

City Of New York

Department of City Planning

Request For Proposals

PROJECT: On-Call Contract for Environmental Consulting and Engineering Related Services

CSP EPIN 03020P0001

**Bill de Blasio
MAYOR**

**Department of City Planning
Marisa Lago, Chair**

**PRE-PROPOSAL CONFERENCE: July 28, 2020
SUBMISSION DEADLINE: September 1, 2020**

July 21, 2020 REVISED August 12, 2020



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**THE CITY OF NEW YORK
DEPARTMENT OF CITY PLANNING (the AGENCY)
REQUEST FOR PROPOSALS**

On-Call Contract for Environmental Consulting and Engineering Related Services

CSP EPIN 03020P0001

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AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact Person for all matters concerning this Request for Proposals is:

Name: Yvonne Williams
Title: Agency Chief Contracting Officer
Mailing Address: Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271
Telephone #: (212) 720-3658
Fax #: (212) 720-3495
E-Mail Address: DCPBIDS@planning.nyc.gov
www.nyc.gov/planning

SECTION I - TIMETABLE

A. Release Date of the Request for Proposals (RFP): July 21, 2020 REVISED
August 12, 2020

B. Pre-Proposal Conference:

Date: July 28, 2020
Time: 10:00 AM
Location: Zoom Meeting

A Highly Recommended Pre-Proposal Conference is scheduled for July 28, 2020 at 10 AM, via Zoom internet/telephone conference only; in person attendance is not available.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling [212-720-3508]. Requests must be submitted at least five business days before the meeting.

Meeting website: https://zoom.us/meeting/register/tJkceqsrzwpEtO4t8J_43upzotdbo-NG3k4

Meeting ID number: 969 6341 7387

Password: 12345

OR Join by phone: 1-253-215-8782 or 1-213-338-8477

Participation by proposers is optional but recommended by the Agency.

C. Proposal Due Date and Time and Location:

Date: September 1, 2020
Time: 12:00 PM
Location: Hard copy and Compact Disk proposals shall be submitted to:

Office of The ACCO
c/o Procurement
Department of City Planning
120 Broadway, 31th Floor
New York, NY 10271

In addition to the hard copy and Thumb Drive or Compact Disk proposals, an electronic copy (PDF format) shall be emailed by 12:00 p.m. on September 1, 2020 to DCPBIDS@planning.nyc.gov. Faxed proposals will not be accepted by the Agency In summary, respondents will submit five (5) hard copies, five (5) thumb drives or compact disks containing the entire proposal and one (1) electronic PDF file emailed addressed to the above.

Proposals received at this Location after the Proposal Due Date and Time are late and shall not be accepted by the Agency, except as provided under New York City's Procurement Policy Board Rules. The Agency will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless the Agency issues a written addendum to the RFP which extends the Proposal Due Date and Time for all proposers, the Proposal Due Date and Time prescribed above shall remain in effect.

D. Anticipated Contract Start Date: January 1, 2021

SECTION II - SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of RFP

The New York City Department of City Planning (the Agency), Studies Implementation is seeking appropriately qualified environmental consulting and engineering firms or prime contractors (contractors) with identified subcontractors, or joint ventures, to perform environmental consulting and engineering related services for various Agency initiated land use actions on an as-needed basis pursuant to the methodologies promulgated in the City Environmental Quality Review (CEQR) Technical Manual. Services would include a full range of report preparation, including Environmental Assessment Statements (EAS), Scoping Documents, Draft and Final Environmental Impact Statements (EIS), and other related services for land use actions including, among others, neighborhood studies and significant area wide rezoning actions sponsored by the Agency citywide.

The Contractors' proposals will be ranked in order from highest to lowest. The Agency anticipates not less than three appropriately qualified contractors with identified subcontractors will be selected. When the need arises for services with respect to a specific land use action, the Agency would issue a Task Order and assign one contractor to timely provide the services in accordance with that Task Order, either directly through its own staff and/or through one or more subcontractor. The first task orders will be assigned to the highest ranked consultant. Task Orders will subsequently be assigned on a rotating basis, but each contractor will not be guaranteed a minimum dollar value amount or a minimum volume of work under the subject contract. Contractors are required to disclose potential conflicts of interest if assigned a task order without rotational penalty. The next contractor in the rotation would be selected for the task order. The subsequent task order would be assigned to the contractor disclosing the conflict of interest. Contractors simply declining a task order without cause will be skipped in the rotation. Contractors may not decline more than two (2) task orders for the duration of the contract. The Agency reserves the right to terminate the contract of a contractor who declines a third task order.

The selected contractors will be expected to provide the same staff and subcontractors proposed pursuant to this RFP. Failure to do so could result, at the Agency's option, in contract termination. However, if due to unforeseen circumstances, one or more proposed project manager, project team members or subcontractors become unavailable, the selected contractor may recommend a substitute subject to the Agency's approval.

B. Anticipated Contract Term

It is anticipated that the term of the contract awarded from this RFP will be for a term of up to four (4) years from the notice to proceed. The agency reserves the right, prior to contract award, to determine the length of the initial contract term. There will be an option to renew for two (2) renewal terms of up to three (3) years each for a total of six (6) years.

C. Anticipated Payment Structure

It is anticipated that the payment structure of the contract awarded from this RFP will be based on a combination of all-inclusive hourly rates and performance-based outcome measures and related financial incentives and/or disincentives. However, the Agency will consider proposals to structure payments in a different manner and reserves the right to select any payment structure that is in the City's best interest.

SECTION III - SCOPE OF SERVICES

A. Agency Goals and Objectives

The Agency's primary goal and objective is to have environmental consulting and engineering related services pursuant to the CEQR Technical Manual for land use actions effectively performed in a timely manner, with time frames to be indicated in each task order.

B. Agency Assumptions Regarding Contractor Approach

The land use actions in question are anticipated to include a range of initiatives from limited area rezoning actions to significant area wide rezoning actions sponsored by the Agency in one or more boroughs. Recent examples of Agency initiated land use actions include: East New York Rezoning FEIS, Flushing BOA, Jerome Avenue Rezoning East Harlem Rezoning FEIS and Hotel Special Permit FEIS.

The Agency's assumptions regarding which approach and experience will best achieve the primary goal and objective set out is as follows:

Experience

1. Contractor and/or contractor staff demonstrate a minimum of at least 5 years of appropriate, successful experience preparing Environmental Assessment Statements (EAS), Scoping Documents, Draft and Final Environmental Impact Statements (EIS), and other related environmental consulting and engineering related services.
2. Contractor would have the experience in relevant professional disciplines, including but not limited to, urban planning, traffic engineering, civil engineering, historical preservation, archaeology, natural resources and hazardous material remediation.

Please see additional information referenced in Section VI (A) (2) (a)

Organizational Capability

1. Contractor would have the organizational (i.e., technical, managerial and financial) capability to perform the services described in Section III.B – Scope of Services of this RFP above.
2. The contractor staff demonstrates an excellent understanding of the unique analysis methodologies and components of the CEQR Technical Manual.
3. The contractor provides all services through appropriately qualified personnel, either through its own employees and/or one or more subcontractors.

Please see additional information referenced in Section VI (A) (2) (b)

Approach

1. The contractor effectively identifies additional public outreach opportunities if available, and utilizes information dissemination technologies, such as via the internet, to enhance community input at public scoping meetings in conjunction with the Agency and with Agency approval.
2. The contractor prepares, on a Task Order basis, quality environmental consulting and engineering documents pursuant to the methodologies promulgated in the CEQR Technical Manual. These documents include, but are not limited to, the following, as applicable:

Lead Agency Correspondence

Environmental Assessment Statements (EASs)

Notices of Determination including Negative Declarations, Conditional Negative Declarations, and Positive Declarations

Scoping Documents in the case of Positive Declarations

Scoping hearing notices

Public hearing notices

Draft Environmental Impact Statements (EISs) and Notices of Completion

Final Environmental Impact Statements (EISs) and Notices of Completion

3. Work Assignment Protocol:

The Agency will assign Task Orders to the contractor(s) on a rotational basis, with the first Task Order to be assigned to the highest rated contractor, the second Task Order to be assigned to the second-highest rated contractor, etcetera, providing that the selected contractor has the capacity to take on the prescribed work. If the contractor does not have sufficient capacity because of work associated with a previous Task Order issued by the Agency, the next available contractor in the rotation will receive the assignment.

Throughout the contract term, unsatisfactory performance on a Task Order, as documented by the Agency, with notice to the contractor, could render a contractor ineligible for future assignments.

Please see additional information referenced in Section VI (A) (2) (c)

C. Performance-Based Payment Structure

The Agency has determined that the performance-based payment structure that will most likely assure that the selected proposer will perform the work under the contract awarded from this RFP in a manner that is cost-effective for the Agency and most likely to achieve the Agency's goals and

objectives set out above is as follows:

The expected payment structure is a combination of all-inclusive hourly rates as indicated in Appendix D combined with performance based outcomes.

The Agency will assess liquidated damages against the contractor under the following circumstances and pursuant to the following schedule:

10 % of the fee for failure to deliver a preliminary Environmental Assessment Statement within 90 days of the Notice to Proceed, unless otherwise indicated in the Task Order.

20 % of the fee for failure to deliver a preliminary Draft Environmental Impact Statement within 180 days of the Notice to Proceed, unless otherwise indicated in the Task Order.

D. 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 included as Attachment C and return it with this proposal, 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 is nonresponsive. 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.

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

The contract resulting from this Request for Proposals will be subject to **Local Law 129 of 2005, the Minority-Owned and Women-Owned Business Enterprise (M/WBE)** program. Please refer to Appendix F for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms.

Note: As fully explained in the Notice to Prospective Contractors, in Appendix F, if you are planning to file 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 timely considered.

SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL

Instructions: Proposers should provide all information required in the format below. The proposal should be typed on both sides of 8 ½" X 11" paper. The City of New York requests that all proposals be submitted on paper with no less than 30% postconsumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <http://www.epa.gov/cpg/products/printing.htm>). Pages should be paginated. The proposal will be evaluated on the basis of its content, not length. Failure to comply with any of these instructions will not make the proposal non-responsive.

A. Proposal Format

1. Proposal Cover Letter

The Proposal Cover Letter form (Appendix A) transmits the proposer's Proposal Package to the Agency. It should be completed, signed and dated by an authorized representative of the proposer.

2. Technical Proposal

The Technical Proposal is a clear, concise narrative that addresses the following:

a. Experience

Describe the successful relevant experience of the proposer in providing the services described in Section III - Scope of Services of the RFP. Specifically:

- Detail any relevant New York City and other urban area EAS and/or EIS written by the proposer, and for each item, identify the team members involved in the project
- Describe the proposer's experience in relevant professional disciplines, including but not limited to, urban planning, traffic engineering, civil engineering, historical preservation, archaeology, and hazardous material remediation
- Detail previous land use actions in which proposer was involved, and describe the extent of involvement

In addition, please attach the following:

- Visual materials of the proposer's past work. These may take the form of a printed brochure, photographs, slides, drawings, or similar images. (These items are returnable upon request.)
- At least two (2) relevant references, including the name of the reference entity, a brief statement describing the relationship between the proposer or proposed subcontractor, as applicable, and the reference entity, and the name, title and telephone number of a contact person at the reference entity, for the proposer and each proposed subcontractor if any.

In addition, proposers should complete and attach the Identification of Key Personnel form (see Appendix B), which lists the specific individuals, their titles, and specific information concerning their qualifications. Along with this form, proposers should submit resumes

detailing relevant experience and qualifications for each individual with the following titles: Principal, Project Manager, Deputy Project Manager (if applicable), and Senior Professional. In addition, one representative resume should be included for each of the following titles: Professional, Junior Professional, and Technician. For those positions in which a staff person is not identified, provide a comprehensive description of the qualifications that are associated with the title.

In addition, please attach the following:

- An SF-254 Form or SF330 Part I form for the proposer, which lists the number of full-time employees currently on staff and the projects on which the proposer is currently working, major projects completed, and future projects and commitments. Provide the value of contracts for current and future projects and commitments and their schedules for completion.
- An SF-255 Form or SF330 Part II form for the proposing contractor firm/team, which identifies the proposed Principal-in-Charge and Project Manager. In addition, attach to the SF-255 Form a resume of each person on the proposer team.
- A completed Appendix C identifying the specific subcontractors, if any, that will be used to perform the required services. Attach resumes for all subcontractors.
- An SF-254 and SF-255 Form or SF330 Part I and Part II forms for each subcontractor proposed to be used. (DCP must approve the actual subcontractors prior to award of the initial task order if different from the subcontractors contained in the RFP).

b. Organizational Capability

Demonstrate the proposer's organizational (i.e., technical, managerial and financial) capability to perform the services described in Section III – Scope of Services of this RFP. In addition:

- Attach a chart showing where, or an explanation of how, the proposed services will fit into the proposer's organization.
- Attach a copy of the proposer's latest audit report or certified financial statement, or a statement as to why no report or statement is available.

c. Proposed Approach

Describe in detail how the proposer will provide the services described in Section III Scope of Services of the RFP and demonstrate that the proposer's approach will fulfill the Agency's goals and objectives. Specifically address the following:

- To demonstrate that the proposer understands the scope and nature of the services requested in the RFP, please submit a sample of an executive summary from a published Final Environmental Impact Statement. Sample executive summaries should also be submitted for each subcontractor.
- Describe how the proposer would address any situation in which potential conflicts of interest may arise. For example, if Agency was to propose an area-wide rezoning that

includes a site for which the proposer is providing services to another party in connection with a more limited rezoning or site-specific action, such as a special permit, describe how the proposer would ensure that it could address the conflict of interest yet still provide services pursuant to Task Orders issued by the Agency to the maximum extent possible.

- Outline the general management practices for projects of comparable scope and complexity.

The Agency's assumptions regarding approach and experience (see Section III (b)) represent what the Agency believes to be the best approach. However, proposers are encouraged to propose specific methodologies that they believe will best achieve the Agency's goals and objectives for the completion of EASs and EISs. Proposers may also propose more than one approach and methodology. However, if an alternative approach or methodology affects other areas of the proposal, that alternative approach or methodology should be submitted as a complete and separate proposal providing all the information specified in Section IV of the RFP.

3. Price Proposal

Proposers are encouraged to propose innovative payment structures. The Agency reserves the right to select any payment structure that is in the City's best interest. For the purposes of comparison, however, proposers should submit a Price Proposal that meets the standards set forth below.

Complete and attach Appendix D - Fee Proposal, which should consist of all-inclusive hourly rates for each title of personnel specified therein. Proposers are advised that the estimated hours for the various titles of personnel set forth in Appendix D are estimates only, given solely to be used as a uniform basis for the comparison of proposals, and are not to be considered part of the contract. The staff hours actually required to complete individual assignments pursuant to a Task Order may be less or more than so estimated. Accordingly, no action for damages or for loss of profits shall accrue to the Contractor by reason thereof.

The all-inclusive hourly rates should apply to all hours during which such personnel perform services for the Project, including overtime hours. Such all-inclusive hourly rates should include: (1) all expenses to be incurred by the Contractor and/or its Subcontractors in the performance of all required services for the Project, (2) all expenses related to management, oversight, including, without limitation, any time spent by Principals performing such duties, (3) all expenses related to overhead, and (4) any anticipated profit. Please note that the fee provisions of Document CS29D issued by the Office of Management and Budget on September 20, 1988 are **not** applicable to this contract. Contractors are expected to develop their own fee schedules.

4. Acknowledgment of Addenda

The Acknowledgment of Addenda form (Appendix E) serves as the proposer's acknowledgment of the receipt of addenda to this RFP which 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.

5. Other Documents

Final awards are contingent upon submission of the following materials:

- i. PASSport Questionnaires
- ii. Department of Business Services/Office of Labor Relations Employment Report and
- iii. Tax Affirmation Form

B. Proposal Package Contents ("Checklist")

The Proposal Package should contain the following materials. Proposers should utilize this section as a "checklist" to assure completeness prior to submitting their proposal to the Agency.

1. A sealed inner envelope labeled "Program Proposal," containing one original set and four (4) duplicate sets and five (5) Compact Disks in PDF format of the documents listed below in the following order:

- Proposal Cover Letter Form (Attachment A)
- (Program) (Technical) Proposal
 - oo Narrative
 - oo References for the Proposer and, if applicable, each Subcontractor
 - oo Resumes and/or Description of Qualifications for Key Staff Positions
 - oo Organizational Chart
 - oo Audit Report or Certified Financial Statement or a statement as to why no report or statement is available
- Acknowledgment of Addenda Form (Appendix E)

2. A second separate sealed inner envelope labeled "Price Proposal" containing one original set and four (4) duplicate sets of the Price Proposal.

- Fee Proposal Form (Appendix D)

3. A third sealed inner envelope containing:

- "Subcontractor Utilization Plan" (Appendix F, Attachment B, Schedule B, Part II) or;
- Approved Waiver of Target Subcontracting Percentage (Appendix F, Schedule B, Part III).

4. A fourth sealed inner envelope labeled "Doing Business Data Form" containing an original, completed Doing Business Data Form (see Attachment G).

5. A sealed outer envelope, enclosing the four sealed inner envelopes. The sealed outer envelope should have two labels containing:

- The proposer's name and address, the Title and PIN # of this RFP and the name and telephone number of the Proposer's Contact Person.
- The name, title and address of the Authorized Agency Contact Person.

SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures.

All proposals accepted by the Agency/Department will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that are determined by the Agency to be non-responsive will be rejected. The Agency's Evaluation Committee will evaluate and rate all responsive proposals based on the Evaluation Criteria prescribed below. The proposals will be ranked in order of highest to lowest technical score and the agency will establish a shortlist through a natural break in scores after applying a 10% quantitative preference of total technical points earned to proposals submitted by New York State or City certified M/WBEs. The Agency reserves the right to conduct site visits and/or interviews and/or to request that proposers make presentations and/or demonstrations, as the Agency deems applicable and appropriate. Although discussions may be conducted with proposers submitting acceptable proposals, the Agency reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer's initial proposal should contain its best (programmatic)(technical) and price terms.

Price will not be considered in the initial evaluation or the contractor selection. Specifically, each proposal will be rated based on the demonstrated experience, organizational capability, and proposed approach. All proposals will be rated and ranked in order from highest to lowest. The price proposals of the short-listed vendors will then be opened and reviewed by the evaluation committee. Short-listed vendors may be afforded an opportunity to submit "Best and Final" offers. Price proposals will be evaluated in terms of total cost as indicated in Appendix D, Fee Proposal with preference for a lower total estimated fee. Hourly rates as provided in Appendix D will be compared to the highest rated vendors to determine if said rates are fair and reasonable in line with current market rates. The approved hourly rates will be used in the contractor's billing rates for this contract. The approved hourly rates will be factored into the rotation as indicated in Section III.B-Approach, Work Assignment Protocol, above, of the highest rated contractors.

As per PPB Rule 3-03 all certified MWBEs are to receive an additional ten percent added to their total technical points earned during their evaluation.

B. Evaluation Criteria.

1. Experience	50 %
2. Organizational Capability	10 %
3. Proposed Approach	40 %

C. Basis for Contract Award.

The Agency anticipates that a contract will be awarded to not less than three (3) appropriately qualified environmental consulting and engineering firms whose proposals are determined to be the most advantageous to the City, taking into consideration the factors and criteria which are set forth in this RFP. A contract award will be offered to the highest rated responsible contractors with fair and reasonable rates. Contract award shall be subject to the timely completion of contract negotiations between the Agency and the selected proposers.

SECTION VI - 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) 825-5900.

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 shall be subject to New York City's General Contract Provisions, a copy of which is available through the Authorized Agency Contact Person.

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; New York City Burma Law; submission by the proposer of the 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 PASSport Questionnaires/Affidavits of No Change 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.

E. Proposer Appeal Rights. Pursuant to New York City's Procurement Policy Board 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 and/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 will be reimbursed for those costs, if any, which are so provided for 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 shall 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 shall 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. PASSport Fees.

Pursuant to PPB Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the PASSport system, including the Vendor Name Check Process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350. The estimated value for each contract resulting from this RFP is estimated to be (less than or equal to \$1million) (above \$1million).

M. Charter Section 312(a) Certification.

The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not directly result in the displacement of any New York City employee.

Director, Department of City Planning

Date

APPENDIX A
PROPOSAL COVER LETTER

**On-Call Contract for
Environmental Consulting and Engineering Related Services
CSP EPIN 03020P0001**

Proposer:

Name: _____

Address: _____

Tax Identification #: _____

Proposer's Contact Person:

Name: _____

Title: _____

Telephone #: _____

Fax #: _____

email address: _____

Proposer's Authorized Representative:

Name: _____

Title: _____

Signature: _____

Date: _____

Is the response printed on both sides, on recycled paper containing no less than 30 percent of the recovered fiber content as requested by the City in the instructions to this solicitation?

_____ Yes

_____ No

APPENDIX B

**IDENTIFICATION OF KEY PERSONNEL
(include this form with the Technical Proposal)**

Identify by name each specific individual who will perform the required services for the titles of Key Personnel set forth below and provide the information concerning their qualifications, and attach a copy of their resume. In the case of any title for which a specific individual is not yet on staff, indicate **TBD** in the **Name** column and attach a description of the qualifications that will be required.

URBAN PLANNING PERSONNEL		Number of Years Experience	Professional License or Name of Certification
Title	Name		
Principal	_____	_____	_____
Project Manager	_____	_____	_____
Deputy Project Manager	_____	_____	_____
Technical Director	_____	_____	_____
Senior Professional (Level III)	_____	_____	_____
Professional (Level II)	_____	_____	_____
Jr. Professional (Level I)	_____	_____	_____
Technician (Level II)	_____	_____	_____
Technician (Level I)	_____	_____	_____

NOTE: The Contractor shall add additional titles where necessary.

TRAFFIC ENGINEERING PERSONNEL

Title	Name	Number of Years Experience	Professional License or Name of Certification
Principal	_____	_____	_____
Project Manager	_____	_____	_____
Deputy Project Manager	_____	_____	_____
Technical Director	_____	_____	_____
Senior Professional (Level III)	_____	_____	_____
Professional (Level II)	_____	_____	_____
Jr. Professional (Level I)	_____	_____	_____
Technician (Level II)	_____	_____	_____
Technician (Level I)	_____	_____	_____

NOTE: The Contractor shall add additional titles where necessary.

CIVIL ENGINEERING PERSONNEL

Title	Name	Number of Years Experience	Professional License or Name of Certification
Principal	_____	_____	_____
Project Manager	_____	_____	_____
Deputy Project Manager	_____	_____	_____
Technical Director	_____	_____	_____
Senior Professional (Level III)	_____	_____	_____
Professional (Level II)	_____	_____	_____
Jr. Professional (Level I)	_____	_____	_____
Technician (Level II)	_____	_____	_____
Technician (Level I)	_____	_____	_____

NOTE: The Contractor shall add additional titles where necessary.

HISTORIC PRESERVATION PERSONNEL

Title

Name

**Number
of Years
Experience**

**Professional
License or Name
of Certification**

Principal

Project Manager

Deputy Project
Manager

Technical Director

Senior Professional
(Level III)

Professional
(Level II)

Jr. Professional
(Level I)

Technician
(Level II)

Technician
(Level I)

NOTE: The Contractor shall add additional titles where necessary.

ARCHAEOLOGICAL PERSONNEL

Title	Name	Number of Years Experience	Professional License or Name of Certification
Principal	_____	_____	_____
Project Manager	_____	_____	_____
Deputy Project Manager	_____	_____	_____
Technical Director	_____	_____	_____
Senior Professional (Level III)	_____	_____	_____
Professional (Level II)	_____	_____	_____
Jr. Professional (Level I)	_____	_____	_____
Technician (Level II)	_____	_____	_____
Technician (Level I)	_____	_____	_____

NOTE: The Contractor shall add additional titles where necessary.

HAZARDOUS MATERIALS REMEDIATION PERSONNEL

Title	Name	Number of Years Experience	Professional License or Name of Certification
Principal	_____	_____	_____
Project Manager	_____	_____	_____
Deputy Project Manager	_____	_____	_____
Technical Director	_____	_____	_____
Senior Professional (Level III)	_____	_____	_____
Professional (Level II)	_____	_____	_____
Junior Professional (Level I)	_____	_____	_____
Technician (Level II)	_____	_____	_____
Technician (Level I)	_____	_____	_____

NOTE: The Contractor shall add additional titles where necessary.

NATURAL RESOURCE PERSONNEL

Title	Name	Number of Years Experience	Professional License or Name of Certification
Principal	_____	_____	_____
Project Manager	_____	_____	_____
Deputy Project Manager	_____	_____	_____
Technical Director	_____	_____	_____
Senior Professional (Level III)	_____	_____	_____
Professional (Level II)	_____	_____	_____
Junior Professional (Level I)	_____	_____	_____
Technician (Level II)	_____	_____	_____
Technician (Level I)	_____	_____	_____

NOTE: The Contractor shall add additional titles where necessary.

APPENDIX C

IDENTIFICATION OF SUBCONTRACTORS (include this form with the Technical Proposal)

Identify the specific Subcontractor(s) the proposer intends to use to perform the services specified below. For any service the proposer intends to perform directly through its own employees, so indicate by inserting the words "In House". Use the forms in Appendix B for each applicable subcontractor identified below.

Urban Planning _____

Traffic Engineering _____

Civil Engineering _____

Meteorology _____

Historic Preservation _____

Archaeology _____

Hazardous Material Remediation _____

Natural Resources _____

Noise _____

Air Quality _____

Other (If Any) _____

Other (If Any) _____

APPENDIX D

FEE PROPOSAL

The proposer shall submit a separate sealed envelope containing the Fee Proposal. A form for the submission of the Fee Proposal is set forth below. The Fee Proposal shall consist of the All-Inclusive Hourly Rates for specified titles of personnel.

ALL-INCLUSIVE HOURLY RATES

The Proposer shall submit all-inclusive hourly rates for the titles of personnel set forth below. Such all-inclusive hourly rates apply to all hours during which such personnel perform services for the Project, including overtime hours. Such all-inclusive hourly rates shall be deemed to include: (1) all expenses incurred by the Contractor and/or its Subcontractors in the performance of all required services for the Project, and (2) all expenses related to management, oversight, including, without limitation, any time spent by Principals performing such duties, (3) all expenses related to overhead, and (4) any anticipated profit.

The proposer is advised that the estimated numbers of hours for the various titles of personnel set forth below are estimates only, provided solely to be used as a uniform basis for the comparison of proposals, and are not to be considered part of the contract. The staff hours actually required to complete individual assignments pursuant to a Task Order may be less or more than so estimated. Accordingly, no action for damages or for loss of profits shall accrue to the Contractor by reason thereof.

During any extension or renewal of the term of the Contract, the Director may, in his sole discretion, increase the All Inclusive Hourly Rates set forth below, provided there has been satisfactory performance by the Contractor. Such increase shall be based upon any increase in the Employment Cost Index for Professional, Specialty and Technical Occupations, compiled and published by the U.S. Bureau of Labor Statistics. Such rates and/or prices shall be increased only during any extension or renewal of the term of the Contract.

Instructions: Do not leave any blanks nor qualify the fees in any way. Do not retype this form. Provide fee for prime contractor only on this form!

(a) Estimated Title	(b) All Inclusive Estimated Amount	(a) * (b) Staff Hours	Hourly Rate	Per Title	
Principal (Partner or Officer)		150	\$	=	\$
Project Manager		450	\$	=	\$
Deputy Project Manager		600	\$	=	\$
Technical Director		2000	\$	=	\$
Senior Professional (Level III)		3000	\$	=	\$
Professional (Level II)		2500	\$	=	\$
Junior Professional (Level I)		1000	\$	=	\$
Technician (Level II)		1750	\$	=	\$
Technician (Level I)		600	\$	=	\$
Total Estimated Fee				=	\$

Name of Principal (please print)

Signature of Principal

Date



THE CITY OF NEW YORK

APPENDIX E

ACKNOWLEDGMENT OF ADDENDA FORM

TITLE OF THE REQUEST FOR PROPOSALS: **CSP EPIN 03020P0001**
On-Call Contract for Environmental Consulting and Engineering Related Services

Instructions: The proposer is to complete Part I or Part II of this form, whichever is applicable, and sign and date the form. This form serves as the proposer's acknowledgment of the receipt of Addenda to this Request for Proposals (RFP) which may have been issued by the Agency prior to the Proposal Due Date and Time.

 Part I

Listed below are the dates of issue for each Addendum received in connection with this RFP.

- Addendum # 1, dated July 29, 2020, page AA-1
- Addendum # 2, dated August 12, 2020, page AA-2
- Addendum # 3, dated August 18, 2020, page AA-6
- Addendum # 4, dated
- Addendum # 5, dated
- Addendum # 6, dated
- Addendum # 7, dated
- Addendum # 8, dated

 Part II

No Addendum was received in connection with this RFP

Proposer Name: _____

Proposer's Authorized Representative

Name: _____

Title: _____

Signature: _____

Date: _____

APPENDIX F-1

NOTICE TO ALL PROSPECTIVE CONTRACTORS

PARTICIPATION BY MINORITY-OWNED AND WOMEN-OWNED BUSINESS ENTERPRISES IN CITY PROCUREMENT

ARTICLE I. M/WBE PROGRAM

Section 6-129 of the Administrative Code of the City of New York (“Section 6-129”) establishes the program for participation in City procurement (“M/WBE Program”) by minority-owned business enterprises (“MBEs”) and women-owned business enterprises (“WBEs”), certified in accordance with Section 1304 of the New York City Charter. As stated in Section 6-129, the intent of the program is to address the impact of discrimination on the City’s procurement process, and to promote the public interest in avoiding fraud and favoritism in the procurement process, increasing competition for City business, and lowering contract costs. The contract provisions contained herein are pursuant to Section 6-129, and the rules of the Department of Small Business Services (“DSBS”) promulgated thereunder.

If this Contract is subject to the M/WBE Program established by Section 6-129, the specific requirements of MBE and/or WBE participation for this Contract are set forth in Schedule B of the Contract (entitled the “M/WBE Utilization Plan”) and are detailed below.

The Contractor must comply with all applicable MBE and WBE requirements for this Contract.

All provisions of Section 6-129 are hereby incorporated in the Contract by reference and all terms used herein that are not defined herein shall have the meanings given such terms in Section 6-129.

References to MBEs or WBEs shall also include such businesses certified pursuant to the executive law where credit is required by section 311 of the New York City Charter or other provision of law.

Article I, Part A, below, sets forth provisions related to the participation goals for construction, standard and professional services contracts.

Article I, Part B, below, sets forth miscellaneous provisions related to the M/WBE Program.

PART A

PARTICIPATION GOALS FOR CONSTRUCTION, STANDARD AND PROFESSIONAL SERVICES CONTRACTS OR TASK ORDERS

1. The **MBE and/or WBE Participation Goals** established for this Contract or Task Orders issued pursuant to this Contract, ("**Participation Goals**"), as applicable, are set forth on Schedule B, Part 1 to this Contract (see Page 1, Line 1 Total Participation Goals) or will be set forth on Schedule B, Part 1 to Task Orders issued pursuant to this Contract, as applicable.

The **Participation Goals** represent a percentage of the total dollar value of the Contract or Task Order, as applicable, that may be achieved by awarding subcontracts to firms certified with DSBS as MBEs and/or WBEs, and/or by crediting the participation of prime contractors and/or qualified joint ventures as provided in Section 3 below, unless the goals have been waived or modified by Agency in accordance with Section 6-129 and Part A, Sections 10 and 11 below, respectively.

2. If **Participation Goals** have been established for this Contract or Task Orders issued pursuant to this Contract, Contractor agrees or shall agree as a material term of the Contract that Contractor shall be subject to the **Participation Goals**, unless the goals are waived or modified by Agency in accordance with Section 6-129 and Part A, Sections 10 and 11 below, respectively.

3. If **Participation Goals** have been established for this Contract or Task Order issued pursuant to this Contract, a Contractor that is an MBE and/or WBE shall be permitted to count its own participation toward fulfillment of the relevant **Participation Goal**, provided that in accordance with Section 6-129 the value of Contractor's participation shall be determined by subtracting from the total value of the Contract or Task Order, as applicable, any amounts that the Contractor pays to direct subcontractors (as defined in Section 6-129(c)(13)), and provided further that a Contractor that is certified as both an MBE and a WBE may count its own participation either toward the goal for MBEs or the goal for WBEs, but not both.

A Contractor that is a qualified joint venture (as defined in Section 6-129(c)(30)) shall be permitted to count a percentage of its own participation toward fulfillment of the relevant **Participation Goal**. In accordance with Section 6-129, the value of Contractor's participation shall be determined by subtracting from the total value of the Contract or Task Order, as applicable, any amounts that Contractor pays to direct subcontractors, and then multiplying the remainder by the percentage to be applied to total profit to determine the amount to which an MBE or WBE is entitled pursuant to the joint venture agreement, provided that where a participant in a joint venture is certified as both an MBE and a WBE, such amount shall be counted either toward the goal for MBEs or the goal for WBEs, but not both.

4. A. If **Participation Goals** have been established for this Contract, a prospective contractor shall be required to submit with its bid or proposal, as applicable, a completed Schedule B, M/WBE Utilization Plan, Part 2 (see Pages 1-2) indicating: (a) whether the contractor is an MBE or WBE, or qualified joint venture; (b) the percentage of work it intends to award to direct subcontractors; (c) in cases where the contractor intends to award direct subcontracts, a description of the type and dollar value of work designated for participation by MBEs and/or WBEs, and the time frames in which such work is scheduled to begin and end; as well as the name, addresses, and telephone numbers of the M/WBE subcontractors if required by the solicitation; and (d) the prospective contractor's required certification and affirmations. In the event that this M/WBE Utilization Plan indicates that the bidder or proposer, as applicable, does not intend to meet the **Participation Goals**, the bid or proposal, as applicable, shall be deemed non-responsive, unless Agency has granted the bidder or proposer, as applicable, a pre-award waiver of the **Participation Goals** in accordance with Section 6-129 and Part A, Section

10 below.

B. (i) If this Contract is for a master services agreement or other requirements type contract that will result in the issuance of Task Orders that will be individually registered (“Master Services Agreement”) and is subject to M/WBE **Participation Goals**, a prospective contractor shall be required to submit with its bid or proposal, as applicable, a completed Schedule B, M/WBE Participation Requirements for Master Services Agreements That Will Require Individually Registered Task Orders, Part 2 (page 2) indicating the prospective contractor’s certification and required affirmations to make all reasonable good faith efforts to meet participation goals established on each individual Task Order issued pursuant to this Contract, 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. In the event that the Schedule B indicates that the bidder or proposer, as applicable, does not intend to meet the **Participation Goals** that may be established on Task Orders issued pursuant to this Contract, the bid or proposal, as applicable, shall be deemed non-responsive.

(ii) **Participation Goals** on a Master Services Agreement will be established for individual Task Orders issued after the Master Services Agreement is awarded. If **Participation Goals** have been established on a Task Order, a contractor shall be required to submit a Schedule B – M/WBE Utilization Plan For Independently Registered Task Orders That Are Issued Pursuant to Master Services Agreements, Part 2 (see Pages 1-2) indicating: (a) whether the contractor is an MBE or WBE, or qualified joint venture; (b) the percentage of work it intends to award to direct subcontractors; (c) in cases where the contractor intends to award direct subcontracts, a description of the type and dollar value of work designated for participation by MBEs and/or WBEs, and the time frames in which such work is scheduled to begin and end; as well as the name, addresses, and telephone numbers of the M/WBE subcontractors if required by the solicitation; and (d) the prospective contractor’s required certification and affirmations. The contractor must engage in good faith efforts to meet the **Participation Goals** as established for the Task Order unless Agency has granted the contractor a pre-award waiver of the **Participation Goals** in accordance with Section 6-129 and Part A, Section 10 below.

C. THE BIDDER/PROPOSER MUST COMPLETE THE SCHEDULE B INCLUDED HEREIN (SCHEDULE B, PART 2). A SCHEDULE B SUBMITTED BY THE BIDDER/PROPOSER WHICH DOES NOT INCLUDE THE VENDOR CERTIFICATION AND REQUIRED AFFIRMATIONS WILL BE DEEMED TO BE NON-RESPONSIVE, UNLESS A FULL WAIVER OF THE PARTICIPATION GOALS IS GRANTED (SCHEDULE B, PART 3). IN THE EVENT THAT THE CITY DETERMINES THAT THE BIDDER/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 AFFIRMATIONS, THE BIDDER/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 A COMPLETED SCHEDULE B TO THE AGENCY. FAILURE TO DO SO WILL RESULT IN A DETERMINATION THAT THE BID/PROPOSAL IS NON-RESPONSIVE. RECEIPT OF NOTIFICATION IS DEFINED AS THE DATE NOTICE IS E-MAILED OR FAXED (IF THE BIDDER/PROPOSER HAS PROVIDED AN E-MAIL ADDRESS OR FAX NUMBER), OR NO LATER THAN FIVE (5) CALENDAR DAYS FROM THE DATE OF MAILING OR UPON DELIVERY, IF DELIVERED.

5. Where an M/WBE Utilization Plan has been submitted, the Contractor shall, within 30 days of issuance by Agency of a notice to proceed, submit a list of proposed persons or entities to which it intends to award subcontracts within the subsequent 12 months. In the case of multi-year contracts, such list shall also be submitted every year thereafter. The Agency may also require the Contractor to report periodically about the contracts awarded by its direct

subcontractors to indirect subcontractors (as defined in Section 6-129(c)(22)). **PLEASE NOTE: If this Contract is a public works project subject to GML §101(5) (i.e., a contract valued at or below \$3M for projects in New York City) or if the Contract is subject to a project labor agreement in accordance with Labor Law §222, and the bidder is required to identify at the time of bid submission its intended subcontractors for the Wicks trades (plumbing and gas fitting; steam heating, hot water heating, ventilating and air conditioning (HVAC); and electric wiring), the Contractor must identify all those to which it intends to award construction subcontracts for any portion of the Wicks trade work at the time of bid submission, regardless of what point in the life of the contract such subcontracts will occur. In identifying intended subcontractors in the bid submission, bidders may satisfy any Participation Goals established for this Contract by proposing one or more subcontractors that are MBEs and/or WBEs for any portion of the Wicks trade work.** In the event that the Contractor's selection of a subcontractor is disapproved, the Contractor shall have a reasonable time to propose alternate subcontractors.

6. MBE and WBE firms must be certified by DSBS in order for the Contractor to credit such firms' participation toward the attainment of the **Participation Goals**. Such certification must occur prior to the firms' commencement of work. A list of city-certified MBE and WBE firms may be obtained from the DSBS website at www.nyc.gov/buycertified, by emailing DSBS at buyer@sbs.nyc.gov, by calling (212) 513-6451, or by visiting or writing DSBS at One Liberty Plaza, New York, New York, 10006, 11th floor. Eligible firms that have not yet been certified may contact DSBS in order to seek certification by visiting www.nyc.gov/getcertified, emailing MWBE@sbs.nyc.gov, or calling the DSBS certification helpline at (212) 513-6311. A firm that is certified as both an MBE and a WBE may be counted either toward the goal for MBEs or the goal for WBEs, but not both. No credit shall be given for participation by a graduate MBE or graduate WBE, as defined in Section 6-129(c)(20).

7. Where an **M/WBE** Utilization Plan has been submitted, the Contractor shall, with each voucher for payment, and/or periodically as Agency may require, submit statements, certified under penalty of perjury, which shall include, but not be limited to, the total amount the Contractor paid to its direct subcontractors, and, where applicable pursuant to Section 6-129(j), the total amount direct subcontractors paid to indirect subcontractors; the names, addresses and contact numbers of each MBE or WBE hired as a subcontractor by the Contractor, and, where applicable, hired by any of the Contractor's direct subcontractors; and the dates and amounts paid to each MBE or WBE. The Contractor shall also submit, along with its voucher for final payment: the total amount it paid to subcontractors, and, where applicable pursuant to Section 6-129(j), the total amount its direct subcontractors paid directly to their indirect subcontractors; and a final list, certified under penalty of perjury, which shall include the name, address and contact information of each subcontractor that is an MBE or WBE, the work performed by, and the dates and amounts paid to each.

8. If payments made to, or work performed by, MBEs or WBEs are less than the amount specified in the Contractor's **M/WBE** Utilization Plan, Agency shall take appropriate action, in accordance with Section 6-129 and Article II below, unless the Contractor has obtained a modification of its **M/WBE** Utilization Plan in accordance with Section 6-129 and Part A, Section 11 below.

9. Where an **M/WBE** Utilization Plan has been submitted, and the Contractor requests a change order the value of which exceeds the greater of 10 percent of the Contract or Task Order, as applicable, or \$500,000, Agency shall review the scope of work for the Contract or Task Order, as applicable, and the scale and types of work involved in the change order, and determine whether the **Participation Goals** should be modified.

10. Pre-award waiver of **the Participation Goals**. (a) A bidder or proposer, or contractor with respect to a Task Order, may seek a pre-award full or partial waiver of the Participation Goals in accordance with Section 6-129, which requests that Agency change one or more

Participation Goals on the grounds that the **Participation Goals** are unreasonable in light of the availability of certified firms to perform the services required, or by demonstrating that it has legitimate business reasons for proposing a lower level of subcontracting in its M/WBE Utilization Plan.

(b) To apply for a full or partial waiver of the **Participation Goals**, a bidder, proposer, or contractor, as applicable, must complete Part 3 of Schedule B and **submit such request no later than seven (7) calendar days prior to the date and time the bids, proposals, or Task Orders are due, in writing to the Agency Contact Person listed in Schedule B, Part 1. Full or partial waiver requests that are received later than seven (7) calendar days prior to the date and time the bids, proposals, or Task Orders are due may be rejected as untimely.** Bidders, proposers, or contractors, as applicable, who have submitted timely requests will receive an Agency response by no later than two (2) calendar days prior to the due date for bids, proposals, or Task Orders; provided, however, that if that date would fall on a weekend or holiday, an Agency response will be provided by close-of-business on the business day before such weekend or holiday date.

(c) If the Agency determines that the **Participation Goals** are unreasonable in light of the availability of certified firms to perform the services required, it shall revise the solicitation and extend the deadline for bids and proposals, or revise the Task Order, as applicable.

(d) Agency may grant a full or partial waiver of the **Participation Goals** to a bidder, proposer or contractor, as applicable, who demonstrates—before submission of the bid, proposal or Task Order, as applicable—that it has legitimate business reasons for proposing the level of subcontracting in its M/WBE Utilization Plan. In making its determination, Agency shall consider factors that shall include, but not be limited to, whether the bidder, proposer or contractor, as applicable, has the capacity and the bona fide intention to perform the Contract without any subcontracting, or to perform the Contract without awarding the amount of subcontracts represented by the **Participation Goals**. In making such determination, Agency may consider whether the M/WBE Utilization Plan is consistent with past subcontracting practices of the bidder, proposer or contractor, as applicable, whether the bidder, proposer or contractor, as applicable, has made efforts to form a joint venture with a certified firm, and whether the bidder, proposer, or contractor, as applicable, has made good faith efforts to identify other portions of the Contract that it intends to subcontract.

11. Modification of M/WBE Utilization Plan. (a) A Contractor may request a modification of its M/WBE Utilization Plan after award of this Contract. **PLEASE NOTE: If this Contract is a public works project subject to GML §101(5) (i.e., a contract valued at or below \$3M for projects in New York City) or if the Contract is subject to a project labor agreement in accordance with Labor Law §222, and the bidder is required to identify at the time of bid submission its intended subcontractors for the Wicks trades (plumbing and gas fitting; steam heating, hot water heating, ventilating and air conditioning (HVAC); and electric wiring), the Contractor may request a Modification of its M/WBE Utilization Plan as part of its bid submission.** The Agency may grant a request for Modification of a Contractor's M/WBE Utilization Plan if it determines that the Contractor has established, with appropriate documentary and other evidence, that it made reasonable, good faith efforts to meet the **Participation Goals**. In making such determination, Agency shall consider evidence of the following efforts, as applicable, along with any other relevant factors:

(i) The Contractor advertised opportunities to participate in the Contract, where appropriate, in general circulation media, trade and professional association publications and small business media, and publications of minority and women's business organizations;

(i) The Contractor provided notice of specific opportunities to

participate in the Contract, in a timely manner, to minority and women's business organizations;

(ii) The Contractor sent written notices, by certified mail or facsimile, in a timely manner, to advise MBEs or WBEs that their interest in the Contract was solicited;

(iv) The Contractor made efforts to identify portions of the work that could be substituted for portions originally designated for participation by MBEs and/or WBEs in the **M/WBE Utilization Plan**, and for which the Contractor claims an inability to retain MBEs or WBEs;

(v) The Contractor held meetings with MBEs and/or WBEs prior to the date their bids or proposals were due, for the purpose of explaining in detail the scope and requirements of the work for which their bids or proposals were solicited;

(vi) The Contractor made efforts to negotiate with MBEs and/or WBEs as relevant to perform specific subcontracts, or act as suppliers or service providers;

(vi) Timely written requests for assistance made by the Contractor to Agency's M/WBE liaison officer and to DSBS;

(vii) Description of how recommendations made by DSBS and Agency were acted upon and an explanation of why action upon such recommendations did not lead to the desired level of participation of MBEs and/or WBEs.

Agency's M/WBE officer shall provide written notice to the Contractor of the determination.

(b) The Agency may modify the **Participation Goals** when the scope of the work has been changed by the Agency in a manner that affects the scale and types of work that the Contractor indicated in its **M/WBE Utilization Plan** would be awarded to subcontractors.

12. If the Contractor was required to identify in its bid or proposal the MBEs and/or WBEs they intended to use in connection with the performance of the Contract or Task Order, substitutions to the identified firms may only be made with the approval of the Agency, which shall only be given when the Contractor has proposed to use a firm that would satisfy the **Participation Goals** to the same extent as the firm previously identified, unless the Agency determines that the Contractor has established, with appropriate documentary and other evidence, that it made reasonable, good faith efforts. In making such determination, the Agency shall require evidence of the efforts listed in Section 11(a) above, as applicable, along with any other relevant factors.

13. If this Contract is for an indefinite quantity of construction, standard or professional services or is a requirements type contract and the Contractor has submitted an **M/WBE Utilization Plan** and has committed to subcontract work to MBEs and/or WBEs in order to meet the **Participation Goals**, the Contractor will not be deemed in violation of the M/WBE Program requirements for this Contract with regard to any work which was intended to be subcontracted to an MBE and/or WBE to the extent that the Agency has determined that such work is not needed.

14. If **Participation Goals** have been established for this Contract or a Task Order issued pursuant to this Contract, at least once annually during the term of the Contract or Task Order, as applicable, Agency shall review the Contractor's progress toward attainment of its **M/WBE Utilization Plan**, including but not limited to, by reviewing the percentage of work the Contractor

has actually awarded to MBE and/or WBE subcontractors and the payments the Contractor made to such subcontractors.

15. If **Participation Goals** have been established for this Contract or a Task Order issued pursuant to this Contract, Agency shall evaluate and assess the Contractor's performance in meeting those goals, and such evaluation and assessment shall become part of the Contractor's overall contract performance evaluation.

PART B

MISCELLANEOUS

1. The Contractor shall take notice that, if this solicitation requires the establishment of a **M/WBE** Utilization Plan, the resulting contract may be audited by DSBS to determine compliance with Section 6-129. See §6-129(e)(10). Furthermore, such resulting contract may also be examined by the City's Comptroller to assess compliance with the **M/WBE** Utilization Plan.

2. Pursuant to DSBS rules, construction contracts that include a requirement for a **M/WBE** Utilization Plan shall not be subject to the law governing Locally Based Enterprises set forth in Section 6-108.1 of the Administrative Code of the City of New York.

3. DSBS is available to assist contractors and potential contractors in determining the availability of MBEs and/or WBEs to participate as subcontractors, and in identifying opportunities that are appropriate for participation by MBEs and/or WBEs in contracts.

4. Prospective contractors are encouraged to enter into qualified joint venture agreements with MBEs and/or WBEs as defined by Section 6-129(c)(30).

5. By submitting a bid or proposal the Contractor hereby acknowledges its understanding of the M/WBE Program requirements set forth herein and the pertinent provisions of Section 6-129, and any rules promulgated thereunder, and if awarded this Contract, the Contractor hereby agrees to comply with the M/WBE Program requirements of this Contract and pertinent provisions of Section 6-129, and any rules promulgated thereunder, all of which shall be deemed to be material terms of this Contract. The Contractor hereby agrees to make all reasonable, good faith efforts to solicit and obtain the participation of MBEs and/or WBEs to meet the required **Participation Goals**.

ARTICLE II. ENFORCEMENT

1. If Agency determines that a bidder or proposer, as applicable, has, in relation to this procurement, violated Section 6-129 or the DSBS rules promulgated pursuant to Section 6-129, Agency may disqualify such bidder or proposer, as applicable, from competing for this Contract and the Agency may revoke such bidder's or proposer's prequalification status, if applicable.

2. Whenever Agency believes that the Contractor or a subcontractor is not in compliance with Section 6-129 or the DSBS rules promulgated pursuant to Section 6-129, or any provision of this Contract that implements Section 6-129, including, but not limited to any **M/WBE** Utilization Plan, Agency shall send a written notice to the Contractor describing the alleged noncompliance and offering the Contractor an opportunity to be heard. Agency shall then conduct an investigation to determine whether such Contractor or subcontractor is in compliance.

3. In the event that the Contractor has been found to have violated Section 6-129, the DSBS rules promulgated pursuant to Section 6-129, or any provision of this Contract that implements Section 6-129, including, but not limited to, any **M/WBE** Utilization Plan, Agency may determine that one of the following actions should be taken:

- (a) entering into an agreement with the Contractor allowing the Contractor to cure the violation;
- (b) revoking the Contractor's pre-qualification to bid or make proposals for future contracts;
- (c) making a finding that the Contractor is in default of the Contract;
- (d) terminating the Contract;
- (e) declaring the Contractor to be in breach of Contract;
- (f) withholding payment or reimbursement;
- (g) determining not to renew the Contract;
- (h) assessing actual and consequential damages;
- (i) assessing liquidated damages or reducing fees, provided that liquidated damages may be based on amounts representing costs of delays in carrying out the purposes of the M/WBE Program, or in meeting the purposes of the Contract, the costs of meeting utilization goals through additional procurements, the administrative costs of investigation and enforcement, or other factors set forth in the Contract;
- (j) exercising rights under the Contract to procure goods, services or construction from another contractor and charge the cost of such contract to the Contractor that has been found to be in noncompliance; or
- (k) taking any other appropriate remedy.

4. If an **M/WBE** Utilization Plan has been submitted, and pursuant to this Article II, Section 3, the Contractor has been found to have failed to fulfill its **Participation Goals** contained in its **M/WBE** Utilization Plan or the **Participation Goals** as modified by Agency pursuant to Article I, Part A, Section 11, Agency may assess liquidated damages in the amount of ten percent (10%) of the difference between the dollar amount of work required to be awarded to MBE and/or WBE firms to meet the **Participation Goals** and the dollar amount the Contractor actually awarded and paid, and/or credited, to MBE and/or WBE firms. In view of the difficulty of accurately ascertaining the loss which the City will suffer by reason of Contractor's failure to meet the **Participation Goals**, the foregoing amount is hereby fixed and agreed as the liquidated damages that the City will suffer by reason of such failure, and not as a penalty. Agency may deduct and retain out of any monies which may become due under this Contract the amount of any such liquidated damages; and in case the amount which may become due under this Contract shall be less than the amount of liquidated damages suffered by the City, the Contractor shall be liable to pay the difference.

5. Whenever Agency has reason to believe that an MBE and/or WBE is not qualified for certification, or is participating in a contract in a manner that does not serve a commercially useful function (as defined in Section 6-129(c)(8)), or has violated any provision of Section 6-129, Agency shall notify the Commissioner of DSBS who shall determine whether the certification of such business enterprise should be revoked.

6. Statements made in any instrument submitted to Agency pursuant to Section 6-129 shall be submitted under penalty of perjury and any false or misleading statement or omission shall be grounds for the application of any applicable criminal and/or civil penalties for perjury. The making of a false or fraudulent statement by an MBE and/or WBE in any instrument submitted pursuant to Section 6-129 shall, in addition, be grounds for revocation of its certification.

7. The Contractor's record in implementing its **M/WBE** Utilization Plan shall be a factor in the evaluation of its performance. Whenever Agency determines that a Contractor's compliance with an **M/WBE** Utilization Plan has been unsatisfactory, Agency shall, after consultation with the City Chief Procurement Officer, file an advice of caution form for inclusion in VENDEX as caution data.

Attachment C
Doing Business Form
REQUEST FOR WAIVER OF SUBCONTRACTOR GOALS

Contract Overview

Tax ID # _____ FMS Vendor ID # _____

Business Name _____

Contact Name _____ Telephone # _____ Email _____

Type of Procurement Competitive Sealed Bids Other Bid/Response Due Date _____

PIN # (for this procurement)	Type of work on Prime Contract	Type of work on Subcontract (Check all that apply):	
CSP EPIN 03020P0001	(Check one):	<input type="checkbox"/> Construction	<input type="checkbox"/> Construction
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Other

SUBCONTRACTING as described in bid/solicitation documents (Copy this % figure from the solicitation)

_____ % of the total contract value anticipated by the agency to be subcontracted for construction/professional services subcontracts valued below \$1 million (each)

ACTUAL SUBCONTRACTING as anticipated by vendor seeking waiver

_____ % of the total contract value anticipated **in good faith** by the bidder/proposer to be subcontracted for construction/professional services subcontracts valued below \$1 million (each)

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

Vendor does not subcontract construction/professional services, and has the capacity and good faith intention to perform all such work itself.

Vendor subcontracts *some* of this type of work but at *lower* % than bid/solicitation describes, and has the capacity and good faith intention to do so on this contract.

Other _____

References

List 3 most recent contacts/subcontracts performed for NYC agencies (if any)

CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____
CONTRACT NO. _____	AGENCY _____	DATE COMPLETED _____

List 3 most recent contracts/subcontracts performed for other agencies/entities (complete ONLY if vendor has performed fewer than 3 NYC contracts)

TYPE OF WORK _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at agency/entity that hired vendor (Name/Phone No.) _____		
TYPE OF WORK _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at agency/entity that hired vendor (Name/Phone No.) _____		
TYPE OF WORK _____	AGENCY/ENTITY _____	DATE COMPLETED _____
Manager at agency/entity that hired vendor (Name/Phone No.) _____		

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

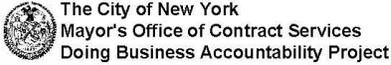
AGENCY CHIEF CONTRACTING OFFICER APPROVAL

Signature: _____ Date: _____

CITY CHIEF PROCUREMENT OFFICER APPROVAL

Signature: _____ Date: _____

Appendix G



Doing Business Data Form

To be completed by the City Agency prior to distribution			
Agency: _____		Transaction ID: _____	
Check One: <input type="checkbox"/> Proposal <input type="checkbox"/> Award	Transaction Type (check one): <input type="checkbox"/> Concession <input type="checkbox"/> Contract <input type="checkbox"/> Economic Development Agreement <input type="checkbox"/> Franchise <input type="checkbox"/> Grant <input type="checkbox"/> Pension Investment Contract		

Any entity receiving, applying for or proposing on an award or agreement must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for a proposal to be considered responsive or for any entity to receive an award or enter into an agreement.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's VENDEX requirements.**

Please return the completed Data Form to the City Agency that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

Section 1: Entity Information

Entity Name: _____

Entity EIN/TIN: _____

Entity Filing Status (select one):

- Entity has never completed a Doing Business Data Form. *Fill out the entire form.*
- Change from previous Data Form dated _____. *Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.*
- No Change from previous Data Form dated _____. *Skip to the bottom of the last page.*

Entity is a Non-Profit: Yes No

Entity Type: Corporation (any type) Joint Venture LLC Partnership (any type)
 Sole Proprietor Other (specify): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone : _____ Fax : _____

E-mail: _____

Provide your e-mail address and/or fax number in order to receive notices regarding this form by e-mail or fax.

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer

This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

This person replaced former CEO: _____ on date: _____

Chief Financial Officer (CFO) or equivalent officer

This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

This person replaced former CFO: _____ on date: _____

Chief Operating Officer (COO) or equivalent officer

This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

This person replaced former COO: _____ on date: _____

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual owners exist, please check the appropriate box to indicate why and skip to the next page. If the entity is owned by other companies, those companies do not need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit
- There are no individual owners
- No individual owner holds 10% or more shares in the entity
- Other (explain): _____

Principal Owners (who own or control 10% or more of the entity):

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Principal Owners:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's relevant transactions with the City (e.g., contract managers if this form is for a contract award/proposal, grant managers if for a grant, etc.). Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any transaction with the City. **At least one senior manager must be listed, or the Data Form will be considered incomplete.** If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers:

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Senior Managers:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Certification

I certify that the information submitted on these four pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name: _____

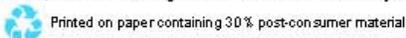
Signature: _____ Date: _____

Entity Name: _____

Title: _____ Work Phone #: _____

Return the completed Data Form to the agency that supplied it.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.



July 29, 2020

Addendum #1

On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) –

CSP EPIN 03020P0001

To Potential Proposers:

Pursuant to Section 3-03 (f) (2) of the Procurement Policy Board (PPB) Rules, the Department of City Planning (DCP) is issuing Addendum # 1 to the On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) – CSP EPIN 03020P0001

Question 1: We are NYC WBE looking to team with Primes – can you please send me a list of the Zoom Prebid attendees so I can pursue teaming?

Response: Please see the attached EXCEL spreadsheet of attendees from the Pre-Proposal Conference.

The following firms have indicated that they are submitting a proposal as a Prime in response to this RFP. The specific contact information is in the attached EXCEL spreadsheet.:

AECOM

AKRF

HDR

Langan

Philip Habib and Associates

Sam Schwartz

STV Inc.

VHB, Inc.

WSP USA Inc.

Question 2: I have a question to submit for the next Addenda. On the Zoom meeting you mentioned that the previous RFP was awarded to six different consultants. Could you provide the names of those consultants?

Response: The list of consultants on the current rotation are:

Philip Habib and Associates

AKRF

AECOM

VHB, Inc.

WSP USA Inc.

STV Inc.

200729.Addendum1

August 12, 2020

Addendum #2

On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) –

CSP EPIN 03020P0001

To Potential Proposers:

Pursuant to Section 3-03 (f) (2) of the Procurement Policy Board (PPB) Rules, the Department of City Planning (DCP) is issuing Addendum # 2 to the On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) – CSP EPIN 03020P0001

- The last day for questions is 8/14/2020 at 5pm EST.
 - Submit to DCPBIDS@planning.nyc.gov
- This is a Master Agreement procurement; it will result in the awarded vendors having MWBE goals set at a task order level. The percentages in the RFP can be disregarded. The Schedule B Form beginning on page BB-2 is withdrawn from the RFP.
- This RFP is subject to Local Law 1, not Local Law 129. Appendix F in the RFP should be replaced with the attached **Appendix F-1**
- **Bids are due on 9/1/2020 at 12pm EST**

Question #1: The RFP requests that we provide double-sided printed hard copies and CDs of the proposal, as well as emailed PDFs. During the July 28, 2020 preproposal meeting you indicated thumb drives are acceptable in lieu of CDs. Please confirm in writing that thumb drives are acceptable in lieu of CDs.

Response: Yes.

Question #2: May we include a thumb drive instead of a CD?

Response: Yes.

Question #3: Our certified financial statements are confidential. We are wondering if certified financial statements can be provided with Envelope 2 Price Proposal instead of with Envelope 1 Program Proposal so our confidential financial data is not subject to FOIL.

Response: Yes. Please note, however, that the Freedom of Information Law (FOIL) allows agencies to withhold proposal information prior to contract award, but once a contract is awarded, the information would be releasable. If such information could be regarded as “trade secrets” which, if released, would cause substantial injury to the competitive position of a commercial enterprise, such information should be classified accordingly.

Question #4: In lieu of SF254/255 forms is it acceptable to provide SF330 Part I and Part II forms as this seems to be the industry standard.

Response: Yes.

Question #5: Section IV, Proposal Format, item 5 (page 11) requests Other Documents that need to be submitted before final award, including PASSport Questionnaires, Labor Relations Employment Report, and Tax Affirmation Form. If these items are required to be submitted at the proposal stage, can you (A) please provide the blank forms and (B) also confirm these items are to be submitted along with the Doing Business Data Form in Envelope 4.

Response: The requested copies are not mandatory for proposal submission.

Question #6: Appendix C lists categories for Meteorology, Noise, and Air Quality...however Appendix B does not include Key Personnel pages for those positions. Also, there are placeholders on Appendix C for “Other” Categories that we’d like to provide resumes for, however there is no blank for “Other” Categories in Appendix B. How would you like us to identify staffing for Meteorology, Noise, Air Quality and “Other” Categories?

Response: Respondents may create additional pages in Appendix B for categories that do not appear there but are listed in Appendix C (for in-house Air Quality Personnel, for example).

Question #7: Regarding Appendix D Price Proposal Form, do we submit (A) only one form on behalf of the entire team, or (B) do we submit one form for the Prime in addition to one form for each subconsultant?

Response: If the prime is of sufficient size to submit one form on behalf of the entire team, that approach is acceptable. If the team comprises several “small” to “mid-sized” firms, it would also be acceptable to submit a form that includes appropriate titles from each subconsultant that would play a substantial role.

Question #8: “To demonstrate that the proposer understands the scope and nature of the services requested in the RFP, please submit a sample of an executive summary from a published Final Environmental Impact Statement”.

There are only a handful of firms – approximately 5-6 firms that have published an EIS as shown over the last 10 years on DCP website. This effectively limits for potentially the next ten years access to this contract – allowing no new firms to effectively bid on this contract despite the fact that the firm may have prepared many substantial EAS’s – perhaps many more than the very large firms that dominate these services with the City.

Please let me know if this is a hard and fast rule.

Response: Proposers are encouraged to submit executive summaries of final environmental impact statements (or provide specific links to the summaries on the Lead Agency website if the executive summary exceeds 10 pages) for CEQR, SEQRA or NEPA actions.

It is understood that there are firms that participated in the preparation of environmental documents as sub-contractors. Those executive summaries, clearly indicating the consultant's participation, would be accepted.

It is recognized that there are substantial EASs which could be representative of the skills and experience requirements and would thus be considered if such EASs were prepared pursuant to CEQR.

Question #9: The MWBE form requires 6% of the subcontracting percentage be assigned to Emerging Business Enterprises. The list of Emerging Business Enterprises on NYCDSBS' website includes only a small number of firms, and they do not appear to offer any of the professional services that would be required under this contract. Please confirm that the subcontracting percentage for Emerging Business Enterprises is a requirement for this contract.

Response: This is a Master Agreement procurement; the awarded vendors will be subject to MWBE goals that will be set at a task order level. Please see second bullet on page 1.

Question #10: Please clarify the asterisk at the bottom of page BB-2 which states, "For this procurement, based on the limited number of likely subcontracting opportunities, individual ethnicity and gender goals are not specified. Bidders/proposers may meet the Total Participation Goal through subcontracts with vendors certified in one or more of the ethnicity or gender categories." Does this mean that the percentages that are listed on page BB-2 are not specifically required?

Response: This is a Master Agreement procurement; the awarded vendors will be subject to MWBE goals that will be set at a task order level. Please see second bullet on page 1.

Question #11: The RFP indicates that the contract would be subject to a performance-based payment structure with liquidated damages of 20% of the fee for failure to deliver a PDEIS within 180 days of the Notice to Proceed. Based on prior experience with large-scale rezoning projects, we would like to suggest that 180 days from issuance of the draft scoping document would be a more appropriate deadline.

Response: The RFP qualifies the timeline you reference with "unless otherwise indicated in the Task Order." Successful respondents should raise this question during contract negotiations.

Question #12: The RFP requests one representative resume for each title – is it acceptable to submit more than one resume for some of the titles?

Response: No.

Question #13a: On the pre-proposal call, it was stated that only five visual materials of past work should be submitted. Does this mean five project sheets for the prime and five for each subconsultant?

Response: Yes.

Question #13b: And is it acceptable to include images of past work within the body of the proposal?

Response: Yes, provided that the images do not exceed one 8.5x11 page each, and please be selective, in consideration of proposal size/volume.

Question #14: Can you please clarify what services will be required in the category of meteorology?

Response: Potentially Air Quality and Greenhouse Gas analyses.

Question #15: The RFP requests “Other Documents” on page 11, which includes the Department of Business Services/Office of Labor Relations Employment Report. Can you provide guidance on how we can obtain a copy of this report for the proposal or if there is a specific form we should complete to address this item? It is our understanding that Other Documents are to be supplied upon award, but that Glen also wanted copies included within the proposal.

Response: Please see the link below for the Department of Business Services/Office of Labor Relations Employment Report. FYI, the requested copies are not mandatory for proposal submission.

Link: <https://www1.nyc.gov/assets/doh/downloads/pdf/acco/dobdlsform.pdf>

Question #16: The City’s MWBE program was established by Local Law 129 of 2005 and expanded by Local Law 1 of 2013. The RFP references Local Law 129 only, and the MWBE form provided appears to be compliant with Local Law 129. Is the contract subject to the requirements of Local Law 1? One of the differences is that under Local Law 1, an MWBE prime consultant “counts” toward the MWBE percentage.

Response: This RFP is subject to Local Law 1. Appendix F in the RFP should be replaced with the attached **Appendix F-1**

Question #17: Do subconsultants need to provide any of the following forms?

- PASSport Questionnaires
- Department of Business Services/Office of Labor Relations Employment Report
- Tax Affirmation Form

Response: No. Primes should complete the before mentioned forms.

August 18, 2020

Addendum #3

On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) –

CSP EPIN 03020P0001

To Potential Proposers:

Pursuant to Section 3-03 (f) (2) of the Procurement Policy Board (PPB) Rules, the Department of City Planning (DCP) is issuing Addendum #3 to the On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) – CSP EPIN 03020P0001

- The last day for questions was 8/14/2020 at 5pm EST.
- This is a Master Agreement procurement; it will result in the awarded vendors having MWBE goals set at a task order level.
- The Schedule B Form beginning on has been withdrawn from the RFP, eliminating the need for that envelop.
- **Bids are due on 9/1/2020 at 12pm EST**

Question #1: Should the Appendix B forms (the seven technical disciplines) only include staff from the Prime consultant? Or can subconsultant staff be included as well?

Response: Subconsultants may be included.

Question #2: Do subconsultants need to fill out the Appendix B forms?

Response: Subconsultants should fill out the appropriate forms where applicable.

Question #3: With the subcontractor utilization form (Appendix F Attachment B) withdrawn as per Addendum #2, that would mean there will be 3 envelopes, not 4. Please confirm.

Response: The Schedule B Form beginning on has been withdrawn from the RFP, eliminating the need for that envelop. Please see the third bullet above.

Question #4: Could you confirm whether an EBE will be required team member on the contract?

Response: There is no EBE requirement for this procurement.

Question #5: There any form required in connection with Appendix F-1? If not, what should be provided in the third sealed envelope of the proposal package (or is it no longer required)?

Response: This is a Master Agreement procurement; the awarded vendors will be subject to MWBE goals that will be set at a task order level. Please see the second and third bullets above.

Question #6: Please let us know if a partial RFP can be submitted for this project. Our firm has expertise in Environmental Impact statements, Environmental Assessments, CEQR review and Hazardous waste remediation. Please let us know if we can submit an RFP for the environmental aspects for this project.

Response: Partial RFPs are permitted in this procurement. It is strongly recommended that a firm contact either a potential prime firm indicated in Addendum 1 or other firms that attended the pre-proposal conference.

Question #7: Page 1 of the RFP states, “In summary, respondents will submit five (5) hard copies, five (5) thumb drives or compact disks containing the entire proposal and one (1) electronic PDF file emailed addressed to the above.” However, the checklist on page 11 requests digital copies of the Program Proposal only.

Can you please confirm that we are to provide CDs/USBs (and email) the Program Proposal only as page 11 of the RFP does not indicate that you are requesting digital copies (CDs/USBs) of the Price Proposal (Envelope 2), Subcontractor Utilization Plan (Envelope 3), or Doing Business Data Form (Envelope 4).

Response: Please provide 5 digital copies of the entire proposal. Each “envelop” may be a separate file on the CD/thumb drive.

Question #8: Page 11 of the RFP is silent on how many copies of the Subcontractor Utilization Plan you require. Are we safe to assume you want only 1 original?

Response: Please provide 5 copies of the entire proposal.

Question #9: On pages 8 and 9 the RFP states, “Along with this form (Form B), proposers should submit resumes detailing relevant experience and qualifications for each individual with the following titles: Principal, Project Manager, Deputy Project Manager (if applicable), and Senior Professional. In addition, one representative resume should be included for each of the following titles: Professional, Junior Professional, and Technician.”

When reading the instructions, we assumed “resumes” ...meaning more than one resume... are permissible for some positions, including Senior Professional. We have more than one Senior Professional identified on the Form Bs. Can we provide a resume for each individual with the title of Senior Professional?

Response: Please provide one resume per title per each Appendix B sheet.

Question #10: Can you please clarify Question 12 from Addendum 2 (page AA-4). Are we to provide only one resume per title period, or are we to provide one resume per title for each Appendix B sheet?

And, does the one resume limit apply only to the positions of Professional, Junior Professional, and Technician? See question above related to providing “resumes” for some positions, including Senior Professional.

Response: Please provide one resume per title per each Appendix B sheet.

Question #11: The second bullet of Addendum 2 page AA-2 states that the Schedule B form beginning on page BB-2 is withdrawn from the RFP. *However, RFP page 11 still shows Schedule B (Envelope 3) as being a requirement of the Proposal Package Contents "Checklist."*

Response: Disregard RFP page 11 which indicates Schedule B (Envelope 3) as being a requirement of the Proposal Package Contents "Checklist."

Question #12: **Addendum 2** states that the "Schedule B Form beginning on page BB-2 is withdrawn from the RFP." We noted that **page 11 of the revised RFP document** still contains the requirement for "a third sealed inner envelope containing "Subcontractor Utilization Plan" (Appendix F, Attachment B, Schedule B, Part II) or Approved Waiver of Target Subcontracting Percentage (Appendix F, Schedule B, Part III)." Please confirm that this is no longer required, and therefore the third inner envelope should contain the completed Doing Business Data Form (currently inner envelope 4).

Question #13: Also, regarding the removal of the stated M/WBE participation percentage, please clarify whether non-M/WBE prime consultants should still identify, in this proposal, the M/WBE subconsultants they intend to team with in order to meet the 30% participation on future task orders.

Response: All subconsultants need to be identified in the RFP submission.

Question #14: Please clarify the number of resumes that can be submitted for each title. **Addendum 2, Question 12** indicates no more than one resume per title, but the revised RFP indicates no more than one resume per title for only the following titles: Professional, Junior Professional, and Technician. Are we permitted to submit more than one resume for other titles? And/or, are we permitted to submit multiple resumes if the titles are the same but the technical area is different (i.e., one resume for urban planning technical director, one separate resume for traffic engineering technical director, etc.)?

Response: Please provide one resume per title per each Appendix B sheet.

Question 15: Would we be able to use tabloid size paper (11" x 17") in the proposals for the organizational chart or any other specialty graphics?

Response: As indicated on page 8. "Proposers should provide all information required in the format below. The proposal should be typed on both sides of 8 ½" X 11" paper."

200818.Addendum 3

August 25, 2020

Addendum #4

On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) –

CSP EPIN 03020P0001

To Potential Proposers:

Pursuant to Section 3-03 (f) (2) of the Procurement Policy Board (PPB) Rules, the Department of City Planning (DCP) is issuing Addendum #3 to the On-Call Contract for Environmental Consulting and Engineering Related Services Request for Proposals (RFP) – CSP EPIN 03020P0001

- **Bids are due on 9/1/2020 at 12pm EST**

Question #1: The Environmental On-Call needs to be dropped off at DCP by noon on September 1st. According to your website, the office is closed. Will there be someone there accepting the proposals on that day or do we drop them off at the front desk?

Response: As clearly indicated on page 1 of the RFP: all submissions are to be delivered to the 31st Floor at 120 Broadway.

The Reception Desk will be staffed from 9:00 AM through 12:30 PM.

200825.Addendum 4