



May 6, 2014

ADDENDUM NO. 2

PROJECT: V.C.P. (FY14DDC1), Requirements Contract for Architectural, Engineering and Construction Related Services for Rehabilitation/Replacement of Facades/Roofs/Roof-Related and Window Assemblies, Citywide

PIN: 8502014RQ0005P-7P

THE ADDENDUM IS ISSUED FOR THE PURPOSE OF AMENDING THE REQUIREMENTS OF THE REQUEST FOR PROPOSALS AND IS HEREBY MADE A PART OF SAID REQUEST FOR PROPOSALS TO THE SAME EXTENT AS THOUGH IT WERE ORIGINALLY THEREIN.

=====

Request for Proposals

- **Table of Contents has been revised.** Delete Table of Contents and replace with revised Table of Contents appended to this addendum.
- **Section I, A has been revised.** Delete RFP page 1 and replace with revised RFP page 1 appended to this addendum.
- **Section III, J has been revised.** Delete RFP pages 5-6 and replace with revised RFP pages 5-6 appended to this addendum.
- **Section III, F has been revised.** Delete RFP pages 8-9 and replace with revised RFP pages 8-9 appended to this addendum.
- **Attachment 7 has been revised.** Delete RFP page 27 and replace with revised RFP page 27 appended to this addendum
- **Attachment 7, Schedule B:** Please delete its entirety and replace with the revised Schedule B attached to this addendum.

Contract

- **Page 1 has been revised.** Delete Contract page 1 and replace with revised Contract page 1 appended to this addendum.
- **Exhibit H:** Please delete its entirety and replace with the revised Exhibit H attached to this addendum.





Contact: Hemwattie Roopnarine, ramnarah@ddc.nyc.gov
Phone No.: 718-391-1375

=====

By signing in the space provided below, the Proposer acknowledges receipt of this Addendum.

THIS ADDENDUM MUST BE SIGNED BY THE PROPOSER FOR THE CONTRACT AND ATTACHED TO THE TECHNICAL PROPOSAL.

Veronica Nnabugwu
Deputy Agency Chief Contracting Officer

Name of Proposer

By _____

Title _____



DEPARTMENT OF DESIGN AND CONSTRUCTION

REQUEST FOR PROPOSALS

**REQUIREMENTS CONTRACT FOR ARCHITECTURAL, ENGINEERING AND
CONSTRUCTION RELATED SERVICES**

PROJECTS: FACADES, ROOFING AND/OR ROOF- RELATED AND WINDOW ASSEMBLIES

FMS ID: V.C.P

TABLE OF CONTENTS

PREFACE

- I. TIMETABLE**
- II. SUMMARY OF THE REQUEST FOR PROPOSALS**
- III. SCOPE OF WORK AND CONTRACT CONDITIONS**
- IV. FORMAT AND CONTENT OF THE PROPOSAL**
- V. PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES**
- VI. GENERAL INFORMATION TO PROPOSERS**
- VII. ATTACHMENTS AND ENCLOSURES**

ATTACHMENT 1 - STATEMENT OF UNDERSTANDING AND CERTIFICATION
ATTACHMENT 2 - IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR NYC CONTRACTORS
ATTACHMENT 3 - TECHNICAL PROPOSAL FORM
ATTACHMENT 4 - FEE PROPOSAL FORM
ATTACHMENT 5 - ACKNOWLEDGEMENT OF ADDENDA
ATTACHMENT 6 - CONFIRMATION OF VENDEX COMPLIANCE
ATTACHMENT 7 - SCHEDULE B: M/WBE UTILIZATION PLAN
ATTACHMENT 8 - DOING BUSINESS DATA FORM
ATTACHMENT 9 - WHISTLEBLOWER PROTECTION EXPANSION ACT RIDER
ATTACHMENT 10 - SUBCONTRACTING COMPLIANCE NOTICE
**ATTACHMENT 11 - DISPLACEMENT DETERMINATION FORM- PURSUANT TO CITY
CHARTER § 312(A)**

APPENDIX 1 – CONTRACT DOCUMENT



Printed on paper containing 30% post-consumer material.

Revised May 6, 2014

PREFACE

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. As part of this effort, the Department of Design and Construction ("DDC") is pleased to announce the following contracting opportunity.

SECTION I. TIMETABLE

A. RFP Issuance

Pre-Proposal Conference

A pre-proposal conference will be held at **10:00 AM on Monday, May 5, 2014** at DDC headquarters, 30-30 Thomson Avenue, Long Island City, NY 11101, in the 3rd floor Training Room. Attendance at this pre-proposal conference is not mandatory to propose on the contract described in this RFP; however, it is strongly encouraged.

Submission Deadline

The proposer shall hand deliver, on or before **4:00 PM on Tuesday, May 20, 2014** the proposal in a clearly marked envelope or package. The Proposal shall consist of THREE separate, clearly marked, sealed packages containing the following: (1) Technical Proposal (1 original and 4 copies), (2) Schedule B: M/WBE Utilization Plan (Attachment 7) (1 original), and (3) Doing Business Data Form (Attachment 8) (1 original).

Proposals shall be hand delivered to the contact person at the location listed below. Proposals received after the applicable due date and time prescribed in the RFP are late and will not be accepted except at the discretion of DDC pursuant to the applicable section of the City Procurement Policy Board Rules.

Hemwattie Roopnarine, 718-391-1375
Professional Contracts Section
Department of Design and Construction
30-30 Thomson Avenue, 4th Floor (Entrance on 30th Place)
Long Island City, NY 11101
E-mail: ramnarah@ddc.nyc.gov

NOTE: Proposers are responsible for ensuring that the RFP response package is received by the Professional Contract Section by the deadline. Proposers are warned not to rely on signed delivery slips from their messenger services. Occasionally packages are delivered to the School Construction Authority located in the same building and the packages are not forwarded to the DDC Professional Contracts Section in a timely manner. Entrance to DDC is on 30th Place, not Thomson Avenue despite our Thomson Avenue house number.

B. Inquiries:

In the event a proposer desires any explanation regarding the meaning or interpretation of this RFP, such explanation must be requested in writing, no later than one week prior to the submission date prescribed in the RFP. In the event DDC determines that it is necessary to respond to the inquiry in writing, such response will be furnished as an addendum to the RFP

G. Minimum Requirements for Key Personnel

The terms and conditions regarding the consultant’s obligation to provide personnel for the performance of services specified in the Task Order(s) are set forth in Article 5 of the attached contract. Proposers are advised to carefully review these requirements for the provision of personnel to ensure their capability of complying with specified staffing requirements.

Minimum requirements for Key Personnel are set forth below. **The Proposal will be rejected as non-responsive if the individuals identified by the proposer as Key Personnel fail to meet the minimum requirements per title.**

TITLE	Years of Experience	License or Certification
Project Architect	7	Professional License
Project Manager (Architecture)	7	Professional License
Senior Architectural Designer	5	
Senior Roofing/Waterproofing Designer	7	
Project Engineer (Structural Engineering)	7	Professional License

H. Guaranteed Minimum

In the event the Consultant is not issued any Task Orders under the contract, the City agrees to pay, and the Consultant agrees to accept, a minimum fee of \$2,500.00. The Consultant further agrees that under such circumstances, it has no action for damages or for loss of profits against the City.

I. 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 attached Bidders Certification of Compliance with the Iran Divestment Act, certifying that it is not on a list of entities engaged in investments activities in Iran created by the Commissioner of the NYS Office of General Services. If a proposer appears on that list, the Agency/Department will be able to award a contract to such proposer only in situations where the proposer is takings steps to cease its investments in Iran or where the proposer is a necessary sole source. Please refer to Attachment 2 for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <http://www.ogs.ny.gov/About/regs/ida.asp> for additional information concerning the list of entities.

A proposal shall not be considered for award nor shall any award be made where the proposer fails to submit a signed and verified proposer’s certification, Attachment 2.

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

If the contract resulting from this Request for Proposals will be subject to M/WBE participation requirements under Section 6-129 of the Administrative Code of the City of New York, as indicated by the inclusion of Schedule B – M/WBE Utilization Plan (Attachment 7)

and the Participation Goals indicated in Part I thereof, proposers must complete the Schedule B – M/WBE Utilization Plan and submit it with their proposals. Please refer to the Schedule B – M/WBE Utilization Plan and the Notice to All Prospective Contractors (Attachment 7) for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms. If the proposer intends to seek a full or partial waiver of the Participation Goals on the grounds described in Section 10 of the Notice to All Prospective Contractors, including but not limited to, proposer's intention to use its own forces to perform any or all of the required contract work would result in a failure to attain the Participation Goals, the proposer must request and obtain from the Agency a full or partial waiver of the Participation Goals (M/WBE Utilization Plan, Part III) in advance of proposal submission and submit the waiver determination with the proposal. Please note that if a partial waiver is obtained, the proposer is required to submit a completed Schedule B-M/WBE Utilization Plan based on the revised Participation Goals in order to be found responsive.

Note: As fully explained in Attachment 7, if you are planning to request a waiver of the Target Subcontracting Percentage, the waiver must be submitted to the Agency at least seven days prior to the proposal due date and time in order to be considered.

K. 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 attached Doing Business Data Form and return it with this proposal submission, and should do so in a separate envelope. (If the responding vendor is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a vendor has failed to submit a Data Form or has submitted a Data Form that is not complete, the vendor will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal submission is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the vendor has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

L. 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. Please read Attachment 9, the Whistleblower Protection Expansion Act Rider, carefully.

M. Subcontractor Compliance Notice

The selected vendor will be required to utilize the City's web based system to identify all subcontractors in order to obtain subcontractor approval pursuant to PPB Rule section 4-13, and will also be required to enter all subcontractor payment information and other related information in such system during the contract term. Please read Attachment 10, the subcontractor compliance notice as it relates to competitive solicitations.

Any proposed Key Personnel provided by the Consultant and/or Subconsultant must satisfy the minimum requirements per title set forth in Section III G of this RFP. All personnel performing services for any Project(s) assigned to the Consultant must be approved in advance by the Commissioner.

4. Firm's Capability: The proposer shall describe the following: (1) the firm's ability to provide personnel for the required façades, roofs and/or roof-related assemblies, windows and/or window assemblies services for various projects, (2) the firm's ability to provide sufficient personnel in the event of multiple Task Orders, (3) the firm's current and anticipated workload, including other DDC projects
- C. Statement of Understanding and Certification
- The Statement of Understanding and Certification included as Attachment 1 of this RFP should be signed by a responsible partner or corporate officer of the proposing firm and submitted with firm's Technical Proposal.
- D. Acknowledgement of Addenda
- The Acknowledgement of Addenda form (Attachment 5) serves as the proposer's acknowledgement of the receipt of addenda to this RFP that may have been issued by the Agency prior to the proposal due date and time. The proposer should complete this form as instructed on the form.
- E. Fee Proposal
- A form for the submission of the Fee Proposal is included as Attachment 4 of the RFP. Upon written notification, the proposer must submit the Fee Proposal in a separate clearly labeled, sealed package within ten business days of such notice. The proposer must complete the Fee Proposal as per instructions on Attachment 4.
- F. Proposal Package Contents ("Checklist")
- The Proposal Package shall consist of the following THREE packages. Each package shall be clearly marked with the Project Name, Project Identification Number and the Name of the Proposer.
1. Technical Proposal: (1 original and 4 copies):
Sealed envelope, clearly marked as "Technical Proposal", including
 - Completed Forms 254 and 255
 - Statement of Understanding and Certification (Attachment 1)
 - Iran Divestment Act Compliance Rider (Attachment 2)
 - Technical Proposal Form (Attachment 3)
 - Acknowledgement of Addenda (Attachment 5)
 2. Schedule B: M/WBE Utilization Plan (1 original) (Attachment 7)
Separate sealed envelope, clearly marked as
Separate sealed envelope, clearly marked as "M/WBE Utilization Plan" (Schedule B, Part II), or Approved Waiver of Participation Goals (Schedule B, Part III), or M/WBE

Utilization Plan (Schedule B, Part II) and Approved Partial Waiver of Participation Goals (Schedule B, Part III).

3. Doing Business Data Form (1 original) (Attachment 8)
Sealed envelope clearly marked "Doing Business Data Form" containing a completed Doing Business Data Form.

ATTACHMENT 7**SCHEDULE B: M/WBE UTILIZATION PLAN**

M/WBE Program Requirements: The requirements for the M/WBE Program are set forth on the following pages of this RFP, in the section entitled “Notice to All Prospective Contractors”.

Schedule B: M/WBE Utilization Plan: Schedule B: M/WBE Utilization Plan for this Contract is set forth in this RFP on the pages following the section entitled “Notice to All Prospective Contractors”. The Schedule B: M/WBE Utilization Plan (Part I) indicates whether Participation Goals have been established for this Contract. If Participation Goals have been established for this Contract, the proposer must submit a Schedule B: M/WBE Utilization Plan (Part II) with its proposal.

Waiver: The proposer may seek a full or partial pre-award waiver of the Participation Goals in accordance with the “Notice to All Prospective Contractors” (See Part A, Section 10). The proposer’s request for a waiver must be submitted at least seven (7) calendar days prior to the proposal submission date. Waiver requests submitted after the deadline will not be considered. The form for requesting a waiver of the Participation Goals is set forth in the Schedule B: M/WBE Utilization Plan (Part III).

Rejection of the Proposal: The proposer must complete Schedule B: M/WBE Utilization Plan (Part II) set forth in this RFP on the pages following the section entitled “Notice to All Prospective Contractors”. A Schedule B submitted by the proposer which does not include the Vendor Certification and Required Affirmations (See Section V of Part II) will be deemed to be non-responsive, unless a full waiver of the Participation Goals is granted (Schedule B, Part III). In the event that the City determines that the proposer has submitted a Schedule B where the Vendor Certification and Required Affirmations are completed but other aspects of the Schedule B are not complete, or contain a copy or computation error that is at odds with the Vendor Certification and Required Affirmations, the proposer will be notified by the Agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return and completed Schedule B to the Agency. Failure to do so will result in a determination that the Proposal is non-responsive. Receipt of notification is defined as the date notice is emailed or faxed (if the proposer has provided an email address or fax number), or no later than five (5) calendar days from the date of mailing or upon delivery, if delivered.

Tax ID #: _____

APT E- 85014P0018
 PIN #: _____

SCHEDULE B – M/WBE Utilization Plan
Part I: M/WBE Participation Goals

Part I to be completed by contracting agency

***REVISED**

Contract Overview

APT E- Pin # 85014P0018 FMS Project ID#: V.C.P.

Project Title/ Agency PIN # Requirements Contracts for Architectural, Engineering and Construction Related Services for Rehabilitation/ Replacement of Facades/Roofs/Roof Related Assemblies and Window Assemblies, Citywide
8502014RQ0005P-7P

Bid/Proposal Response Date May 20, 2014

Contracting Agency New York City Department of Design + Construction

Agency Address 30-30 Thomson Avenue City Long Island City State NY Zip Code 11101

Contact Person Donna Pope Title Director

Telephone # (718) 391-1556 Email Poped@ddc.nyc.gov

Project Description *(attach additional pages if necessary)*

Requirements Contracts for Architectural, Engineering and Construction Related Services for Rehabilitation/Replacement of Facades/Roofs/Roof Related Assemblies and Window Assemblies, Citywide

M/WBE Participation Goals for Services
Enter the percentage amount for each group or for an unspecified goal. Please note that there are no goals for Asian Americans in Professional Services.

Prime Contract Industry: **Professional**

Group	Percentage	
<u>Unspecified</u>	<u>30</u>	<u>%</u>
or		
Black American		%
Hispanic American		%
Asian American		%
Women		%
Total Participation Goals	30	%

Line 1

SCHEDULE B - Part II: M/WBE Participation Plan

Part II to be completed by the bidder/proposer.

Please note: For Non-M/WBE Prime Contractors who will NOT subcontract any services and will self-perform the entire contract, you must obtain a FULL waiver by completing the Waiver Application on pages 5 and 6 and timely submitting it to the contracting agency pursuant to the Notice to Prospective Contractors. Once a FULL WAIVER is granted, it must be included with your bid or proposal and you do not have to complete or submit this form with your bid or proposal.

Section I: Prime Contractor Contact Information	
Tax ID # _____	FMS Vendor ID # _____
Business Name _____	Contact Person _____
Address _____	
Telephone # _____	Email _____

Section II: M/WBE Utilization Goal Calculation: Check the applicable box and complete subsection.

PRIME CONTRACTOR ADOPTING AGENCY M/WBE PARTICIPATION GOALS					
<input type="checkbox"/> For Prime Contractors (including Qualified Joint Ventures and M/WBE firms) adopting Agency M/WBE Participation Goals. Calculate the total dollar value of your total bid that you agree will be awarded to M/WBE subcontractors for services and/or credited to an M/WBE prime contractor or Qualified Joint Venture. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation.	Total Bid/Proposal Value		Agency Total Participation Goals (Line 1, Page 1)		Calculated M/WBE Participation Amount
	\$	X		=	\$ Line 2

PRIME CONTRACTOR OBTAINED PARTIAL WAIVER APPROVAL: ADOPTING MODIFIED M/WBE PARTICIPATION GOALS					
<input type="checkbox"/> For Prime Contractors (including Qualified Joint Ventures and M/WBE firms) adopting Modified M/WBE Participation Goals. Calculate the total dollar value of your total bid that you agree will be awarded to M/WBE subcontractors for services and/or credited to an M/WBE prime contractor or Qualified Joint Venture. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation.	Total Bid/Proposal Value		Adjusted Participation Goal (From Partial Waiver)		Calculated M/WBE Participation Amount
	\$	X		=	\$ Line 3

Section III: M/WBE Utilization Plan: How Proposer/Bidder Will Fulfill M/WBE Participation Goals. Please review the Notice to Prospective Contractors for more information on how to obtain credit for M/WBE participation. Check applicable box. The Proposer or Bidder will fulfill the M/WBE Participation Goals:

As an M/WBE Prime Contractor that will self-perform and/or subcontract to other M/WBE firms a portion of the contract the value of which is at least the amount located on Lines 2 or 3 above, as applicable. The value of any work subcontracted to non-M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals. Please check all that apply to Prime Contractor:
 MBE WBE

As a Qualified Joint Venture with an M/WBE partner, in which the value of the M/WBE partner's participation and/or the value of any work subcontracted to other M/WBE firms is at least the amount located on Lines 2 or 3 above, as applicable. The value of any work subcontracted to non M/WBE firms will not be credited towards fulfillment of M/WBE Participation Goals.

As a non M/WBE Prime Contractor that will enter into subcontracts with M/WBE firms the value of which is at least the amount located on Lines 2 or 3 above, as applicable.

Section IV: General Contract Information

What is the expected percentage of the total contract dollar value that you expect to award in subcontracts for services, regardless of M/WBE status? % _____

Enter brief description of the type(s) and dollar value of subcontracts for all/any services you plan on subcontracting if awarded this contract. For each item, indicate whether the work is designated for participation by MBEs and/or WBEs and the time frame in which such work is scheduled to begin and end. Use additional sheets if necessary.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

✓ Scopes of Subcontract Work

Section V: Vendor Certification and Required Affirmations

I hereby:

- 1) acknowledge my understanding of the M/WBE participation requirements as set forth herein and the pertinent provisions of Section 6-129 of the Administrative Code of the City of New York ("Section 6-129"), and the rules promulgated thereunder;*
- 2) affirm that the information supplied in support of this M/WBE Utilization Plan is true and correct;*
- 3) agree, if awarded this Contract, to comply with the M/WBE participation requirements of this Contract, the pertinent provisions of Section 6-129, and the rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract;*
- 4) agree and affirm that it is a material term of this Contract that the Vendor will award the total dollar value of the M/WBE Participation Goals to certified MBEs and/or WBEs, unless a full waiver is obtained or such goals are modified by the Agency; and*
- 5) agree and affirm, if awarded this Contract, to make all reasonable, good faith efforts to meet the M/WBE Participation Goals, or If a partial waiver is obtained or such goals are modified by the Agency, to meet the modified Participation Goals by soliciting and obtaining the participation of certified MBE and/or WBE firms.*

Signature _____

Date _____

Print Name _____

Title _____

SCHEDULE B – PART III – REQUEST FOR WAIVER OF M/WBE PARTICIPATION REQUIREMENT

Contract Overview		
Tax ID # _____	FMS Vendor ID # _____	
Business Name _____		
Contact Name _____	Telephone # _____	Email _____
Type of Procurement	<input type="checkbox"/> Competitive Sealed Bids	<input type="checkbox"/> Other
APT E-PIN # (for this procurement): _____		Bid/Response Due Date _____
		Contracting Agency: _____

M/WBE Participation Goals as described in bid/solicitation documents

_____ % Agency M/WBE Participation Goal

Proposed M/WBE Participation Goal as anticipated by vendor seeking waiver

_____ % of the total contract value anticipated in good faith by the bidder/proposer to be subcontracted for services and/or credited to an M/WBE Prime Contractor or Qualified Joint Venture.

Basis for Waiver Request: Check appropriate box & explain in detail below (attach additional pages if needed)

- Vendor does not subcontract services, and has the capacity and good faith intention to perform all such work itself with its own employees.
- Vendor subcontracts *some* of this type of work but at a *lower* % than bid/solicitation describes, and has the capacity and good faith intention to do so on this contract. (Attach subcontracting plan outlining services that the vendor will self-perform and subcontract to other vendors or consultants.)
- Vendor has other legitimate business reasons for proposing the M/WBE Participation Goal above. Explain under separate cover.

References

List 3 most recent contracts performed for NYC agencies (if any). Include information for each subcontract awarded in performance of such contracts. Add more pages if necessary.

CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____
CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____
CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____

List 3 most recent contracts performed for other entities. Include information for each subcontract awarded in performance of such contracts. Add more pages if necessary.

(Complete ONLY if vendor has performed fewer than 3 New York City contracts.)

TYPE OF Contract _____	ENTITY _____	DATE COMPLETED _____
Manager at entity that hired vendor (Name/Phone No./Email) _____		
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Type of Work Subcontracted _____	_____	_____

TYPE OF Contract _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at agency/entity that hired vendor (Name/Phone No./Email) _____		
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____

TYPE OF Contract _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at entity that hired vendor (Name/Phone No./Email) _____		
Total Contract Amount \$ _____	Total Amount Subcontracted \$ _____	_____
Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____	Item of Work Subcontracted and Value of subcontract _____

VENDOR CERTIFICATION: I hereby affirm that the information supplied in support of this waiver request is true and correct, and that this request is made in good faith.

Signature: _____ **Date:** _____

Print Name: _____ **Title:** _____

Shaded area below is for agency completion only

AGENCY CHIEF CONTRACTING OFFICER APPROVAL

Signature: _____ **Date:** _____

CITY CHIEF PROCUREMENT OFFICER APPROVAL

Signature: _____ **Date:** _____

Waiver Determination

Full Waiver Approved:

Waiver Denied:

Partial Waiver Approved:

Revised Participation Goal: _____%

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between the City of New York (the "City") acting by and through the Commissioner of the Department of Design and Construction (the "Commissioner") and _____ (the "Consultant"), located at _____.

WITNESSETH:

WHEREAS, the City desires to have architectural, engineering and construction related services performed on a requirements basis for various construction projects, as set forth in Exhibit A, and

WHEREAS, the Consultant has been selected based upon and in consideration of its representation that it can perform the required services set forth herein in a timely and expeditious manner,

NOW, THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties hereto agree as follows:

ARTICLE 1 - Definitions

1.1 "Agreement" shall mean the various documents that constitute the contract between the Consultant and the City, including: (1) Request for Proposals for the Contract, (2) Consultant's Proposal for the Contract, (3) Request for Proposals for the Project (if applicable), (4) Consultant's Proposal for the Project (if applicable), (5) Task Orders issued to the Consultant, and (6) Exhibits set forth below. In the event of any conflict between the Request for Proposals and the Consultant's Proposal, the Request for Proposals shall prevail.

- Exhibit A Contract Information
- Exhibit B Subconsultants and Key Personnel
- Exhibit C Fee Curve for Design Fee
- Exhibit D Staffing Requirements: Titles and All Inclusive Hourly Rates
- Exhibit E Minimum Requirements Per Title
- Exhibit F Schedule of Unit Prices for Lift Equipment and Operator Labor
- Exhibit G Design Consultant Guide dated November 2012
- Exhibit H Schedule B: M/WBE Utilization Plan
- Exhibit I Appendix A: General Provisions Governing Contracts for Consultants, Professional, Technical, Human and Client Services

1.2 "Agency" shall mean a city, county, borough or other office, position, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the City treasury.

1.3 "Agency Chief Contracting Officer" or "ACCO" shall mean the position delegated authority by the Agency Head to organize and supervise the procurement activity of subordinate Agency staff in conjunction with the City Chief Procurement Officer.

1.4 "City" shall mean the City of New York.

1.5 "City Chief Procurement Officer" or "CCPO" shall mean the position delegated authority by the Mayor to coordinate and oversee the procurement activity of Mayoral agency staff, including the ACCOs.

1.6 "Commissioner" or "Agency Head" shall mean the head of the Department or his or her duly authorized representative. The term "duly authorized representative" shall include any person or persons acting within the limits of his or her authority.

1.7 "Commissioner's Representative" shall mean the Project Manager designated by the Commissioner or any successor or alternate representative designated by the Commissioner.

1.8 "Comptroller" shall mean the Comptroller of the City of New York, his/her successors, or duly authorized representatives.

EXHIBIT H

SCHEDULE B: M/WBE UTILIZATION PLAN

SCHEDULE B: M/WBE UTILIZATION PLAN: The document entitled “Schedule B: M/WBE Utilization Plan”, set forth on the following pages, was submitted by the Consultant as part of its proposal for the Contract.