

DEPARTMENT OF DESIGN AND CONSTRUCTION

REQUEST FOR QUALIFICATIONS (RFQ)

**ENGINEERING DESIGN REQUIREMENTS CONTRACTS FOR SMALL AND MEDIUM/LARGE
PROJECTS, CITYWIDE (ENGINEER PRIME)**

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Proposing Through PASSPort

Please note that this solicitation is being released using New York City's digital Procurement and Sourcing Solutions Portal (PASSPort). All Request for Qualifications (RFQ) documents for your review will be accessible through PASSPort. All responses, including but not limited to the Statement of Qualifications (Questionnaire) must be submitted through the PASSPort System. For more information regarding instructions on how to respond to a solicitation, please see Attachment A.

PREFACE

As New York City's leading capital design and construction agency, the Department of Design and Construction (DDC) builds world-class public buildings and infrastructure on behalf of over 20 sponsoring City agencies, ultimately serving more than 8.5 million New Yorkers. To deliver on its over 20-year commitment to Design and Construction Excellence, DDC partners with a diverse group of creative and experienced design professionals to execute top-quality capital projects safely, on time, and on budget.

DDC is committed to achieving excellence in design and construction across its portfolio of public works by delivering quality infrastructure and public buildings that contribute to a thriving, equitable, sustainable and resilient city for all New Yorkers. As part of this commitment, the Department of Design and Construction's Design and Construction Excellence program builds on a strong tradition of innovation in architecture and engineering through strategies and practices that balance functionality, cost, constructability, and durability to bring form and meaning to public space.

Design and Construction Excellence encompasses all aspects of project delivery, from capital project planning through design, construction, commissioning, and close-out, to ensure timely and cost-sensitive delivery of exemplary public works. Integrated project delivery practices include enhanced project initiation and management tools, Quality-Based Selection (QBS) and best value procurements, performance evaluation and management, knowledge sharing, and continuing education. Together, these strategies ensure that all capital projects delivered to the City are inspiring, enduring, practical, constructible, and economical.

Achieving Design and Construction Excellence requires all team members to engage collaboratively in the capital project delivery process, prioritizing strategies that make responsible use of public funds and offer the best value for the City. DDC's project managers, technical reviewers, and support staff work to guide projects through complex and demanding project delivery processes in partnership with the most creative and experienced design and construction professionals. DDC and our partners share a commitment to Design and Excellence in the public realm as characterized by the following overarching concepts:

Design and Construction Excellence utilizes the power of design and construction to positively transform our public space, inspiring pride in the people and City of New York. The design of public buildings and infrastructure must be guided by a civic consciousness and social responsibility to provide spaces that promote discourse, exemplify accessible government, and inspire pride in our communities. The design and construction process must reflect a collaborative effort that is inclusive of all stakeholders, including sponsor, partner, and regulatory agencies, and the community.

Design and Construction Excellence shapes the city we envision for today and the future by creating enduring and inclusive public spaces. With design and construction of public projects comes the responsibility of shaping the City for generations to come. Dignified, universally accessible, and community-oriented, public spaces must make all New Yorkers feel welcome and

valued, comfortable and secure. By thoughtfully responding to surrounding context, including neighborhood character and natural systems, the design must create and reinforce a sense of place that is enhanced by strong connections to existing community resources and mobility networks. The design and construction process must engage relevant stakeholders and experts to consider cultural context and integrate artwork wherever possible in support of meaningful public spaces.

Design and Construction Excellence protects the legacy of our public space by carefully considering practical solutions that address the needs of our City. Public projects must be well suited for their intended use and adaptable to future needs. Our public buildings and infrastructure must meet the needs and aspirations of New York City's public agencies as expressed in their individual missions, goals, standards, and requirements. The design must seek a creative balance between functional and programmatic requirements, operational and maintenance protocols, construction practices, and performance and innovation. Sustainable, resilient, durable, and easily maintained, the project must be guided by a holistic view of the capital asset over its expected lifespan. The design must consider solutions to long-term and emergent risks and opportunities, such as changing climate and public health and safety conditions, as well as new technologies and ways of living, working, and connecting.

Design and Construction Excellence strengthens the character of our public space by delivering constructible capital projects with safety and integrity. Building New York City requires the ability to execute projects in a safe, effective, and timely manner while maintaining the integrity of the design throughout construction. The design of our public buildings and infrastructure must be represented by complete, comprehensive, and accurate contract documents that are clearly detailed and coordinated across disciplines, and that meet or exceed requirements of code, zoning, accessibility, and local laws. Specifications must be carefully coordinated with drawings and material schedules and be tailored to the requirements of each project. Materials and systems must be appropriate to the context, proven, readily available, and achievable with local construction practices to minimize lead times, eliminate cost overruns, and prevent construction delays.

Design and Construction Excellence supports the value of our public space by employing an economical approach that leverages City resources to build lasting community assets. Design and construction by and for the City requires conscientious attention to schedule, budget, and operational costs to ensure that public funds are well spent, and communities well served. The project must incorporate a life-cycle cost analysis approach and prioritize selection of long-lasting systems and assemblies that are achievable within the allocated budget. Systems must perform to the highest standards of human health, comfort and efficiency, meet or exceed energy requirements, and operate as designed. The project must be calibrated to reduce construction and operating costs and complexity, positively impact the health of people and the environment, and use natural resources wisely. Using City-wide and agency standards and best practices, innovative methodologies, and appropriate technologies, the design must add value and do more with less.

To support Design and Construction Excellence, DDC seeks architects who are dedicated, responsive, and collaborative, and who possess the management skills necessary to complete work on time and on budget. DDC's partners must have a proven track record of delivering quality projects while resolving complex requirements and navigating unforeseen circumstances. Team-oriented and adept at balancing competing demands, these professionals must go beyond the creation of contract documents to serve as facilitator, mediator, and interpreter, building trust among the many stakeholders throughout the life of a project.

Additional information on Design and Construction Excellence can be found at:

https://www.nyc.gov/site/ddc/projects/design_construction_excellence.page

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SECTION I. TIMETABLE**A. Pre-Proposal Conference**

A pre-proposal conference will be held virtually at **10:00 AM** on **August 13, 2025** via Teams at the link below. Attendance is strongly encouraged but is not mandatory to propose on the contract described in this RFQ.

Link to Pre-proposal Conference:

[Pre-Proposal Conference: RC for Architectural Design, Technical Design, and Engineering Design | Meeting-Join | Microsoft Teams](#)

Meeting ID: 270 677 053 330 2

Passcode: wL7hP94z

Call In Number: +1 646-893-7101

Phone Conference ID: 786522732#

B. Procurement Timeline

The following is an estimated timeline for receipt, evaluation, selection and contract registration. This is only an estimate and is provided to assist responding firms in planning. **Please note that the dates and times may be changed at DDC's discretion.**

Estimated Procurement Timeline	
RFQ Issued	July 30, 2025
Pre-Proposal Conference	August 13, 2025
Deadline for Inquiries	October 15, 2025
Statement of Qualifications Due	October 29, 2025, at 12:00PM
Shortlisted Proposers Identified	December 2025
RFP Issued	December 2025

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SECTION II. SUMMARY OF THE REQUEST FOR QUALIFICATIONS

A. Background and Objectives

DDC's Division of Public Buildings intends to enter into Requirements Contracts with up to six (6) qualified engineering firms to perform architectural, engineering and construction-related services for various single-system (mechanical, electrical, plumbing and/or fire protection) upgrades or replacement projects in any of the City's five (5) Boroughs.

For this Requirements Contract opportunity, DDC will utilize a two-stage, quality-based selection that prioritizes design, quality, qualifications, and experience. The objective of the first phase of the procurement is to create a shortlist of the most highly qualified proposers with the capability, capacity, qualifications, experience, and past performance necessary to successfully undertake and provide design services for the projects assigned under the Requirements Contract. Only proposers who demonstrate a capability to provide the required design services in their entirety will be eligible for the shortlist.

The contracts resulting from the RFQ and subsequent RFP will be as follows:

- 1. Requirements Contracts for Small/Medium/Large Projects:** DDC intends to enter into Requirements Contracts with up to two (2) qualified Small engineering firms, two (2) qualified Medium engineering firms, and two (2) qualified Large engineering firms for various single-system (mechanical, electrical, plumbing and/or fire protection) upgrades or replacement projects with an estimated construction value of \$100,000 and above. Small firms are defined as having between three (3) and nine (9) **Professional Staff**, Medium firms are defined as having between ten (10) and forty-nine (49) **Professional Staff**, and Large firms are defined as having 50 and above **Professional Staff**.

Up to three (3) categories of engineering firms (Small, Medium, and Large) are being solicited for one (1) category of contract (Small/Medium/Large). **The engineering firm categories are based on the number of full-time Professional Staff employed by the engineering firm, in offices located throughout the United States.**

Pursuant to this RFQ the term "**Professional Staff**" shall mean the following: Professional Staff includes all design, production, and construction administration staff from principal to junior draftsman. This may also include any other professional disciplines such as interior designers, engineers, or landscape architects. The term "Professional Staff" excludes those performing administrative or clerical duties.

Any Statement of Qualifications (SOQ) for this contract submitted by a proposer that has fewer or more Professional Staff required in the proposed category at the time of SOQ may be found non-responsive.

Each SOQ submitted as a result of this RFQ will be reviewed, evaluated, and scored by an evaluation committee, based upon the evaluation criteria set forth in this RFQ.

Contract Type	Contract Category	Estimated Construction Value		Engineering Firm Category	Required Number of Full-Time Professional Staff	Number of Firms per Contract Category	Number of Firms per Shortlist
		Minimum	Maximum				
Engineering Design Requirements Contract (Architect Prime) Single-System (Mechanical, Electrical, Plumbing and/or Fire Protection) Upgrades or Replacement	Small/ Medium/ Large	\$100,000	No Maximum	Small	3-9	Up to 2	Up to 4, or natural break, whichever is greater
				Medium	10-49	Up to 2	Up to 4 or natural break, whichever is greater
				Large	50+	Up to 2	Up to 4 or natural break, whichever is greater
* Projects may include the following systems: HVAC, boiler, fire alarm, sprinkler, electrical, plumbing, fuel, conveyance, structural, utilities, or generator with incidental architectural and structural scope.							

B. Joint Ventures (JVs) and Other Consultant Relationships

SOQ for this contract may be submitted by JVs. JV firms submitting their proposals must comply with Section II.H of this document, and at the time of SOQ submission provide a copy of the Certificate of Authorization (COA) from the New York State Education Department authorizing the Joint Venture to provide professional engineering services in New York State.

If the JV is not already formed, then the COA is required from each of the JV partners at the time of proposal submission. The COA(s) must be included as part of the SOQ, whether it is the individual COAs or the formed JV COA. Prior to award, firms that have not yet formed as a separate legal entity at the time of submission, will be notified by DDC in writing with a deadline date to submit the JV's COA. JV firms that do not provide a COA at the time of submission or the deadline date specified in the notification from DDC, may be found non-responsive.

Certification of Authorization (COA) "Renewal in Progress" will be acceptable at time of proposal submission, but no award will be made without a valid renewed COA. COA "Renewal in Progress" is defined as a submission accepted by NYS for a renewed COA. Acceptable proof of "Renewal in Progress" will be a copy of the renewal application already submitted to the NYS along with a copy of the expired COA. The deadline to submit the renewed COA will be upon written notification from DDC. Please note, applications for a new COA will be considered non-responsive if they are included as part of the SOQ.

There is no minimum requirement for the proportion of work to be performed by either of the JV partners. JVs 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 JV activity.

The JV must be formed as a separate legal entity prior to award. DDC does not recognize the corporate configuration wherein one company is "in association with" another. Relationships between two or more firms shall be either as JV partners or as prime consultant/subconsultant. In the event that a SOQ is received wherein two or more firms are described as being "in association with" each other, DDC will treat the relationship as one of prime consultant/subconsultant(s). The RFQ evaluation will be handled accordingly, and, if selected, the contract documents will show only the prime firm on the signature page, and all other firms will be listed as subconsultants in the relevant Exhibit.

C. Contract Term / Not to Exceed Amount

The term of the contract resulting from this RFQ and subsequent RFP issued to shortlisted firms shall commence at of the Notice to Proceed issued by DDC and shall remain in effect for a period of 1,460 consecutive calendar days ("CCDS"). The Not to Exceed Amount for **Small/Medium/Large contracts** is \$25,000,000.

D. Preclusion

A firm proposing on a contract under this solicitation is prohibited from having its subsidiaries or affiliates submit a proposal under this solicitation. An "affiliate" is defined as an entity in which the parent of the consultant owns more than fifty percent of the voting stock, or an entity in which a group of principal owners which owns more than fifty percent of the consultant also owns more than fifty percent of the voting stocks.

Should the Agency become aware of two proposers are affiliates or one is a subsidiary to the other, the Agency will reach out to both firms to inform them they both may be deemed non-responsive unless one of the firms withdraws their proposal prior to the deadline provided by the Agency.

E. Insurance

Requirements for insurance that must be provided by the Consultant and its subconsultants are specified in Article 7 and Schedule A of Appendix A, which is included as an Exhibit to the Contract. The cost of all insurance is deemed included in payments to the Consultant, as set forth in the Contract. The Proposer is advised to review such insurance requirements.

F. Payment Provisions

Payment for all required services shall be in accordance with Article 7 of the Contract.

G. Project Assignment Process

Projects will be assigned to Consultants that are awarded Requirements Contracts in accordance with the process set forth in Article 4 of the Contract.

H. New York State Requirements

Section 7210 of the New York State Education Law requires that all business entities providing professional engineering services in the State of New York obtain a "Certificate of Authorization" to provide Professional Engineering Services in New York State" from the New York State Education Department. Please note that no award will be made to any proposing firm unless the proposing firm is authorized by the New York State Education Department to provide professional engineering services in the State. A copy of the Certificate of Authorization must be provided at the time of proposal submission.

Certification of Authorization (COA) "**Renewal in Progress**" will be acceptable at time of proposal submission, but no award will be made without a valid renewed COA. COA "Renewal in Progress" is defined as a submission accepted by NYS for a renewed COA. Acceptable proof of "Renewal in Progress" will be a copy of the renewal application already submitted to the NYS along with a copy of the expired COA. The deadline to submit the renewed COA will be upon written notification from DDC. Please note, applications for a new COA will be considered non-responsive if they are included as part of the SOQ.

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SECTION III. SCOPE OF WORK AND CONTRACT CONDITIONS

A. Engineering Design Services (Engineer Prime)

The selected Consultants will be required to provide all architectural, engineering and construction-related services for various single-system (mechanical, electrical, plumbing and/or fire protection upgrades or replacement projects in accordance with Task Orders issued by the Commissioner. The services the Consultant may be required to provide shall include without limitation the services set forth in Article 6 of the Contract and are further described in the Design Consultant Guide, which is accessible at the location provided in Exhibit E of the Contract.

DDC anticipates that the majority of task orders issued under this Contract will require design services for the preparation of Design Documents for projects using a design-bid-build delivery method. In addition, task orders for design services for CM Build projects may be issued.

The design duration in consecutive calendar days (CCDs) for each project will be specified in the task order depending on project's scope and complexity. Design durations span from design phase Notice to Proceed (NTP) to Final Acceptance of Bid Documents.

The selected Consultants will be required to comply with the Contract and will be evaluated on their performance throughout the term of the Contract. The selected Consultants shall provide the services through their own employees and/or through their Subconsultants. All proposers must familiarize themselves with the requirements described in the following documents:

- **The Standard Requirements Contract for Architectural, Engineering, and Construction Related Services** (found in the Documents section of the RFX in PASSPort)
- **DDC Design Consultant Guide**
https://www.nyc.gov/assets/ddc/downloads/publications/guides-manuals/Design_Consultant_Guide_2025.pdf
- **DDC Strategic Plan: A Strategic Blueprint for Construction Excellence**
<https://www.nyc.gov/site/ddc/about/ddc-strategic-plan.page>
- **DDC Design and Construction Excellence**
https://www.nyc.gov/site/ddc/projects/design_construction_excellence.page

Please be advised that New York City requirements for Technical Specifications are unique and differ substantially from the requirements of other municipalities, government entities, and/or private clients. The selected Consultants will be required to prepare all necessary construction documents, including drawings and technical specifications, in compliance with all New York City requirements for content, language, and format; please refer to the **DDC Design Consultant Guide** for more information.

B. Contract Provisions

The services to be provided by the Consultant and all standards of performance applicable to the required services are set forth in the form of contract, attached hereto and incorporated herein as part of this RFQ. Any firm awarded a contract as a result of this RFQ and subsequent RFP will be required to sign this form of Contract. The proposer is advised to carefully review the Contract in its entirety before submitting qualifications.

C. Minimum Requirements Per Title

Key Personnel submitted by the Proposer must satisfy the Minimum Requirements Per Title set forth in Part 2 of the SOQ Form (found in the "Documents" tab of the RFx in PASSPort). **The firm's Statement of Qualification (SOQ) may be considered non-responsive if the proposer fails to identify Key Personnel who meet the minimum requirements per title.**

D. Compliance with Iran Divestment Act of 2012

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 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 the Affirmations tab of the Questionnaire in PASSPort for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <https://ogs.ny.gov/iran-divestment-act-2012> for additional information concerning the list of entities.

A proposal shall not be considered for award nor shall any award be made where the proposal fails to certify.

E. Participation by Minority Owned and Women Owned Business Enterprises in City Procurement

If the Master Services Agreement awarded pursuant to this RFQ/RFP solicitation is 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 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 (Documents section of the RFx in PASSPort) for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms.

F. Compliance with Local Law 34 of 2007

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish 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. In order for the City to obtain necessary information to establish the required database, vendors responding to this solicitation are required to complete the Doing Business Data Form in PASSPort with when they are submitting their proposal. For information on how to complete the Doing Business Data Form in PASSPort, please see "Manage Responses // LL34 Compliance" in Attachment B, "Instructions for Responding to the RFP (RFx)".

New for 2018: Organizations which hold 10% or more ownership of the entity must now be reported. Beginning in January 2018, an entity must submit a DBDF that certifies whether one or more organizations own or control 10% or more of the entity. Until such a DBDF has been received by Doing Business Accountability, a DBDF submitted with a filing status of No Change will not be accepted. To determine if Doing Business Accountability has received such a certification from your entity, contact doingbusiness@mocs.nyc.gov or at 212-788-8104.

G. Whistleblower Protection Expansion Act Rider

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. The Whistleblower Protection Expansion Act Rider is incorporated into Appendix A, which is an exhibit to the contract. Please read the Whistleblower Protection Expansion Act Rider, carefully.

H. Subcontractor Compliance Notice

To do business with the City, vendors must register and create an account in the City's Payee Information Portal (PIP) at <https://cityshare.nycnet/content/buywise/pages/systems/pip>

Important Update: Effective September 23, 2024, subcontractor management will no longer be handled in PIP. All subcontractor functionalities will transition to PASSPort. Vendors and subcontractors must have an active PASSPort account to manage subcontracts and report subcontractor payments. Any subcontractor data currently in PIP will be migrated to PASSPort.

I. Community Hiring Requirements

Pursuant to Section 3502 of the New York City Charter, the Contract to be awarded from this solicitation will be subject to the Community Hiring requirements set forth in the rules promulgated under Title 74 of the Rules of the City of New York ("Community Hiring Rules"). The Contract /Task Orders awarded under said Contract with a total/cumulative value in excess of three million dollars (\$3,000,000) will require the Contractor to make best efforts to employ Income-Based Community Hires as defined under Section 1-02 of the Community Hiring Rules, in order to meet the workforce goal (the "Community Hiring Goal"). Any Subcontractor awarded to perform services or other obligation under a sub-agreement exceeding twenty thousand dollars (\$20,000) in total dollar value will be required to make best efforts to extend offers of employment to Income-Based Community Hires.

The Community Hiring Goal is to hire one Income-Based Community Hires for every five hundred thousand dollars (\$500,000) in total value of the Contract / cumulative value of the Task Orders awarded. For credit towards the Community Hiring Goal, the Income-Based Community Hire

hired by the Contractor or Subcontractor does not need to perform services under this Contract to be credited towards the fulfillment of the goal.

J. Paid Sick Leave Law Contract Rider

The Earned Sick and Sick Time Act, (“ESSTA”) 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 ESSTA. The ESSTA requirements are included in every contract awarded from this RFP (RFx) and must be incorporated as a material term of such a contract. Please read Appendix A of the Contract carefully.

K. M/WBE Scoring Preference

The New York City’s Procurement Policy Board Rules, section 3-03 has been amended to allow quantitative preferences to be applied to City and State-certified M/WBEs proposers.

In ranking proposers for construction-related consultant services by technical merit, a preference of **five percent (5%)** of the total technical points earned will be applied to all proposers that are NYC M/WBEs or State-certified M/WBEs before ranking proposers by technical merit.

For State M/WBE certification, consultants should visit the New York State Contract system at <https://ny.newnycontracts.com/>.

For City M/WBE certification, consultants should visit the NYC Small Business Services (SBS) website at <https://www1.nyc.gov/nycbusiness/description/minority-and-womenowned-business-enterprise-certification-program-mwbe>.

For **Joint Ventures** to receive City M/WBEs preference:

The definitions of “Joint Venture” and “Qualified joint venture agreement” as defined in Admin Code Section 6-129(c)(24) and 6-129(c)(30) are provided below.

- (24) A “Joint Venture” means an association, of limited scope and duration, between two or more persons who have entered into an agreement to perform and/or provide services required by a contract, in which each such person contributes property, capital, effort, skill and/or knowledge, and in which each such person is entitled to share in the profits and losses of the venture in reasonable proportion to the economic value of its contribution.
- (30) A “Qualified joint venture agreement” means a joint venture between one or more MBEs, WBEs, and/or EBEs and another person, in which the percentage of profit or loss to which the certified firm or firms is entitled or exposed for participation in the contract, as set forth in the joint venture agreement, is at least 25% of the total profit or loss.

Three Scenarios for those proposing as a Joint Venture:

- If the Qualified Joint Venture is certified prior to the **submission** deadline, they can get the benefit of the 5% technical point preference.
- If the Qualified Joint Venture is made up of firms that are already themselves individually certified, the JV can get the benefit of the 5% technical point preference.

- If the Qualified JV is in part made up of non-certified firm(s) then the JV can NOT get the benefit of the 5% technical point preference.

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SECTION IV. PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Selection Process

This is a two-stage qualification/quality based selection (QBS) procurement that prioritizes design, quality, qualifications, and experience.

Stage 1

During Stage 1, an evaluation committee will review, evaluate, and score all SOQs pursuant to the criteria described below. This evaluation and scoring will determine the proposers' total technical scores. DDC reserves the right to interview proposers and visit their offices for the purpose of clarifying their proposals, after which their scores may be reevaluated.

Proposers will then be ranked in accordance with their total technical scores. However, in ranking proposers, a preference of five percent (5%) of the total technical points earned will be applied to all proposers that are City M/WBEs or State-certified M/WBEs before ranking proposers by technical merit. DDC will generate a shortlist of firms to advance to Stage 2: **(1)** up to four (4) Small firms, up to four (4) Medium firms, and up to four (4) Large firms with the highest total technical scores **or (2)** through a natural break in scores, whichever is greater.

The final total technical score will be submitted to the Agency Chief Contracting Officer (ACCO) or designee, who will certify the results and authorize advancement to Stage 2. The firms whose proposals are determined to be the most advantageous to the City will advance to Stage 2.

Stage 2 (applicable to shortlisted firms only)

During Stage 2, an evaluation committee, will review, evaluate, and score all Stage 2 Technical Proposals pursuant to the criteria described below. This evaluation will determine the proposer's Stage 2 final total technical scores. DDC reserves the right to interview proposers and visit their offices for the purpose of clarifying their proposals, after which their initial technical scores may be reevaluated.

Each proposer, who is short-listed to submit Stage 2 - Technical Proposal, may be required to make a one-hour presentation to a DDC Evaluation Committee. DDC will schedule the time and date for presentation and notify the proposers accordingly. The DDC Evaluation Committee reserves the right to interview all presenters for the purpose of clarifying their proposals/presentations. The Technical Score will be re-evaluated after the presentation.

Proposers will then be ranked in accordance with their Technical Scores. However, in ranking proposers, a preference of five percent (5%) of the total technical points earned will be applied to all proposers that are City M/WBEs or State-certified M/WBEs before ranking proposers by technical merit.

The final total technical score will be submitted to the Agency Chief Contracting Officer (ACCO) or designee, who will certify the results and authorize fee negotiation to commence with the highest ranked firms for each category. Should negotiations fail with the highest ranked firm, the ACCO or designee will authorize fee negotiation with the next highest ranked firm. Once the fee negotiation is completed the first contract for each category, the Agency will proceed with the same process for the remaining Contracts. The firms whose proposal are determined to be the most

advantageous to the City will be awarded the project. Up to two (2) Small, up to two (2) Medium, and up to two (2) Large contracts to firms in their respective categories will be awarded.

B. Proposal Evaluation Criteria

Stage 1

The qualifications submitted will be evaluated based on the following criteria:

- | | |
|--|--------------|
| 1. Qualification of the Firm's Key Personnel | [Weight 40%] |
| 2. Quality and Relevance of the Firm's Project Experience and Past Performance | [Weight 60%] |

Stage 2 (applicable to shortlisted firms only)

The proposals submitted will be evaluated based on the following criteria:

- | | |
|--|--------------|
| 1. Stage I Score | [Weight 50%] |
| 2. Clarity and Appropriateness of the Firm's Project Approach | [Weight 35%] |
| 3. Clarity and Appropriateness of the Firm's Design, Management, M/WBE and Innovation Approach | [Weight 15%] |

For Stage 1 and Stage 2, a preference of five percent (5%) of the total technical points earned will be applied to all proposers that are City M/WBEs or State-certified M/WBEs before ranking proposer by technical merit.

SAMPLE SCORING

The following is only for illustrative purposes to demonstrate how this new rule will be implemented and not applicable to this RFP.

Example:

- | | |
|--|--|
| • Qualification of the Firm's Key Personnel: | M/WBE proposer earned 30 out of 40 points in this category |
| • Quality and Relevance of the Firm's Project Experience and Past Performance: | M/WBE proposer earned 50 out of 60 points in this category |

M/WBE proposer's **total technical points before** 5% preference = **80 points**

M/WBE proposer's **final total technical score after** 5% preference = **84 points**

In the example above, an M/WBE firm received a total technical point of 80 would then receive a 5% preference added to their score and their resulting **final total technical score would be 84**. Final ranking of this M/WBE firm would then be based on the **final total technical score of 84**.

C. Basis of Award

The Department of Design and Construction will award contract(s) to the responsible 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 set forth in the RFQ/RFP (RFx) and successful negotiation of an appropriate fee. Such fee negotiation will commence upon written notification and will conclude no more than thirty days (30) thereafter.

D. Supply and Service Employment Report

Upon selection, the successful proposer must upload a signed copy of the Department of Small Business Services Supply and Service Employment Report, into PASSPort, a copy of which can be downloaded from <http://www1.nyc.gov/site/sbs/businesses/contract-compliance.page>. The proposer must submit the Supply and Service Employment Report within ten days of written notification.

E. PASSPort**Procurement and Sourcing Solutions Portal (PASSPort) Disclosure Filing (formerly known as Vendor Information Exchange System (VENDEX) Forms or Certificate of No Change)**

All organizations intending to do business with the City of New York must complete an online disclosure process to be considered for a contract. This disclosure process was formerly completed using Vendor Information Exchange System (VENDEX) paper-based forms. In anticipation of awards, proposers for this Project 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

F. Contract Finalization

Upon selection, each successful proposer will be asked to finalize a Contract with DDC subject to the conditions specified in the RFQ/RFP (RFx) and to the agency's standard contract provisions. The contents of the selected proposal, together with the RFQ/RFP (RFx) and any addendum(s) provided during the proposal process, may be incorporated into the final contract to be developed by the agency.

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SECTION V. 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 835, New York, NY 10007; the telephone number is (212) 669-3000. 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) 788-7820.

C. General Contract Provisions

Contracts are 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 attached to the form of Contract to this RFP (RFX) (found in documents section of PASSPort).

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 Procurement and Sourcing Solutions Portal (PASSPort) online disclosure process 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.

Procurement and Sourcing Solutions Portal (PASSPort) Disclosure Filing (formerly known as Vendor Information Exchange System (VENDEX) Forms or Certificate of No Change)

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 Vendor Information Exchange System (VENDEX) paper-based forms. In anticipation of awards, proposers 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.

E. Proposer Appeal Rights

Pursuant to the PPB 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 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 upon written approval by the Commissioner or designee will be allowed reimbursement for the costs associated with any previously released work order(s), if any, upon the delivery, acceptance, and satisfactory completion of all **"to-date"** project related findings and determination reporting along with the corresponding material testing results as outlined 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 will 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 does 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/PASSPort Fees

Pursuant to PPB Rule 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 must 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 above \$1 million.

M. Charter Section 312(a) Certification

☒ 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.

☐ The contract to be awarded through this Request for Proposal 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 pursuant to such task order contract. Determination for any subsequent task orders will be made in conjunction with such subsequent task orders.

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ATTACHMENT A**INSTRUCTIONS FOR RESPONDING TO THE RFQ (RFx)**

This quick guide will walk you through how to view and respond to an RFx. An RFx is a request for anything. In PASSPort, an RFx will be synonymous with the solicitation that will go out to vendors. This will include a Request for Qualifications (RFQ).

If you have questions about the details of the RFx, please contact the designated Agency Contact located within the View RFx tab. If you have questions about functionality of PASSPort, please contact our Service Desk at <https://mocssupport.atlassian.net/servicedesk/customer/portal/8>.

Please identify which profile you have been assigned using the table below. This will help guide your navigation through the RFx.

VENDOR USER PROFILES

PASSPort enables vendors to have multiple profiles in which to complete the relevant tasks for their workstream. The user profiles that can create and submit responses to an RFx are detailed in the table below. Importantly, users from the vendor organization can be added to specific responses to contribute any helpful information.

Profile	Description/ Authorizations
Vendor Admin	<ul style="list-style-type: none"> • Can manage contacts in the Vendor Profile • Receive direct invite to participate in RFx • Can add users to the vendor team • Can create a response
Vendor Procurement L1	<ul style="list-style-type: none"> • Receive direct invite to participate in RFx • Can add users to the vendor team • Can create a response
Vendor Procurement L2	
Vendor Financials L1	<ul style="list-style-type: none"> • Can create/edit responses when added to the team in the Setup Team Tab
Vendor Financials L2	
Contributor	
Vendor Contract Signatory	<ul style="list-style-type: none"> • Can create/edit responses when added to the team (<i>Can sign the authored contract agreement at the Contract stage</i>)

If you have any questions about vendor user profiles, please contact our Service Desk at <https://mocssupport.atlassian.net/servicedesk/customer/portal/8>.

SUBMITTING RESPONSES

Login to PASSPort

1. You will receive a notification from PASSPort inviting you to respond to an opportunity created by an agency (RFx).
2. Click on the link in the notification to login into PASSPort and access the RFx. Alternatively, click on this [link](#) to access PASSPort.

View My RFx and Responses

3. Once logged in, click on the RFx menu option on the blue header bar at the top of the screen.
4. Select either Browse All RFx (includes all RFx visible on the Public Portal) or Browse Your RFx and Responses (includes the RFx to which you have been invited or have started a draft response).
5. You can locate your opportunities by filtering RFx status, keywords, agency, etc.
6. To open an opportunity or response, click on the pencil icon in the row.

View RFx & Acknowledgement

7. Review the details of the RFx in the View RFx tab. If you have questions about the RFx, contact the designated Agency Contact found on this page.
8. Communicate with the agency if you plan on responding to the opportunity by completing the Acknowledgement tab. If no acknowledgement is required, move on to step 9.

Manage Responses

9. Navigate to the Manage Responses tab.
10. Click on the pencil icon to open the Response window.

Manage Responses // Your Proposal Info

This tab is designed to function as the header for your response and will include fields to input a response name and description and select a competition pool. If you are submitting to multiple Competition Pools, you must complete individual responses for each Competition Pool.

11. In the Your Proposal Info tab, complete the Response Label, Description and Competition Pool fields. You can rename the Response Label. If you choose not to, it will default to "Proposal #1"
12. Click the Save button.

Manage Responses // Questionnaire

The questions within this tab were designed in-system by the Agency to best reflect the information required for you to submit as part of your response. When completing the Questionnaire, please note the different ways you are expected to answer (date, multiple choice, text, etc.) and be sure that the answers are completed to the best of your ability before submitting. Questions denoted with the red bar in the response field are mandatory. Note, you will not be able to submit your responses if you do not answer all the required questions.

13. Click on the Questionnaire tab.

14. Complete all necessary questions within this tab. Questions may be organized into a series of subtabs and subsections.

15. Click the Save button.

Alternatively, you can download the Questionnaire into an Excel file and complete it outside of PASSPort, but it must be reuploaded with the appropriate answers and format for the Questionnaire to be marked as responsive. Should you wish to draft your responses in Excel, click either the “Download in Excel 2007-2010 format (xlsx)” or “Download in Excel 97-2003 format (xls)”. To reupload the completed Excel file, click on “Upload (in Excel Format)”.

Please note that editing the structure of the excel sheet might prevent successful reupload, so please be careful when submitting with this method. You should only edit the fields designated for vendor response.

Manage Responses // Subcontractors and Joint Ventures

If the solicitation allows subcontracting or if you will be submitting as part of a joint venture, you will identify subcontractors and joint ventures in this tab. If the RFX does not require subcontracting, the tab will display the following language, “Subcontracting is not allowed for this RFX”. If there are no subcontractors or joint ventures, move on to Step 20.

16. Click on the Subcontractors and Joint Ventures tab.

17. In the Subcontractor Information tile, complete all the necessary fields (if applicable).

18. In the Joint Ventures tile, click on the Add Joint Ventures button, and complete the necessary fields (if applicable).

19. Click the Save button.

Manage Responses // Item Tab

The Item tab functions as the price component for solicitation. When filling out the Item Tab, be careful to answer each line item according to the information it asks, such as annual salaries, price per a designated quantity, or dates. Note, rows and columns will be designated as either “optional” or “required.” You will not be able to submit your proposal if you do not input data into all the required fields. Also, please be aware of the total proposal amount, located above the response fields. This total amount is automatically calculated based on the information you provide in the response fields.

20. Click on the Item tab.

21. Complete all necessary fields in the Item tab.

22. Click Save button.

Alternatively, you can download the Item Tab into an Excel file and complete it outside of PASSPort, but it must be reuploaded with the appropriate answers and format for the configured Items Tab to be marked as responsive. Should you wish to draft your responses in excel, click either the “Download in Excel 2007- 2010 format (xlsx)” or “Download in Excel 97-2003 format (xls)”. To reupload the completed Excel file, click on “Upload (in Excel Format)”.

Please note that editing the structure of the excel sheet might prevent successful reupload, so please be careful when submitting with this method. You should only edit the fields designated for vendor response.

Manage Responses // LL34 Compliance

This tab allows you to submit your Local Law 34 (Doing Business Data) as part your response to the solicitation. The Vendor Admin will identify all LL34 Contacts within the Vendor Record. Please make sure that all information is correct with appropriate names, titles, and other necessary information before you submit.

23. Click on the LL34 Compliance tab.

24. In the Principal Officers tile, complete all the necessary fields.

25. In the Principal Owners tile, complete all the necessary fields.

26. In the Senior Managers tile, complete the necessary field.

27. Click the Save button.

Submit your Response

28. Click on the Check Progress button to review your progress. PASSPort will alert you to what needs to be completed. Please note that this will review progress of completion for the RFx, not the content within the RFx itself.

29. Once all sections are complete, a new green button will appear called the Validate and Submit button. Click on this button to submit your response.

30. In the pop-up, review the terms and conditions, select the checkbox, and click on the green Submit my proposal button. Your response will be submitted.

31. Click on the Close button. The Manage Response tab will update with a summary of your response. The Agency will be notified of your proposal submission.