

Town of Oyster Bay
Department of Public Works
Division of Engineering
Nassau County, New York

REQUEST FOR PROPOSALS
FOR
CONSULTANT SERVICES

SOLICITATION NO. 2017-24

CONTRACT NO. H17-170

NOTES:

ISSUANCE DATE: **November 29, 2017**

THIS RESPONSE IS DUE BY: **December 15, 2017**

SUBMISSION : **FIVE (5) HARDCOPIES + ONE (1) ELECTRONIC COPY**

**ENGINEERING SERVICES FOR A
PROJECT LABOR AGREEMENT RELATIVE TO
REPAIRS TO THE HICKSVILLE PARKING FACILITY**

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AUTHORIZED CONTACT PERSONS: Prospective firms are advised that the authorized Town of Oyster Bay contact persons for all matters concerning this Request for Proposal (“RFP”) are:

Richard W. Lenz, P.E. Commissioner
Town of Oyster Bay Dept. of Public Works
150 Miller Place
Syosset, New York 11791
Telephone: (516) 677-5779
Fax: (516) 677-5940
email: rrenz@oysterbay-ny.gov

Matthew Russo, P.E.
Town of Oyster Bay Department of Public Works
150 Miller Place
Syosset, New York 11791
Telephone: (516) 677-5719
Fax: (516) 677-5940
email: mrusso@oysterbay-ny.gov

INTRODUCTION: In accordance with the Town of Oyster Bay's qualification based consultant procurement policy, the Town of Oyster Bay Department of Public Works (hereinafter referred to as "the Town") is seeking proposals from qualified professional consulting firms to provide services for a Project Labor Agreement (“PLA”) for the Repairs to the Hicksville Parking Facility. The consultant shall prepare a Cost Estimate and Feasibility Study to evaluate the use of a PLA, and then, if in the best interest of the Town, the consultant shall negotiate, execute, implement and administer the PLA.

A full description of the anticipated services is detailed in the “Scope of Services” section of this RFP. The Town anticipates that the duration of the services that will be required for each Task, hereinafter referred to as "the contract period" is as follows:

TASK 1 : PLA Cost Savings Estimate

Schedule: January 2018

TASK 2: PLA Feasibility Study

From: January 2018

To: February 2018

If the Town determines that it is in its best interests to implement a PLA, the Consultant will further be required to negotiate, execute, implement and administer the PLA through completion of construction. Respondents are required to propose these optional services as individual tasks.

Task 3: PLA Negotiation and Execution

Task 4: PLA Administration

Schedule: TBD. For the purpose of this proposal, assume a duration of 14 months.

It is understood and made part of this request for proposals that each task will only be undertaken by the consulting firm upon written notice to proceed by the Town.

SCOPE OF SERVICES

ENGINEERING SERVICES FOR A PROJECT LABOR AGREEMENT RELATIVE TO REPAIRS TO THE HICKSVILLE PARKING FACILITY

CONSTRUCTION PROJECT DESCRIPTION

In general the project consists of: (i) the demolition of certain composite structural slabs; (ii) replacing those certain composite structural slabs with poured in place concrete slabs and appropriate expansion joints; (iii) utilizing reinforced carbon fiber to repair other six-inch and 10 inch composite structural slabs; (iv) removal and replacement of the electrical lighting system; (v) removal and replacement of the fire, and CO2 sensing systems; (vi) miscellaneous HVAC and elevator repairs.

Progress Design Documents will be available for viewing to the proposers at the Town of Oyster Bay Department of Public Works.

PLA SCOPE OF SERVICES:

TASK1: Prepare a cost estimate in sufficient detail to reflect the trades necessary to work on this project, and necessary to prepare the Feasibility Study required for the evaluation of the possible use of the PLA.

TASK 2: Prepare a feasibility study necessary so that the Town can evaluate the use of the PLA on this project.

- A. Analyzing potential cost savings for on-time and within budget performance under a PLA;
- B. Analyzing potential cost savings based upon coordinated work schedules and consistent working conditions provisions among the trades working on the project under a PLA;
- C. Analyzing historical data on the use of PLAs in the region in terms of cost savings, continuity of work, coordination of work, safety, expediency of construction; taking into consideration projects not performed pursuant to a PLA;
- D. The Consultant will review the available project documents for an understanding of the trades involved in the project and associated labor costs. The Consultant shall summarize the information gathered in a Feasibility Analysis Report with recommendations to determine if there is a cost benefit to using a PLA;
- E. The Consultant will prepare an Executive Summary detailing whether entering into a Project Labor Agreement for The Garage Repair project, with the Local Building Trades will actually facilitate a timely and cost effective project and serve the best interest of the Town and the taxpayers.

TASK 3: If authorized by the Town, the selected consultant shall develop the Project Labor Agreement terms, and upon approval of the Town, negotiate these terms with the relevant building trades. These terms shall provide the Town with a timely completion of the work and assurances that the work will be performed by highly skilled craftsman. Upon final negotiation, recommend acceptance and execution by the Town.

TASK 4: During construction, conduct regular meetings with building trades and unions to review project compliance with the terms of the PLA, review contractor scheduling and resource requirements, and arbitrate disputes. Construction Duration should be assumed to be 6 months, including pre-construction activities, construction, and project closeout.

FORM OF PROPOSAL

Firms must submit five (5) hardcopies (one original and four copies) and one (1) electronic copy of each technical proposal with additional relevant information. Proposals should be organized as described in Attachment No. 1 herein.

DUE DATE FOR PROPOSALS

Proposals must be submitted to the attention of the Authorized Contact Person identified above by **3:00pm on Friday, December 15, 2017**. In the interest of fairness to all participants, no extensions or exceptions will be permitted, unless the Town issues an Addendum to this RFP to all proposing firms.

ADMINISTRATIVE AND TECHNICAL QUESTIONS

Administrative Questions may be submitted in writing to the Authorized Contact Persons identified above. E-mail and fax are acceptable; e-mail is preferable.

Technical Questions must be submitted in writing on or before **Friday, December 8, 2017** to the Authorized Contact Persons identified above. E-mail and fax are acceptable; E-mail is preferable. Responses will be issued by the Town in the form of an Addendum to this RFP.

All communications during the RFP process must be directed to the Authorized Contact Persons identified above. Communication with any other Town employee or any member of the Town Evaluation Committee may be cause for disqualification from the RFP process.

QUALIFICATION BASED SELECTION PROCESS:

The Town, after receipt and review of responses to this RFP, reserves the right to reject any and all proposals. The review process of the RFPs submitted are described under the section entitled: "CRITERIA FOR EVALUATION AND AWARD."

CRITERIA FOR EVALUATION AND AWARD

The process and criteria to be used by the Town in evaluating these proposals shall be the following:

- A. **Minimum Qualifications:** No firm will be considered for selection that cannot demonstrate prior experience in preparing cost estimates in sufficient detail to be utilized in a PLA Feasibility Study, and conducting PLA Feasibility Studies and negotiating and administering PLAs for municipalities and other public sector clients in the State of New York during the past seven (7) years.
- B. **Evaluation Committee:** A Town Evaluation Committee will make the final selection of the Consultant, based upon the point rating system described in Paragraph C below. The Evaluation Committee shall include, but not be limited to, the Commissioner of the Department of Public Works; the Deputy Commissioner of Public Works; and the Town Attorney or his designated representative. The Town may invite firms to make presentations to the Evaluation Committee to demonstrate their qualifications and approach to the project. The final selection will represent the best interests of the Town.

C. **Review Criteria:**

	Points
i. General Qualifications	40
Consultant's technical expertise, assigned team, size relative to the project, references reflecting similar work and related experiences. See Attachment Number 1, Sections B and C.	
ii. Proposed Services/Products	60
Ability to meet proposed deadline, responsiveness of proposed strategy, recognition of issues and problems, innovative and creative ideas and effective strategies for input and feedback. See Attachment Number 1, Section D.	
Total	100

D. **Cost Proposal**

Following the evaluation of the technical proposals, the sealed envelopes containing the cost proposals (See Attachment Number 1, Section E) of the three highest ranked proposers will be opened and considered in determining the final ranking of the proposing consultants. It is further expressly acknowledged that the quality of the services to be rendered is of paramount importance to the Town. However, it is further expressly acknowledged that the cost of the services to be rendered is a substantial concern. The Town reserves the right to negotiate the final cost with the selected proposer.

USE OF SUBCONSULTANTS, LABORATORIES AND OTHER SUBORDINATE ENTITIES:

Prospective firms are advised that the Town will entertain proposals that include the use of sub-consultants, certified outside laboratories and/or other subordinate entities. In such event, the proposal must clearly state the extent and nature of the work proposed to be delegated to the sub-consultant, laboratory or other entity.

FAMILIARIZATION WITH CURRENT PROGRAMS, FACILITIES AND DOCUMENTS

It is the sole responsibility of the prospective firms to familiarize themselves with the Town's current programs, facilities, documents and any other information which is necessary and relevant to the scope of this RFP. Upon sufficient and reasonable advance notice to the contact person named above, arrangements may be made to visit and inspect any involved Town facilities and/or to view applicable documents. Any and all costs borne by the prospective proposer in familiarizing themselves with the above are to be borne solely by the prospective proposer. In the event that the prospective proposer is ultimately awarded a contract pursuant to this RFP, the Town will not allow any claims for payment which include billable time for such familiarization costs, regardless of whether they were incurred prior to or following the submission of the proposer's proposal.

PAYMENTS AND CLAIMS

Payments to the successful proposer will be made in accordance with the terms of Town of Oyster Bay Standard Consultant Agreement. If the successful proposer has not executed a Standard Consultant Agreement with the Town, it will be required to do so at the time of award.

ATTACHMENT NUMBER 1

FORMAT OF PROPOSAL

Proposals should be organized as shown below with tab dividers between sections and should include all the information indicated. Note that elaborate brochures or other presentations beyond those sufficient to present a complete and extensive response to this solicitation are not desired. Five (5) hard copies and one (1) electronic copy shall be submitted.

SECTION A. INTRODUCTORY STATEMENT

SECTION B. QUALIFICATIONS AND APPROPRIATENESS OF PROPOSED STAFF

1. Project team.
2. Provide names and resumes of key personnel proposed for this project.

SECTION C. APPROPRIATENESS AND QUALITY OF PROPOSER'S EXPERIENCE

1. Please include local project including projects with the Town of Oyster Bay.
2. Minimum of five (5) references with contract information (recent, similar projects preferred).

SECTION D. PROPOSED METHODOLOGY

Based on the project description and scope of services, the firm should discuss how it would approach and manage the project.

SECTION E. MANPOWER ESTIMATE & COST PROPOSAL

Cost proposals must be provided in a **separate sealed envelope**. Cost proposals must be separated into the following categories:

- Task 1: Preparation of the cost estimate
- Task 2: PLA Feasibility Study
- Task 3: Negotiation and Execution of the PLA
- Task 4: Implementation and Administration of the PLA

Tasks #3 and 4 must be proposed; they will only be required if the Feasibility Study determines that a PLA is in the best interests of the Town.

Manpower estimates shall be separated by task with the employee's name, classification, wage rate, percentage of time to be spent on the project, and estimated man-hours. Add all hours and costs for each phase and total hours and costs for the entire project.

SECTION F. REQUIRED DOCUMENTATION

1. Certificate of Authorization pursuant to Section 7210 of the New York Education Law.
2. All proposers must submit the appropriate disclosure affidavit, provided as Attachment No. 3.
3. Proposers must also submit a current SF 300 (Part II) Architect-Engineer Qualifications package.

SECTION F. SUPPLEMENTAL INFORMATION

Any additional information relevant to the firm's qualifications for this project may be included at the firm's option.

ATTACHMENT NUMBER 2

SPECIAL REQUIREMENTS AND MODIFICATIONS

Provisions stated under Special Requirements and Modifications shall supersede and take precedence over information provided in the preceding documents and attachments.

1. Firms must provide a Maximum Hourly Wage Rate Schedule listing job classifications. The salary of all employees proposed in the response to this RFP must be within the limits of the schedule and will be subject to the approval of the Commissioner of Public Works.
2. When a wage rate-multiplier payment method is utilized, payment will be made on the basis of direct salary times a multiplier of **3.0**. Direct salary shall be actual salary or compensation paid by the consultant to all personnel for the work performed by them directly related to the particular project or projects assigned exclusive of insurances, payroll taxes and all other fringe benefits. In no event (regardless of the maximum wage rate schedule to be provided in accordance with the above) shall the Town pay more than the maximum hourly limit as approved by the Town Board, currently set at **\$175/hour**.
3. The consultant will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status and will undertake or continue existing programs of affirmative action to ensure that group members are afforded equal employment opportunities without discrimination. The consultant shall also make reasonable efforts to encourage the participation of Certified Minority- and Women-Owned Business Enterprises as sub-consultants, and retain the documentation of these efforts to be provided upon request of the Town. A listing of contractors can be found at www.nylovesmwbe.ny.gov.
4. The consultant shall submit with its proposal a copy of its current Certificate of Authorization pursuant to Section 7210 of the New York Education Law. Consultant shall also submit with its proposal the Certificate(s) of Authorization of any sub-consultant and/or subcontractor who shall perform any professional engineering services under this RFP. Failure to submit copies of said Certificate(s) shall be grounds to reject any proposal and disqualify consultant as not meeting the necessary minimum qualifications to perform the services to be performed herein.
5. Consulting firms shall be properly staffed by licensed Professional Engineers, Land Surveyors and Registered Architects by the New York State Department of Education as required by the Scope of Services. The consultant shall submit a list of licensed Professional Engineers, Land Surveyors and Registered Architects along with their license numbers to allow for proper evaluation by the Town.

ATTACHMENT NO. 3

DISCLOSURE AFFIDAVITS

INDIVIDUAL DISCLOSURE AFFIDAVIT

CONTRACT NO.: _____

STATE OF NEW YORK)
 ss.
COUNTY OF)

_____, being duly sworn, deposes and says:

- 1. That I am _____(age), and reside at (address) _____.
- 2. That I am a bidder for the contract which is the subject matter of this application and am familiar with all the facts and circumstances hereinafter set forth.
- 3. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details)

_____.

4. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the bidder in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable aware of such contract – except (if any set forth details – see General Municipal Law Section 809)

_____.

- 1. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this
_____ day of _____, 201_

NOTARY PUBLIC

CORPORATE DISCLOSURE AFFIDAVIT

CONTRACT NO. _____

STATE OF NEW YORK)

ss.

COUNTY OF)

_____, being duly sworn, deposes and says:

1. That I am the (office held) _____ of the (name of corporation) _____
_____ and am fully familiar with all the facts and circumstances hereinafter set forth.

2. That the business address of (name of corporation) _____ is (address)
_____.

3. That said corporation was incorporated under and pursuant to the Law of the State of
_____.

4. That the following are the names and residences of each officer, director and shareholder: (set forth names, residences
and _____ relationship _____ to _____ corporation):
_____.

5. That the corporate stock of said corporation has not been pledged to any person nor has any agreement been made to
pledge the said stock – except (if any, set forth details):
_____.

6. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an
officer or employee of the Town of Oyster Bay – except (if any, set forth details):
_____.

7. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person
holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of
Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of
any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially
owns or controls one (1) percent or more of the stock of the bidder, or is associated with the applicant in a joint venture,
or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other
benefit, whether or not for services rendered, dependent or contingent upon the award of such contract – except (if any
set forth details – see General Municipal Law Section 809) _____.

8. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will
file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such
change.

(signed)

Sworn to before me this

_____ day of _____, 201_

NOTARY PUBLIC

PARTNERSHIP DISCLOSURE AFFIDAVIT

CONTRACT NO. _____

STATE OF NEW YORK)

ss.

COUNTY OF)

_____, being duly sworn, deposes and says:

1. That I am a (partner, joint venture, etc.) _____ of the (name of partnership) _____ and fully familiar with all the facts and circumstances hereinafter set forth.

2. That the (name of partnership) _____ was established in (place) _____ on (date) _____.

3. That the following are the names, addresses and interests, respectively, of all partners (joint venturers, etc.) _____.

4. That neither deponent nor any other person mentioned in this affidavit is an officer or employee, or is related to an officer or employee of the Town of Oyster Bay – except: (if any, set forth details) _____.

5. That no officer of the State of New York, or officer or employee of the Town of Oyster Bay, or Nassau County, or person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision 4 of Section 2 of the Election Law, or his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them, is the bidder, or any officer, director or partner, member or employee of the bidder, or legally or beneficially owns or controls one (1) percent or more of the stock of the bidder, or is associated with the bidder in a joint venture, or is a party to an agreement with the bidder, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable award of such contract – except (if any set forth details – see General Municipal Law Section 809) _____.

6. That in the event there is any change in the matters set forth herein prior to the award of the contract, deponent(s) will file with the Town of Oyster Bay a supplemental affidavit indicating the details of such change within 48 hours of such change.

(signed)

Sworn to before me this _____ day of _____, 201_

NOTARY PUBLIC