funded by the Department of Housing and Urban Development under their Community Development Block Grant – Disaster Recovery program.

8. Is there an MWBE requirement? Do you have a set goal for it? Do you have a DBE requirement?

The City will be setting MWBE goals for this procurement. This contract will not have DBE requirements.

9. Will you provide a forum for the Construction Management and architects and engineers that are interested in this procurement to meet them so we can

understand who they are, they can understand who we are before we proceed in dealing with Construction Management, architect and contractor relationship?

The City will hold a pre-proposal conference and reserve time after the conference to enable the firms to meet.

10. Would the City consider a small business set-aside for a different project delivery with the same CM/Design concept but the City as opposed to the small business team holding the contracts?

This solicitation will not specifically target small businesses.

11. Is the Construction Management firm going to cover all the bonding or is the general contractor going to have to cover the bonding?

The Contractor will be required to provide performance and payment bonds for the full amount of its contract.

12. Should the non-government organizations and volunteer groups connect with the Construction Management firms?

The City will be interested in hearing proposals that include a plan to work with non-government organizations and volunteer groups.

13. Will the City help facilitate the communication between non-governmental organizations and volunteers groups and the Construction Management firms?

The City will hold a pre-proposal conference and reserve time after the conference to enable the firms to meet.

14. Are these homeowners living in the homes or are they going to have programs to help relocate homeowners and will they manage their own relocations?

The homeowners may be living in the homes. The homeowners are responsible for relocating during construction. The Construction Management firms will not be responsible for relocating the homeowners, but will be required to work with the homeowners to coordinate the start of construction.

15. Will the homes be available for the construction firms to go in and do the work?

Yes.

16. How do you anticipate dealing with indemnification issues of working in single family homes?

The Contractor(s) will indemnify the City, its employees, and officials and the Homeowners.

17. You made a statement that the City will pre-qualify the contractors within the program. The CM is going to hold the contracts. Traditionally, when the City has done this contract delivery method, the CM has been responsible for the actions of the subcontractor, whether it be default or nonperformance. In this case, you're going to have many smaller contractors the City is in charge of the pre-qualification. Has the City considered whether they will be responsible for the contractor's performance or is the Construction Management firm going to be responsible?
The Construction Management firms will be responsible for the performance of the Contractors.

18. Does the CM hold the contracts with the A&E also?

Yes, the Construction Management firms will hold contracts directly with the design firms.

19. Will the CM firm have the ability to have a pre-qualified list of designers to choose from?

No, the Construction Management firm will select their own design teams.

20. Whose job is it to coordinate between your infrastructure contract and this CM contract?

The Construction Management/design team will be required to coordinate with agencies and other stakeholders on infrastructure issues that may impact the construction work on the home(s).

21. Will there be a competitive bidding for the construction work?

Yes, there will be competitive bidding for the construction work from the prequalified Contractors.

22. Will the City have an apprenticeship program to share with the small contractors?

The City does not have an apprenticeship program to share with smaller contractors. The construction contracts awarded from this solicitation will be subject to apprenticeship program requirements. Therefore, when applying for the Pre-Qualification List, the Contractor awarded a contract as a result of this solicitation, and any of its subcontractors with subcontracts worth \$1M or over, must have, prior to entering into such contract or subcontract, apprenticeship agreements appropriate for the type and scope of work to be performed that have been registered with, and approved by, the New York State Commissioner of Labor. In addition, the contractor and its subcontractors will be required to show that such apprenticeship program/s have successfully passed the two year Probation period following the initial registration date of such program/s with the New York State Department of Labor. The failure to prove, upon request, that these

requirements have been met shall result in the contract not being awarded to the contractor or the subcontractor not being approved.

23. Is there going to be a specific department within the Department of Buildings for getting the permits through?

The Department of Buildings has inspectors and staff dedicated to the Build it Back program.

24. Does the City have a preference on the contractual relationship between the Construction Management and Design firm?

No, the City does not have a preference on the contractual relationship between the Construction Management and design firms.

25. For those not in the union, can we work with our local Workforce1 Centers?

Yes, the City encourages everyone to use the local Workforce1 Centers.