



NEW YORK CITY DEPARTMENT OF
DESIGN + CONSTRUCTION

DR. FENIOSKY PEÑA-MORA
Commissioner

JOHN GODDARD
Agency Chief
Contracting Officer

Project: SEKCWSRV1, SEQCWSRV1, SENCWSRV1, SERCWSRV1, SEXCWSRV1
Requirements Contract for Professional Land Surveying Services for
Various Infrastructure Projects, Citywide

PIN: 8502015VP0004P-8P

Date: February 23, 2015

Time: 10:00AM

To: All Attendees

From: Hemwattie Roopnarine

Minutes of February 23, 2015 Pre-Proposal Conference

Department of Design and Construction Attendees:

Kevin F. Donnelly, Special Advisor to the Commissioner
Ray Rodriguez, Deputy Agency Chief Contracting Officer, Contract Administration, ACCO
Chris Igweatu, Engineering Audit Officer, EAO
Hemwattie Roopnarine, Contract Manager, Professional Contracts, ACCO
William Oatman, Chief of Project Management, Site Engineering, Safety and Site Support
Olton M. Oliver, Director of Site Engineering, Safety and Site Support
Kurt Kraemer, Deputy Director of Site Engineering, Safety and Site Support
Carl Williams, Chief of CADD, Safety and Site Support
Grazyna Jankowska, Consultant Project Manager, Safety and Site Support
Elizabeth Collins, Consultant Project Manager, Safety and Site Support
Raj Singh, Consultant Plan Reviewer, Safety and Site Support

General

William Oatman, Chief of Project Management, opened the meeting by introducing himself and DDC Attendees.

Ray Rodriguez, Deputy Agency Chief Contracting Officer, Contract Administration, spoke about the M/WBE requirements:

- This project is subject to Local Law 1, the city's new M/WBE Program which became effective in July of 2013.
- The M/WBE participation goals for these contracts are **25%*** and are in line with overall goals set Citywide.





- Firms will need to submit the Schedule B- M/WBE Utilization Plan in their proposal package for ACCO review. If corrections are needed, firms will be notified.

Chris Igweatu, Engineering Audit Officer, spoke about Local Law 220:

- Most problems occur when firms do not understand Local Law 220 for prevailing wage when pertaining to subconsultants. As the prime on a contract it is your responsibility to ensure that the subconsultant is paying prevailing wages to their qualified employees.
- If your subconsultant is an out-of-state firm, the prevailing wage law is still in effect and it is the prime's responsibility to ensure payment is made for both the hourly wage difference and supplemental benefits portion.
- Remember you must submit a staffing plan. If one employee is performing a double task, those tasks are approved by Bureau of Site Engineering (BSE) prior to them performing each listed task. Make sure your work submitted for payment has been approved by your project manager in writing and that approval must be submitted with your payment requisition. Each work/task are considered a mini contract in itself so payments must be issued separately, no combining of work/task orders are allowed.

Hemwattie Roopnarine, Contract Manager, ACCO, review the submission requirements:

- Refer to page RFP-1, Section 1-Timetable:
 - The proposal due date is Tuesday March 10, 2014 no later than 4:00pm.
 - Please note that the entrance to the DDC is on 30th Place, not Thomson Avenue.
 - All inquiries must be submitted in writing no later than one week prior to due date of March 10th.
- Refer to page RFP-10, Section IV-Format and Content of the Proposal:
 - Paragraph B, Item 6, Acknowledgement of Addenda: If any addendum is issued, it will be posted on DDC's website (<http://ddcftp.nyc.gov/rfpweb>). Firms will need to print and sign each addendum and include it in the technical proposal, along with completed Acknowledgement of Addenda (Attachment 5).
 - Paragraph C- Proposal Package Contents ("Checklist") lists all required materials for proposal package submission. Please note that SF254/255 must be completed by the Proposer and all its subconsultants.
- Refer to page RFP-13, Section V-Proposal Evaluation and Contract Award Procedures:
 - Paragraph B-Proposal Evaluation Criteria, firms will be evaluated on three criteria, Quantity and Quality of Successful Relevant Experience, Proposed Approach, and Organizational Capability.
- Refer to page RFP-15, Section VI-General Information to Proposers:
 - Firms are encouraged to review the General Information to Proposers.
- Refer to page RFP-35, Attachment 10: Subcontractor Reporting:





- Vendors and Subcontractors are encouraged to register and create an account in the Payee Information Portal (PIP), www.nyc.gov/pip. By enrolling in PIP, you can receive future solicitations from the City.

William Oatman, Chief of Project Management, Safety and Site Support, spoke about the following:

- This RFP is to help DDC meet the increasing demands of our client agencies, especially DEP.
- Each contract has a base term of 3 years (1,095ccds) at a value of \$4.5 million dollars with a 1 year renewal (365ccds) at a value of \$2.0 million dollars.
- Each contract will be funded at \$1.5 million dollar increments over the 3 year period to reach the \$4.5 million dollar maximum contract value.
- Each consultant will be issued assignments on a work order basis.
- Bureau of Site Engineering (BSE) is responsible for 200 projects a year with a third being completed by our survey consultants.
- Average consultant project is 7,500 LF and above with some projects reaching the 25,000 to 30,000 LF for emergency related work.
- Review of submitted proposals is a Quality Based Selection Method.
- If selected, the firm will be notified in writing to submit its Fee Proposal, Attachment 4.
- Once the contract is registered, a kick-off meeting will be scheduled where the awardee will be given a comprehensive CADD Manual to prepare your deliverable packages.
- Currently DDC is awarding 5 contracts, one for each Borough. Additional RFP's may be released in FY16 depending on workload. There could be upwards of 10 more land survey contracts released if the workload continues at the current rate of request. There will also be specialty contracts released that cover underground vault surveying and storm water management (BMP) surveying.
- Currently there is \$250 million dollars a year for the next 10 years of mandatory design and construction to replace the aging NYCDEP Infrastructure older than 1970 for a total of \$2.5 Billion dollars.
- Currently receiving 30 assignments a month, can only handle 150 a year with our in-house survey staff and the remainder being assigned to our survey consultants.
- Review staffing requirements in Exhibit C of the Contract to ensure your firm meets the minimum requirements per title.
- Each proposer will be required to have a NYS Licensed Land Surveyor on staff. This individual cannot be a member of your subconsultant staff.





- Each awardee will be required to work on multiple assignments simultaneously. Up to four assignments can be released at one time to a firm. Must have enough staff to do the survey work.
- The DDC runs off the Carlson Software Platform. It is a mandatory requirement set by our Infrastructure Division for them to create design deliverables.
- Current issues with Carlson customization to display elevation data as per the DEP directive, Local Law 96, consultants may have to prepared deliverables in Autodesk Civil 3D.
- The plan deliverables are available on DDC's Website (<http://ddcftp.nyc.gov/rfpweb>). The plan deliverable demonstrates the layout and format of a typical Catch Basin Map, Topographical and Property Line Map, Hydrographic Sounding Map, NYCDOT Type Survey and NYCDEP Type Survey. Also enclosed in the plans is the directive for Local Law 96, displaying the elevational datum requirements when completing a NYCDEP Type Survey.
- When submitting final deliverables include the invoice for that assignment to start the payment approval process. Under normal circumstances if the payment requisition has no errors it is reasonable for a firm to be paid within a 15 to 30 day timeframe.

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

Question: Does the subconsultant need to be a Minority firm or Woman owned firm?

Answer: DDC does not specify the ethnicity on the M/WBE Goals on this solicitation. Because ethnicity is unspecified, the selected vendor will have full discretion in selecting the ethnicity of the certified firms they wish to hire as sub-consultants. Please keep in mind that "Asian American" does not get credit towards the MWBE goals on professional contracts.

Question: Are Asian American firms included in the 30%* WMBE Goal?

Answer: For Professional Services Contracts they do not count, but in the construction sector they do.

Question: If the prime is M/WBE certified do they still need to meet the set goals?

Answer: Contractor that is an MBE and/or WBE shall be permitted to count its own participation toward fulfillment of the relevant Participation Goal.

Question: Is 30%* the required goal for these contracts and if not met is there a penalty?

Answer: DDC encourages firms to meet the goal. The contract will be monitored by the ACCO Office to ensure goals are being achieved throughout the life of the contracts. If the selected vendor cannot meet its obligation, Local Law 1 has a provision for liquidated damages to be assessed, unless a firm can demonstrate to the Agency a good faith effort was made in meeting the goal.

Question: What is entailed with supplying a waiver to be excluded from meeting the MWBE goal?

Answer: Under Local Law 1, a firm can submit a waiver form (included in the RFP), requesting a partial of full waiver detailing areas suitable for subcontracting, which are historically performed by the firm's own workforce. ACCO will review the firm's request and look at the sub-consulting history





of past contracts to verify that the justification has merit. Further, the agency will seek review and approval by MOCS, the oversight agency responsible for granting or denying the waiver request.

Question: Does requesting a waiver affect the firm's qualifications?

Answer: No.

Question: Will the sign in sheets be made available?

Answer: Yes, the pre-proposal conference attendance sheet will be posted on DDC's website.

Question: If one MWBE firm is awarded 5 contracts as a prime consultant does that seem fair for them to have a potential standalone value more than awarded contract since they have no responsibility with the work?

Answer: This is a single solicitation which will result in five contracts awards, therefore, a given firm cannot be awarded more than one contract. However, the same sub-consultant can perform services on all five contracts.

Question: The 30%* goal is a large percentage, is there a rating given to the subconsultant during the review process?

Answer: An even rating will be given based on the overall package submitted.

Question: If a subconsultant is not performing to an acceptable level, can they be replaced.

Answer: Yes, substitution is allowed but must be requested in writing justifying why the replacement is necessary, with the Commissioner's approval.

Question: When contract enters into negotiation, will the subconsultant be allowed to attend?

Answer: It would be in their best interest to attend to understand the process, but not required.

Question: Do you need to provide certified payroll when invoicing an assignment?

Answer: Yes, you will need to submit certified payroll as backup information and for proof of the payment of prevailing wage to employees whose titles are published by the Comptroller as part of the Collective Bargaining Agreements.

Question: Is this a new requirement?

Answer: This requirement has always been in effect. If in doubt about requirements, please contact the office of the EAO or your Project Manager.

Question: School Construction Authority does not require certified payroll for Professional Services, why does DDC?

Answer: Professional Services Contracts do not require certified payroll but Requirement Contracts do for the job titles listed in your staffing plans to ensure those individuals are paid the designated wages approved for those titles.

Question: Will survey consultants currently under contract be able to submit a proposal?

Answer: Yes, majority of current contracts are in the renewal provision and will be expiring.





- Question:** If a firm is awarded one of the current contracts can they propose on future RFP's?
Answer: Yes, but you will need to meet the staffing requirements for both contracts.
- Question:** Will the specialty service contracts due to be released be a RFP or Open Bid?
Answer: Most likely will be released as Open Competitive Bids due to the nature of the work but the decision is not 100%. There's a cost saving for NYC if released as Open Competitive Bids.
- Question:** Can you clarify the difference between a Joint Venture and Prime with subconsultants?
Answer: A non-MWBE firm can joint venture with a certified MWBE firm, and as a result, the joint venture can count the participation of the certified firm to the extent of its percentage share of the JV agreement towards fulfillment of the relevant Participation Goal.
- Question:** Are the firms submitting one proposal for all boroughs or one proposal per borough?
Answer: Yes, firms are submitting one proposal for all of the five boroughs.
- Question:** Is there a difference in the amount of work per borough?
Answer: Currently a majority of the survey work is in Queens and Brooklyn. Recently there has been an upturn in work request for Staten Island and Manhattan. The Bronx has historically not had many requests but each contract has an out-of-borough clause to ensure even distribution of assignments.
- Question:** There is no mention of Civil 3D sample in your RFP?
Answer: A sample Civil 3D is not needed with your technical proposal submission.
- Question:** If a M/WBE is a subconsultant on multiple proposals, will this be reflected during the evaluation if they are submitting as a prime with their own proposal?
Answer: Each submission will be evaluated on its own value.
- Question:** Do the prime need to submit their personnel resources and if the sub is on another proposer team could this be a potential conflict of resources.
Answer: When the evaluation of a proposal is being conducted it is for that proposal only. You will need to demonstrate to us how you are going to accomplish the work with your team.
- Question:** Will there be a round of Structures Contract since the current RFP is for Infrastructure?
Answer: Historically Public Building projects are smaller in scope so most of those projects will be prepared by in-house staff. The main reason for Structures contracts in the past was to handle Damage and Acquisition Mapping which we have decided to do using our in-house staff due to the lengthy approval process with the NYC Law Department.
- Question:** Will firms receive an increase in the prevailing wage rates on a yearly basis?
Answer: Yes, but the firm will need to request those increases for the job titles outlined in their contract covered under the prevailing wage law. Check your contract for specifics on increases, DDC follows the calendar year not fiscal year.





Question: Will the DDC provide a detailed list of forms that need to be submitted with proposal?

Answer: Please refer to the "Checklist" located on page RFP-12. All required forms must be submitted by the prime proposer. If a joint venture, forms must be submitted as the joint venture team. However, SF 254/255 must be completed by the prime and all its subconsultants.

Question: How will contracts be awarded?

Answer: As outlined on page RFP-3, the order of award is as follows: Brooklyn, Queens, Manhattan, Staten Island, and the Bronx.

Question: Do resumes need to be submitted in SF255 format or standard resume format?

Answer: You should complete SF255, in addition to submitting the standard resume.

Question: Can you verify the drawing order for a DEP and DOT project?

Answer: For a DEP project deliverable, survey control maps go at the end of the plan set.
For a DOT project deliverable, survey control maps reside after the key map.

Question: Can you clarify how to determine the roadway centerline; is it the center of the mapped right-of-way or the center of the physical roadway?

Answer: For most cases, the centerline of the roadway is the mapped right-of-way. With a DOT survey, widening may need to occur so the limits of the mapped right-of-way will need to be shown. For an incident where there is no mapped right-of-way the physical roadway can be used. If you notice a deviation, contact us and we will check to see if the widening will take place for the entire right-of way width or if the DOT is just planning to replace the physical roadway.

Question: Can you clarify project delivery dates?

Answer: Delivery dates listed are the timeframe it takes for our in-house personnel to complete a given project. The consultants are held to the same standards, but when we release an assignment the consultant supplies us with their schedule of completion. The project manager and I will review and approve your schedule. Once approved, the date you give is considered a hard date unless you request an extension in writing with enough notice for approval. Once we submit your delivery dates to our client, the Infrastructure Division, as long as your request doesn't impact their commitment schedule to their client the DEP or DOT, your extension will be granted.

Question: Do you require your surveys to be submitted in phases?

Answer: No, when you are issued an assignment we expect the delivery of the entire project at the preliminary submission.

*** M/WBE Participation Goal has changed from 30% to 25%.**

