



REQUEST FOR QUALIFICATIONS

PQL ID: PQL000150 Armed/Unarmed Security Guards and Related Services, Citywide M/WBE PQL

I. GENERAL INFORMATION

The New York City (the “City,” or “NYC”) Department Citywide Administrative Services (“DCAS”) is issuing this open - ended Request for Qualifications (“RFQ”) for the purpose of establishing a pre-qualified list (“PQL”) of City Certified Minority and Women-owned Business Enterprise (“M/WBE”) Vendors (“Applicants,” or “Vendors”) for services grouped into three (3) distinct categories (“Options”) of Armed/Unarmed Security Guards and Related Services. This PQL will be limited to Applicants who have been certified as M/WBEs through the City’s Department of Small Business Services (“SBS”). It is anticipated that the estimated cost for these types of projects will be \$1,500,000 or less.

Pursuant to this RFQ, DCAS is seeking to identify qualified M/WBE Vendors that can perform Armed/Unarmed Security Guards and Related Services. Applicants are not applying for a specific project or submitting information related to a proposed project in response to this RFQ. DCAS and other City agencies (hereinafter collectively referred to as the “City Agencies,” or “User Agencies”) will be utilizing the PQL, when approved, to solicit Armed/Unarmed Security Guards and Related Services bids for work with various City Agencies’ buildings and facilities with an estimated cost of \$1,500,000 or less. The three (3) PQL Options, are listed below:

- **PQL Option #1 -Armed Security Guards Services:**
 - Armed Security Guards
 - Armed Security Guard Supervisors
- **PQL Option #2 -Unarmed Security Guards Services:**
 - Unarmed Security Guards
 - Unarmed Security Guard Supervisors
- **PQL Option #3- Related Services:**
 - Fire Safety Directors
 - Fire Guards
 - Field Inspectors
 - Field Managers

- a. Applicants may apply for any one or all three (3) PQL Options. However, DCAS in its sole discretion, will determine which, if any, of the PQL Options are most appropriate for the Applicant. Such determination will be made based on the experience and current capacity information provided by the Applicant. DCAS’ determination

regarding an Applicant's eligibility and inclusion in any of the PQLs shall be final.

- b. Once published, the resulting PQL will be "open," or in effect. After a PQL has been in effect for a period of twelve (12) months from the time of publication, DCAS will publish a PQL notice in accordance with Section 3-10(e) of the City's Procurement Policy Board ("PPB") Rules.
- c. DCAS will review and evaluate new applications for each PQL and make determinations regarding new Applicants' eligibility and inclusion in the PQLs at that time.
- d. This RFQ seeks only to create PQL of Armed/Unarmed Security Guards and Related Services Vendors. Applicants are not applying for a specific project or submitting information related to a proposed project in response to this RFQ. DCAS and other City Agencies will be utilizing the PQL to solicit project-specific bids for work with various City Agencies' buildings and facilities. Prequalification allows an agency to evaluate the qualifications of Vendors for the provision of particular goods and services before issuing a solicitation for a specific contract.
- e. Qualified M/WBE firms are encouraged to take advantage of this opportunity and apply for this PQL detailing their credentials. The prequalification process is designed to ensure that bids for Armed/Unarmed Security Guards and Related Services are only received from M/WBE contractors that are highly qualified and possess the requisite prior experience.
- f. All applications received will be evaluated to determine eligibility. DCAS reserves the right to request additional information and documentation to determine and/or verify the Applicant's qualifications.
- g. All materials submitted in response to or in connection with this RFQ shall become the sole property of DCAS and will not be returned to the Applicant under any circumstances.
- h. Confidentiality/Proprietary Information/Trade Secrets:
 - i. The names of the Applicants to this PQL shall not be confidential. The Vendor shall identify those portions of their application submission that they deem to be confidential, proprietary information or trade secrets, and provide justification why such materials shall not be disclosed by the City. All materials the Applicant desires to remain confidential shall be clearly indicated by stamping the pages on which such information appears, at the top and bottom thereof with the word "Confidential." Such materials stamped "Confidential" must be easily separable from the nonconfidential sections of the documents submitted.
 - ii. All such materials so indicated shall be reviewed by the Agency and any decision not to honor a request for confidentiality shall be communicated in writing to the Applicant. For those applications which are unsuccessful, and Vendors are not included in the PQL, all such confidential materials shall be returned to the Vendor

II. QUESTIONS

Substantive questions regarding this PQL must be submitted in writing to the DCAS Authorized Contact Person, whose name and address are listed in Section III of this document.

III. DCAS Authorized Contact Person

The authorized contact person for all matters concerning the Application and all related documents for RFQ for Armed/Unarmed Security Guards and Related Services is:

Name: Balduin Mathieu

Title: Procurement Analyst

E-Mail Address: BMathieu@dcas.nyc.gov

All questions and requests for additional information concerning the applications must be sent via email.

IV. PQL QUALIFICATION PROCEDURE

To be able to establish a list of pre-qualified contractors, DCAS is advertising this RFQ in the City Record.

a. Submission of Applications

Vendors must submit their applications in accordance with the requirements of this RFQ. By submitting an application for this RFQ, Vendors acknowledge that they are granting the City permission to make inquiries concerning the Applicants' qualifications as necessary.

b. Review and Selection

A DCAS led evaluation committee will review the Applicant prequalification responses to determine whether the Applicants have provided evidence of the requisite experience and other qualifications as required herein. DCAS shall evaluate submitted documentation pursuant to the NYC PPB Rules and New York General Municipal Law Section 103(15), for establishing a PQL. Criteria that may be used to prequalify Vendors include, but are not limited to:

- i. current and past experience with similar projects;
- ii. references with noted reliability and past performance;

- iii. organization, staffing (both members of staff and particular abilities and experience), and ability to undertake the type and complexity of work;
- iv. financial capability, responsibility and reliability for such type and complexity of work, and availability of appropriate resources;
- v. record of compliance with all federal, State, and local laws, rules, licensing requirements, where applicable, and executive orders, including but not limited to compliance with existing labor standards;
- vi. record of maintaining harmonious labor relations; and
- vii. record of business integrity of vendor.

b. Evaluation of PQL Applications

Applicant must provide supporting documentation as detailed in Section VI below. Failure to provide complete information in PASSPort will disqualify the Applicants from inclusion in PQL.

c. Pre-Qualification Acceptance or Rejection

Not all Applicants included in a PQL will be selected to perform work. Refer to Section XI herein for details on solicitations for specific projects.

- i. Pursuant to PPB Rules, Section 3-10(1), any PQL Applicant whose qualifications fail to meet the requirements and criteria established by this RFQ shall be denied prequalification at the Agency's sole discretion. The Agency Chief Contracting Officer ("ACCO") will notify the PQL Applicant in writing of the denial of prequalification. The PQL Applicant may appeal the ACCO's determination denying prequalification pursuant to the process established in PPB Rules, Section 3-10(m).
- ii. DCAS reserves the right to modify the PQLs at any time, including, but not limited to removing previously qualified Applicants. Previously prequalified applicants may be removed from any PQL by DCAS for the following reasons:
 - 1. Poor Performance;
 - 2. A determination that the Applicant is no longer responsible pursuant to PPB Rules, Section 2-08;
 - 3. Failure to respond to solicitations more than three (3) times without providing written explanation.
- iii. Determinations regarding removal of an Applicant from any PQLs will be made in writing by



DCAS, and a notice will be mailed to the office of the designated company contact in its response to this RFQ.

- iv. In the event that DCAS does not receive any responses to any solicitation issued this PQL, DCAS reserves the right to publicly re-issue the solicitation to Vendors who are not on the PQL to ensure that the necessary or required work is completed. In the event that there is a paucity of Vendors or continuous lack of responses by Vendors within this PQL, DCAS reserves the right to, on notice, terminate the list and in such event issue public solicitations for contracts to Vendors that respond to a publicly advertised Invitation for Bids.

V. APPLICANT QUALIFICATIONS

DCAS will only review applications from Applicants who submit all supporting documentation required herein and demonstrate that they meet the requirements of this section. DCAS' determination that an Applicant's RFQ submission satisfies these requirements does not guarantee that the Applicant will be deemed qualified and included in a PQL Option. Applicants must satisfy all the RFQ requirements, and a subsequent responsibility determination performed prior to inclusion on the PQL.

- a. For inclusion in any of the PQL Options, DCAS will consider applications from Applicants that meet any one of the following criteria:
 1. The submitting entity must be a Minority and Women-owned Business Enterprise** certified by the New York City Department of Small Business Services ("New York City-certified M/WBE"); or
 2. The submitting entity must be a qualified joint venture as defined in the NYC Administrative Code 6- 129(c)(30).
- b. For inclusion in any of the PQL Options, the Applicant must have successfully completed during the past consecutive five (5) years prior to being accepted on the PQL:
 1. Submit at least three (3) projects, per each option, where they have performed or managed work which included Armed/Unarmed Security Guards and Related Services. Such projects may have been performed as a prime contractor or subcontractor. If the applicant is applying for one (1) PQL Option, then three (3) projects similar in nature must be submitted. If the applicant is applying for all three (3) PQL Options, the submitted projects should total at least nine (9). Projects must be similar in nature with a cost of \$1,500,000 or less for each project.

- c. The Applicant must also demonstrate the financial ability to support a project up to the maximum project size that would be solicited utilizing this PQL.

VI. SUBMISSION OF PRE-QUALIFICATION

Application Pursuant to the PPB Rules, Section 3-10(d) and New York General Municipal Law Section 103(15), please provide the following:

- a. Completed **PASSPort Questionnaire**
- b. Special Experience Requirements:
 1. Proof of Applicant's experience and capabilities per Part V(A) above.
 2. Within the "Exhibit D-Request for Projects Form" provided in PASSPort, provide a summary list of at least three (3) and no more than six (6) projects, per service option, that best represent Applicant's experience per Section V (B)(1) above.
 3. The Applicant can use prior projects completed by the principal(s) of the Applicant while such principal was affiliated with another entity, subject to the following conditions:
 - i. Any principal or other employee whose prior experience the Applicant is relying on to demonstrate compliance with the experience requirement must have held the following:
 - (a) a significant management role in the prior entity with which he/she was affiliated, and
 - (b) a significant management role in the entity submitting the bid for a period of at least six (6) months or from the inception of the bidding entity.
 4. The Applicant may not rely on the experience of its principals or other employees to demonstrate compliance with any other requirements, including without limitation, financial requirements or requirements for a specified minimum amount of annual gross revenues.
- c. Documents relating to Applicant's financial capability, responsibility and reliability within the **PASSPort Questionnaire**:
 1. Signed federal tax returns for the last three (3) years.

2. A “certified review letter” from a Certified Public Accountant (CPA) verifying the tax returns.
3. Balance sheet for the past year.

VII. PASSPORT ENROLLMENT

- a. **The PQL application in response to this RFQ must be submitted via PASSPort.** PQL Applicants, prior to submitting of their PQL Application in PASSPort, must also submit an online disclosure application with the NYC Mayor’s Office of Contract Services (“MOCS”) in PASSPort **BEFORE** submitting the completed RFQ Submission to DCAS.
- b. Additional information on how to submit an application or register for PASSPort are contained in following link: <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>.
- c. Questions about PASSPort registration should be directed to the NYC MOCS help desk at <https://mocssupport.atlassian.net/servicedesk/customer/portal/8>

VIII. SOLICITATIONS FOR SPECIFIC PROJECTS

Subsequent to the establishment of the PQL, and as the need arises, a User Agency may utilize this PQL requiring Armed/Unarmed Security Guards and Related Services as outlined in this RFQ. **Only those contractors included on the PQL as of the User Agency’s bid solicitation date will be permitted to bid on projects selected for bidding to this PQL.**

Request for Proposals (“RFP”) will be sent to all Applicants included and approved on the PQL Option being solicited as of the RFP’s release date. All Applicants(s) included and approved on the PQL Option being solicited will be expected to respond as described in Section XI below.

The RFP issued by User Agency will include: the scope of work for specific projects, all project details including evaluation criteria and the timeline for completion of the projects, in addition to the minimum requirements specified in Section V above. Evaluation Criteria shall be established by User Agency based on their specific needs. Once the Evaluations are completed and all Vendors are rated based on their respective Technical Proposals, awards shall be made by User Agency to responsive and responsible bidder based on Price Per Technical Point.

IX. CONTENTS OF SOLICITATIONS

Each RFP for services issued by a User Agency will specify at a minimum, the items set forth below:

1. Scope of Services - description of the overall scope of the Armed/Unarmed Security

Guards and Related Services which services are required.

2. Acceptable method(s) of payment for the performance of services.
3. Timeline and requirements for scheduling and/or phasing and completion of the services.
4. Request for the staffing plan.
5. Insurance requirements for the services to be performed by the contractor and/or sub-contractor.
6. Bond requirements (if any).
7. Price Proposal Form for all requested services for the term of the project.
8. Evaluation Criteria
9. General Contract Terms and Conditions

X. SOLICITATION PROCESS

- a. The RFP will be issued by User Agencies and will set forth the details of the work to be performed as described in Sections I and X above. The RFP will be sent by User Agency to ALL Vendors included and approved on the PQL Option being solicited.
- b. The vendor shall respond to each RFP with a proposal within fifteen (15) business days unless otherwise instructed.
- c. The User Agency will review all proposals received, and award a contract to a responsible proposer whose proposals represents the best value to the City by optimizing quality, cost and efficiency and is therefore determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria that are set forth in the RFP.
- d. Vendors shall not perform any services until the User Agency has awarded a contract to the Vendor, registered that contract pursuant to Section 328 of the NYC Charter, and issued a Notice to Proceed to the Vendor.
- e. No Right to Reject to Propose. Vendors cannot reject or decline to participate in any solicitation and must respond to all solicitations issued under the PQL.
 1. Failure to respond to bid solicitations more than three (3) times in a single fiscal year¹ without providing a written explanation may result in vendor disqualification and subsequent removal from the list of active Vendors in the PQL.

¹ The City's fiscal year is from July 1st to June 30th.

2. If the vendor is unable to respond to a bid solicitation for any reason, the vendor must submit a formal “NO BID” response and a written explanation on company letterhead signed and dated.
3. If a vendor submits three (3) consecutive “NO BID” responses in a single **fiscal** year, a User Agency may submit a written request to DCAS to remove the vendor from the PQL.

XI. ADDITIONAL INFORMATION

- a. **Costs and Expenses:** The City shall not have any responsibility for any costs or expenses incurred by any Applicant related to its preparation of a response to this RFQ or applications for of the PQL. Each Applicant is solely responsible for its own costs and expenses in preparing and submitting a response to this RFQ and participating in the PQL process, including the provision of any additional information or attendance at meetings or interviews.
- b. **No Binding Obligation Is Created:** This document is not intended as a solicitation for the award of a contract or a prerequisite for participation in any future solicitation. No contract will be awarded as a result of this RFQ and response to this RFQ. This RFQ, and any documents submitted in response thereto, do not constitute and will not give rise to any legally binding obligation on the part of the City. The City does not intend to, and shall not be, bound by the terms of this RFQ. The City reserves the right to proceed in any matter that it, in its sole discretion, deems appropriate. The City also reserves the right to accept and consider any non-compliant response. All responses to this RFQ shall become the property of the City.
- c. **Reservation of Rights:** The City reserves the right, in its sole discretion, to alter and/or withdraw the PQL at any time; to choose to discuss various approaches with one or more respondents (including those not responding to the PQL), to use the ideas or approaches submitted in any manner deemed to be in the best interests of the City including, but not limited to, soliciting competitive submissions relating to such ideas or approaches; and/or undertake the prescribed work in a manner other than that which is set forth herein.
- d. **Confidentiality:** The names of the Applicants to this PQL shall not be confidential. However, subject to the provisions of applicable law, at the request of any respondent, the contents of the response, or any portion thereof, may be treated as confidential. Any request to treat a response or portion thereof as confidential should be accompanied by an explanation justifying the applicability of the protection sought.

XII. RECERTIFICATION

In compliance with PPB Rules, Section 3-10(f), once a contractor is approved and placed on the PQL, the contractor will be required to affirm, at least once every two (2) years, that there has been no change in the information included in the PQL application or supply any changed information.

Furthermore, in compliance with PPB Rules, Section 3-10(h), to ensure that contractors continue to meet the pre-qualification standards, DCAS will request for its review the last two (2) consecutive years of financials (audited financial statements or tax returns) during its biennial certification period.

XIII. RE-APPLICATION OF NON-QUALIFIED APPLICANTS

Applicants who are deemed non-qualified for any of the PQL options may re-apply ninety (90) days after notification by DCAS that the applicant has not been selected for the specified PQL option. Any application received by the applicant within the ninety (90) day notice of non-qualification by DCAS will automatically be deemed non-qualified.

XIV. COMPLIANCE WITH LAWS AND DISCLOSURE FILINGS

- a. **Whistleblower Protection Expansion Act Rider** - Local Law Nos. 30 and 33 of 2012, codified at sections 6-132 and 12-113 of the NYC 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 the Whistleblower Protection Expansion Act Rider, carefully.
- b. **Paid Sick Leave Rider**- The Earned Sick Time Act, also known as the Paid Sick Leave Law (“PSLL”), requires covered employees who annually perform more than 80 hours of work in New York City to be provided with paid sick time. Contractors of the City of New York or of other governmental entities may be required to provide sick time pursuant to the PSLL.

The PSLL became effective on April 1, 2014, and is codified at Title 20, Chapter 8, of the New York City Administrative Code. It is administered by the City’s Department of Consumer Affairs (“DCA”); DCA’s rules promulgated under the PSLL are codified at Chapter 7 of Title 6 of the Rules of the City of New York (“Rules”). Contractor agrees to comply in all respects with the PSLL and the Rules, and as amended, if applicable, in the performance of this agreement. Contractor further acknowledges that such compliance is a material term of this agreement and that failure to comply with the PSLL in performance of this agreement may result in its termination. Please read the Paid Sick Leave Law (“PSLL”) rider, as it relates to competitive solicitations.

- 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. The terms and conditions in Appendix A will be included in any awarded Contract. Please read Appendix A carefully.
- d. **Procurement and Sourcing Solutions Portal (“PASSPort”) Disclosure Filing Formerly known as Vendor Information Exchange System (“VENDEX”) Forms or “Certificate of No Change.”**

1. All organizations intending to do business with the City of New York should complete an online disclosure process to be considered for a contract. This disclosure process was formerly completed using VENDEX paper-based forms.
2. In anticipation of awards and/or inclusion on a PQL, Vendors must create online accounts in the new **Procurement and Sourcing Solutions Portal (“PASSPort”)** and file all disclosure information. Paper submissions, including certifications of no changes to existing VENDEX packages will not be accepted in lieu of complete online filings. For more information about PASSPort, please visit: nyc.gov/passport
3. **VENDEX/PASSPort Fees**. Pursuant to PPB Rules, Section 2-08(f)(2), the Contractor will be charged a fee for the administration of the VENDEX/PASSPort 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.
4. User Agency will perform a responsibility determination and PASSPort fees, if any, will be charged by the User Agency when the User Agency awards a contract to the vendor(s) selected from the PQL.

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