



**Homes and
Community Renewal**

**Division of Housing
and Community
Renewal**

NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL

Request for Quotes Schedule of Reasonable Cost for Major Capital Improvements

1. Purpose and Other Pertinent Information

The purpose of this Request for Quotes (“RFQ”) is to solicit bids from firms (“Respondents”) and award a contract to a qualified firm to assist the New York State Division of Housing and Community Renewal (“DHCR” or “Agency”) in the development of a Schedule of Reasonable Costs (“Schedule(s)”), for building improvements that are essential for the preservation, energy efficiency, functionality or infrastructure of the entire building (“Major Capital Improvements” or “MCIs”), that DHCR will use in the administration of the rent regulations of the State of New York (“State”) (the “Project”).

IMPORTANT NOTICE: A Restricted Period under the Procurement Lobbying Law is currently in effect for this Procurement and will remain in effect until award of the Contract. Respondents are prohibited from Lobbying Law Contacts related to this Procurement with any New York State employee other than the Designated Contact listed below.

Designated Contact: Laurice Firenze at Laurice.Firenze@nyshcr.org

If you have inquiries regarding this RFQ or would like to contact DHCR regarding issues not relating to Lobbying Law Contacts, please forward inquiries via electronic email to Nyhomes.proposal@nyshcr.org AND:

Lisa G. Pagnozzi at Lisa.Pagnozzi@nyshcr.org or
Libria.Gibson-Obama at Libria.Gibson-Obama@nyshcr.org

MWBE GOAL:	30% participation (15% MBE, 15% WBE)
SDVOB GOAL:	6% participation
Anticipated Contract Term:	1 Year

All MWBE firms submitting Bid Responses to this RFQ must be certified by the State's Empire State Development ("ESD"). For assistance identifying MWBE partners, review the [list of certified MWBEs](#), hyperlinked herein.

All SDVOB firms submitting Bid Responses to this RFQ must be certified by the State's Office of General Services ("OGS"). For assistance identifying SDVOB partners, review the [list of certified State SDVOBs](#), hyperlinked herein.

1.1 MWBE and SDVOB Partner/Subcontractor Interest

State certified MWBEs and SDVOBs may request that their firm's contact information be included on a list of MWBE and SDVOB firms interested in serving as a partner or subcontractor. The listing will be publicly posted on HCR's website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its State MWBE certification and/or State SDVOB certification to Lisa.Pagnozzi@nyshcr.org. Nothing prohibits an MWBE or a SDVOB firm from proposing as a prime contractor.

1.2. Intent to Submit Bid Response

Prospective Respondents meeting or exceeding the Minimum Qualifications in Section 4 of this RFQ are strongly encouraged to complete and submit the "Intent to Submit Bid" form, attached hereto as Exhibit A, to Lisa G. Pagnozzi at Lisa.Pagnozzi@nyshcr.org. Respondents that return the "Intent to Submit Bid" form will receive email notifications from DHCR when updates are posted to DHCR's website regarding this RFQ.

1.3 Questions and Clarifications to RFQ

Questions or requests for clarification regarding this RFQ should be submitted via email to Lisa.Pagnozzi@nyshcr.org on or before the specified Deadline for RFQ Questions cited in the Calendar of Events and Milestones section of this RFQ.

The comprehensive list of questions/requests for clarifications and the Agency responses will be posted to DHCR's website.

In the event that it becomes necessary to clarify or revise this RFQ, such clarification or revision will be made by addendum and posted to the Agency's website at <https://hcr.ny.gov/procurement-opportunities>. Any addendum to this RFQ will become part of this RFQ and part of any contract awarded as a result of this RFQ process.

Interested Respondents should check the Agency’s website frequently for updates. It is the sole responsibility of the Respondent to be knowledgeable of all addenda related to this RFQ.

2. Calendar of Events and Milestones

It is anticipated that a Contract will be awarded in response to this RFQ process based on the following schedule:

Event	Date
Issuance of RFQ	December 19, 2019
Deadline for RFQ Questions	January 7, 2020, 3pm, Eastern Standard Time (“EST”)
Deadline for Responses to RFQ Questions	January 10, 2020
Bid Response Submission Deadline	January 15, 2020, 12pm, EST
Notification for Interview to Respondents (if needed)	Week of February 3, 2020
Interview for Respondents (if needed)	Week of February 10, 2020
Anticipated Notification of Selection*	Week of February 18, 2020
Anticipated Date for Execution of the Contract(s)	February 28, 2020

3. Overview

The [Housing Stability and Tenant Protection Act of 2019](#) (“HSTPA”) requires the creation of a reasonable costs schedule. Specifically, the HSTPA requires that DHCR create and maintain a schedule of reasonable cost for major capital improvements (“MCI”), which shall set a ceiling for what can be recovered (“Schedule”).

During the processing of MCI applications, all costs claimed by the owner for the MCI are reviewed. In the past, actual costs as substantiated and that met the appropriate statutory and regulatory criteria for the MCI were approved. As set forth above, in the amended laws, the amount of such substantiated costs that will be approved or “recovered” for an MCI rent increase will be further based on reasonable costs. It is anticipated that the Schedule created, with the assistance of the successful Bidder to this Request for Quotes (“RFQ”) issued by the New York State Division of Housing and Community Renewal (“DHCR”), will contain the reasonable cost of the various MCIs and their components and any such other criteria which will be part of the formula for MCI rent increases.

4. Minimum Qualifications

The Bidder (“Respondent”) shall meet the following minimum qualifications outlined in this section. Failure to do so will result in the rejection of the Bid Response.

To be a qualified Respondent, the Respondent must certify that he/she/it:

- (i) possesses experience within the last five (5) years providing services similar to those described in this document with specific experience in cost estimating for repair and replacement;
- (ii) is a registered professional engineer with MEP background and or a registered architect and that these licenses/certification(s) will be retained throughout the term of the contract;
- (iii) has experience in the New York City (“NYC”) market or similar municipalities; and
- (iv) has experience evaluating the needs of multifamily buildings constructed pre-1974.

The Respondent must provide evidence of experience in developing schedules of reasonable costs for capital improvements. Such evidence can include, but is not limited to, sample schedules, references, and/or other relevant or professional certification.

All required licenses, certifications and/or credentials must be maintained by the successful Respondent throughout the life of an awarded Contract.

5. Scope of Services (Scope of Work)

5.1 Schedule of Reasonable Costs

The successful Respondent will be expected to prepare, with agency input, a schedule of, including methodology and process for, reasonable costs for MCIs to be used in the processing of MCI Rent Increase applications submitted to DHCR. The Schedule must be clear, use language and format that is easy to comprehend, and provide all details that are necessary for DHCR to process MCI Rent Increase applications, including definitions, necessity of item, and any other information that may be essential in establishing the Schedule that are further explained in Section 5.2 Major Capital Improvements and in Section 5.3 Additional Cost Considerations below. **The deadline for the delivery of the Schedule is May 15, 2020**, with a draft deliverable due on or about April 15, 2020.

In addition, the successful Respondent, upon request by DHCR, may be required to provide advice and/or reports in the future for tasks, such as (i) a schedule of reasonable costs for new qualifying MCIs and/or a schedule of reasonable costs for MCIs in additional regions of the State, (ii) information with respect to Individual Apartment Improvements (“IAIs”) (i.e. qualified work done

in an apartment rather than on a building-wide basis that meets a separate set of statutory and regulatory criteria), and (iii) a methodology for updating these schedules.

A. Overview of the Schedule's Categories of Information

The Schedule must minimally include details for the following items:

1. Type of work performed;
2. Scope of work performed;
3. Location of work performed;
4. Number of change orders required for completion of work;
5. Industry-wide average cost for completion of work;
6. Cost of labor for completion of work;
7. Cost of material for completion of work;
8. Depreciable life of work performed;
9. Energy efficiency of completed work; and
10. Any other variable or variables that may be relevant to determining the maximum cost for completion of a specific type of work.

B. Description of Each of the Schedule's Categories of Information

1. Type of Capital Work. It is anticipated that the Schedule would be organized by MCI item as listed in Section 5.2 below. Under each MCI item, a list of all necessary components for the item is required and the corresponding reasonable cost for each component. The details for each MCI item must include, but not be limited to, material and equipment for each component.
2. Scope of Capital Work. The Schedule must consider variations in scope and type of MCI, such as the difference in the Schedule for an elevator for a small apartment building to a high-rise building, and for types of roofing material.
3. Geographic Location of the Capital Work. It is anticipated that the Schedule would also be able to be modified to reflect any cost differences among the regions of the State that currently contain buildings regulated under the State's rent regulation laws including, but not limited to, the five counties within New York City as well as Westchester, Nassau, and Rockland Counties and other areas that may be added by virtue of HSTPA.
4. Industry-Wide Average Cost for Completion of Work. It is anticipated that the Schedule will identify the industry-wide unit used to measure costs such as square feet, building floor, pounds, gallons, etc., where appropriate.
5. Cost of Material for Completion of Work. The costs for the components of the MCI should include, but not be limited to, the price per item, unit, square footage, or however such component is measured in the industry or the regular course of business.
6. Cost of Labor for Completion of Work. Where applicable, the cost of labor for installation of capital work should be indicated as a separate line-item. Labor costs are to be based on the type of work needed to be performed, the minimum skill grade required,

and the time required for completion of such work. Work performed by landlord's own employees for which the employees are regularly compensated is not to be factored into the reasonable cost of the MCI item as such costs are not eligible for an MCI rent increase.

7. Depreciable Life of Capital Work Performed. The Schedule should account for the estimated useful life of each type of work and the useful life should be used in calculating the work's entire cost. The effect of the work's useful life is to be explained in endnotes to the Schedule.
8. Change Orders Required for Completion of Work. The Schedule should provide a means or formula for calculating increases or decreases to costs for various types of work based on possible change orders.
9. Energy Efficiency of Completed Capital Work. The Schedule shall, where applicable, note the cost of different categories of capital work based on their energy efficiency and savings in energy costs that they can be expected to provide as well as their carbon footprint.
10. Other Relevant Variables. The Schedule should note and apply any other factors that were used to determine the cost for a certain type of capital improvement not listed in this subsection 5.2 of the RFQ.

C. Additional Requirements for Schedule

The Schedule must also:

1. Include a methodology for periodic updates;
2. Include the current reasonable costs for all MCIs as well as the reasonable costs for the past five years, starting from the year 2014 and for each year thereafter;
3. Permit adjustment of the maximum costs based on the area in which the work would be performed;
4. [RESERVED];
5. Be compatible with DHCR databases and software systems on an ongoing basis;
6. Contain any other functions that may be relevant for the purpose of enabling DHCR to fairly determine approvable MCI costs at present and the long-term future;
7. Schedule should be flexible to allow inputs to be entered as needed (e.g., Schedule might dictate cost of a particular material but require owner to input square footage for material used);
8. Outline suggested training/best practices for use of the Schedule;
9. Factor into the Schedule the following non-inclusive list of considerations: special costs relating to Landmark Preservation requirements, age of the building, geography of the building, style of the building, building size, scale of the project size, new installations versus improving an existing item (i.e. installing a green roof, replacing a boiler, installing a key card system), building population, specialty installations needing expertise, useful life of the installation, conversion costs when complying with new laws, and length of time of installation; and

10. Exclude from the Schedule the following costs that are not eligible for an MCI rent increase: regular operational costs, unnecessary cosmetic work, administrative costs, filing fees, supervision fees, taxes, and work not necessary to or directly related to the MCI installation. The Schedule shall explain the costs that are excluded from the reasonable cost of the MCI item.

An example of a schedule of costs is available in The Rules of the City of New York, Title 28: Housing Preservation and Development, Chapter 5: J51 Tax Exemption and Tax Abatement, found herein hyperlinked:

[http://library.amlegal.com/nxt/gateway.dll/New%20York/admin/newyorkcityadministrativecode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:newyork_ny](http://library.amlegal.com/nxt/gateway.dll/New%20York/admin/newyorkcityadministrativecode?f=templates$fn=default.htm$3.0$vid=amlegal:newyork_ny).

DHCR is open to alternative assessments and formulations from Respondents, but based on DHCR's information to date, envisions the above as the form, format, and substance of the Schedule set forth above.

5.2 Major Capital Improvements

Indicated below is a non-exhaustive list of Major Capital Improvements to be included in the Schedule, as well as possible subcategories to be considered for certain MCIs. Some of these items may be eliminated from usage, if based on HSTPA, they no longer qualify or are affected in whole or in part by HSTPA or any implementing regulations. The inclusion in this list of any past MCI should not be construed as a DHCR determination that such categories will qualify as an MCI.

As stated above, it is anticipated that the Schedule must include a unit to measure each cost, such as square feet, linear feet, BTUs, gallons, weight, or, if applicable, by apartment or building size. Building size may be categorized as, for example, buildings under/over a certain number of floors, apartments, etc. Each MCI listed herein includes suggested units of costs measurement that may be modified by DHCR or the Respondent.

1. **Accessibility Ramps.** The installation of a new accessibility ramp.
 - a. Potential cost measurements: by size of building; per square foot.
 - b. Possible subcategories: indoor ramp; outdoor ramp.

2. **Air Conditioners (AC).** The installation of a new central AC system or individual unit sets in sleeves in the exterior wall of every apartment or air conditioning circuits and outlets in each living room and/or bedroom.
 - a. Potential cost measurements: by size of building; per individual AC unit; per apartment; per circuit/outlet.
 - b. Possible subcategories: central AC system reasonable cost; individual unit; air conditioning circuits and outlets in each living room and/or bedroom.

3. **Backflow Prevention Device.** New backflow device(s) installed on all water service lines to the property. (Note: backflow device installation cost by a plumber, cost of architect/engineer plans, and testing costs have qualified as MCI-eligible in the past.)
 - a. Potential cost measurements: by size of building; per device.

4. **Bathroom Modernization** - complete renovation including new sinks, toilets, bathtubs, and/or showers and all required trims in every apartment; or any individual component or fixture if done building-wide.
 - a. Potential cost measurements: by size of building; per apartment; per square foot; by cost of each component.
 - b. Possible subcategories: separate components of bathroom modernization, including sinks, toilets, bathtubs, showers, etc.

5. **Boiler/Burner** - new unit(s) including electrical work and additional components needed for the installation. (Note: the addition of a new boiler room where none existed before or enlargement of existing one to accommodate new boiler have qualified as MCI-eligible in the past. The additional installation of a chimney liner has also qualified as MCI-eligible in the past when such installation is related to, and performed in conjunction with, a qualifying MCI, such as an MCI-eligible chimney burner installation. The cost of converting #6 or #4 fuel oil to natural gas and/or #2 fuel oil may also be considered an MCI-eligible expense when performed in conjunction with the installation or replacement of a qualifying burner/boiler.)
 - a. Potential cost measurements: by size of building; per BTU.
 - b. Possible subcategories: Cast iron boiler; package boiler; steel boiler; oil burner; natural gas burner; gas & oil combined burner; in-vault fuel oil tank; underground fuel oil tank.

6. **Catwalk** – the complete replacement of a catwalk.
 - a. Potential cost measurements: by size of building; per square foot.

7. **Chimney** – the complete replacement of a chimney emanating from the heating source or the installation of a new chimney where none previously existed, including additional components needed for the installation. (Note: the additional installation of a chimney liner has qualified as MCI-eligible in the past when such installation is related to and performed in conjunction with a qualifying MCI, such as an MCI-eligible chimney burner installation.)
 - a. Potential cost measurements: by size of building; per square foot; per floor.
 - b. Possible subcategories: steel chimney; brick chimney; chimney liner.

8. **Courtyards, Driveways & Walkways** – the complete removal of previous courtyards, driveways & walkways surfaces and resurfacing of entire area within property lines of the premises.
 - a. Potential cost measurements: per square foot.
 - b. Possible subcategories: cement resurfacing; asphalt resurfacing.

9. **Doors** – new lobby front entrance and/or vestibule doors; or entrance doors to every apartment; or fireproof doors for public hallways, basement, boiler room and roof bulkhead.
 - a. Potential cost measurements: per door.
 - b. Possible subcategories: metal doors; wood doors; apartment entrance doors; lobby/vestibule doors; fireproof doors.

10. **Elevator Upgrading** – the installation of a new elevator service or upgrading of an existing elevator service, including new controllers & selectors or new electronic dispatch overlay system.
 - a. Potential cost measurements: by size of building; per floor; cost by component i.e. controller, selector, cab.
 - b. Possible subcategories: major upgrade; new controllers and selectors; elevator cab; shaft.

11. **Exterior Stairs** – the replacement of all exterior stairs in the building, or the replacement of entrance stairs done in conjunction with the resurfacing of the entire courtyard and walkways within the property line.
 - a. Potential cost measurements: by size of building; per square foot; per entrance; per step.

12. **Exterior Restoration** – a building-wide comprehensive exterior renovation, which may include pointing, waterproofing, masonry, parapets, lintels, cornices, etc.
 - a. Potential cost measurements: by size of building; per square foot; linear feet.
 - b. Possible subcategories: separate components of a comprehensive exterior renovation, including parapets, cornice installation, lintel replacement, etc.

13. **Fire Escapes** – The complete replacement of all fire escapes, including new landings, may qualify as an MCI.
 - a. Potential cost measurements: by size of building; per landing.

14. **Flooring** – A complete replacement of new flooring in hallways, including the lobby and/or in all apartments building-wide.

- a. Potential cost measurements: by size of building; per square feet of flooring.
 - b. Possible subcategories: carpeting; re-tiling; sub-flooring.
15. **Gas Heating Units** – the installation of a new gas heating unit service or the complete replacement of all gas heating units in every apartment. Must be uniformly located and include the installation of appropriate connecting pipes.
- a. Potential cost measurements: by size of building; per gas heating unit; per apartment.
16. **Hot Water Heater** – the installation of a new unit for central heating system.
- a. Potential cost measurements: by size of building; per gas heating unit; BTU.
 - b. Possible subcategories: hot water/central heating; hot water heater (domestic).
17. **Incinerator Upgrading** – incinerator upgrading, including a new scrubber.
- a. Potential cost measurements: by size of building; per square foot; cost of compo.
18. **Intercom** – The installation of a new intercom system or the replacement of an existing intercom service. Must have automatic door lock and push button with audio or telephone communication and must install in every apartment.
- a. Potential cost measurements: by size of building; per number of intercoms; per apartment installations.
 - b. Possible subcategories: video intercom system; telephone intercom system; audio intercom system.
19. **Kitchen Modernization** – complete renovation including new sinks, counter tops and cabinets in every apartment; or any individual component or fixture if done building-wide.
- a. Potential cost measurements: by size of building; per apartment; per square foot; cost per component.
 - b. Possible subcategories: separate components of bathroom modernization, including sinks, counter tops, cabinets, etc.
20. **Mailboxes** – new replacements of mailboxes if relocated from an outer vestibule to an area behind locked doors to increase security.
- a. Potential cost measurements: by size of building; per mailbox; per apartment.
21. **Parapets** – The replacement of all parapets on the entire perimeter of the building. (Note: Parapet cladding may also qualify as an MCI. All sides of the parapet must be cladded).
- a. Potential cost measurements: by size of building; per linear feet.

22. **Pointing & Waterproofing** – must be a comprehensive, building-wide installation, as necessary, on all exposed sides of the building. Waterproofing alone does not qualify as an MCI.
- a. Potential cost measurements: by size of building; per square foot.
 - b. Possible subcategories: pointing costs; waterproofing costs.
23. **Plumbing / Repiping** – building-wide installation of new hot and/or cold-water risers, returns & branches to the fixtures in every apartment and/or new hot and/or cold-water overhead mains installed in the basement with all necessary valves in the basement. The installation of gas piping for cooking or heating may also qualify.
- a. Potential cost measurements: by size of building; per linear feet; square feet; per apartment.
 - b. Possible subcategories: Galvanized steel; copper; brass; fixtures.
24. **Resurfacing Exterior Walls** – Resurfacing consisting of brick or masonry facing or replacement of stucco. Must resurface all exposed sides of the building, except brownstones & similar structures where all exposed sides have not been resurfaced due to the unique nature of the structure.
- a. Potential cost measurements: by size of building; per square foot.
 - b. Possible subcategories: brick; brownstone; limestone; stucco.
25. **Rewiring / electrical upgrading** – requires the installation of new electric service to the building and new copper risers and feeders that extend from the property box in the basement to each apartment of sufficient capacity at the apartment panel to accommodate the installation of air conditioner circuits and outlets as well as the actual installation of two double outlets in the kitchen to accommodate heavy duty appliances. All existing outlets must be operable. (Note: restoration costs have qualified as MCI-eligible in the past if done in conjunction with building-wide rewiring.)
- a. Potential cost measurements: by size of building; per apartment; by cost of components.
 - b. Possible subcategories: service feeders; risers; double outlets; meter banks.
26. **Roof** - complete replacement or roof cap on existing roof installed after thorough scraping and leveling as necessary. If the structure has multiple levels containing roofing, every level of roofing must be replaced if the roofing materials are the same as the main roof. The replacement of a garage roof has qualified as MCI-eligible in the past when garages are attached to, and formed an extension of, the residential building. (Note: additional components such as roof drains have qualified as MCI-eligible in the past if done in conjunction with a new roof.)

- a. Potential cost measurements: by size of building; per square foot of roofing.
 - b. Possible subcategories: 2-ply (asphalt); 3-4 ply (asphalt); 5-ply (asphalt); shingle; single-ply rubber; single-ply modified bitumen; quarry tile; concrete; roof insulation; garage roof; green roof; skylight.
27. **Siding** – must be installed uniformly on the original areas of all exposed sides of building.
 - a. Potential cost measurements: by size of building; per square foot of siding.
 - b. Possible subcategories: aluminum siding; vinyl siding.
28. **Solar Heating System** – installation of a new central Solar Heating system, including additional components needed for the system.
 - a. Potential cost measurements: by size of building; per square foot.
29. **Staircase** – the full replacement of interior stairwell from ground floor to top floor.
 - a. Potential cost measurements: by size of building; per landing.
30. **Structural Steel** – complete replacement of all beams including footing & foundation.
 - a. Potential cost measurements: by size of building; per beam; square foot; by weight.
31. **Television/Security System** – the installation of a new security monitoring system, including additional components needed for the system. System must monitor all entrances and exits to the building 24 hours a day, 7 days a week, or include visual capability installed in each apartment and with functioning intercom system.
 - a. Potential cost measurements: by size of building; per camera; per square foot of monitored area; per apartment.
 - b. Possible subcategories: separate Television/Security System components, such as cameras, monitors, recording system. Related components such as mounting hardware and coaxial wiring between equipment have qualified as MCI-eligible in the past.
32. **Waste Compactor** – the installation of a new waste compactor that services the entire building (or an entire wing). A new waste compactor room where none existed before may also qualify. (Note: related electrical work has qualified as MCI-eligible in the past.)
 - a. Potential cost measurements: by size of building; per square foot; by compactor.
33. **Water Sprinkler System** – the installation of a new water sprinkler system (for fire control purposes).
 - a. Potential cost measurements: by size of building; per square foot; per apartment.

34. **Water Tank** – the installation of a new water tank.
- a. Potential cost measurements: by size of building; by tank capacity.
 - b. Possible subcategories: metal water tank; wood water tank.
35. **Windows** – the installation of new framed apartment windows and/or lot-line/hallway windows. (Note: terrace doors have qualified as MCI-eligible in the past if done in conjunction with new apartment windows; the replacement of window lintels may also qualify if performed in conjunction with a qualifying and related MCI, such as a building-wide window replacement or pointing & waterproofing.)
- a. Potential cost measurements: by size of building; per window
 - b. Possible subcategories: aluminum, steel, vinyl, or wood frame windows; storm windows; window guards

5.3 Additional Cost Considerations

The Schedule shall explain the factoring in of the following additional costs:

- a. **Asbestos removal** – such work may qualify as an MCI expense item when performed in conjunction with a valid MCI.
- b. **Balcony restoration** – balcony restorations may qualify for an MCI rent increase where all of the balconies in a building have been replaced or substantially restored, or where lesser work (e.g., concrete restoration on balconies where necessary) is performed in conjunction with other qualifying work, such as pointing and waterproofing.
- c. **Mobilization costs** – a contractor’s mobilization costs which are necessary to the accomplishment of a qualifying MCI installation are generally accepted as a legitimate project expense. Mobilization costs consist of the costs for the movement of materials and equipment to the job site which are necessary for the project. A reasonable amount of necessary mobilization costs may be included in the approved amount for a qualifying installation, provided these costs are not duplicative of other work performed by the contractor.
- d. **Professional fees** - the cost of certain professional services such as architectural, engineering or consulting expenses which are directly related to an MCI-qualifying installation and which are not otherwise duplicated may qualify for a rent increase. The services at issue must be both necessary and customary to the accomplishment of the underlying MCI-qualifying installation. If the underlying MCI is a relatively commonplace installation for which the owner can generally be expected to select a contractor of sufficient capability to ensure a quality installation, then it is presumed that the services of an architect, engineer or consultant are not necessary, and any

claimed costs for such services will generally be excluded from the approved MCI amount. If however, the underlying MCI-qualifying work involves a complexity substantiating the need for an architect's, engineer's or consultant's expertise (examples include: correcting significant structural defects; obtaining the Landmark Commission's approval; work required under New York City Local Law 11, or where the local building department requires plans), then the costs associated with preparatory inspections and with the drafting of plans and specifications performed by a licensed professional may be included as part of the approved MCI amount. Except when engaged professionally as noted above, construction supervision services performed by an architect, engineer or consultant do not qualify as an added MCI cost.

- e. **Profit and Overhead** – in cases involving extensive MCI work where the contracted cost includes a separate line item amount for contractor's profit and overhead, a reasonable amount of the contractor's profit and overhead may be included in the approved MCI costs for a qualifying installation.
- f. **Sidewalk bridge/shed** – the cost of installing a temporary sidewalk bridge/shed may qualify as a necessary security measure for certain MCIs, such as exterior restorations and may be included in the approved MCI costs for qualifying installations.

6. [RESERVED]

7. Bid Response Package

A. Bid Submissions

Bid Responses are due, no later than the due date and time indicated in the *Calendar of Events and Milestones* section listed in the RFQ. Submissions received after this time will not be considered.

The Bid Response must be bookmarked and divided into five parts: (i) Tab One: Cover Letter; (ii) Tab Two: Technical Response; (iii) Tab Three: Cost Response; (iv) Tab Four: Administrative Response; and (v) Tab Five: EEO, MWBE and SDVOB Response.

Bid Responses must be submitted both in hard-copy and by email.

1. One Original hard-copy response, with wet original signatures (*electronic signatures not accepted*), to be mailed to:

Ms. Lisa G. Pagnozzi, Vice President, Contracts and Administration
New York State Division of Housing and Community Renewal
641 Lexington Avenue, 5th Floor
New York, New York 10022

2. Electronic Bid Response.

Electronic copies of Bid Responses to be sent by email to Nyhomes.proposal@nyshcr.org, in searchable portable document format (“PDF”) compatible with Adobe Reader XI. DHCR will not accept discs, flash drives, or File Transfer Protocol (“FTP”) file references that require DHCR to download information from the Respondent’s or a third party’s website. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable), and “1 of X,” “2 of X,” etc., and the last email as “X of X – Final.” The Bid Response must be bookmarked and divided according to the Five Tabs described in subsection A. of this Section 7.

Bid Responses must be sent in two emails and labeled as follows: (a) one email to include Tabs One and Two and the subject line of the email must be labeled: “Part 1: 2020 RFQ MCI Tabs 1 and 2”; and (b) the other email must include Tabs Three, Four and Five and the subject line of the email must be labeled “Part 2: 2020 RFQ MCI Tabs 3, 4 and 5”.

B. Tab 1 - Cover Letter

The Respondent’s Cover Letter must not exceed three (3) pages, on company lettehead and must include:

- i. The Respondent’s name, address, telephone number, fax number, email address and web site address, if applicable;
- ii. A summary of the Respondent’s organizational history and legal structure (e.g. individual practitioner, partnership, LLC, corporation, non-profit organization, MWBE, SDVOB, etc.);
- iii. A statement affirming that Respondent meets the “Minimum Qualifications listed in Section 4 of this RFQ;
- iv. The name, title, telephone number, fax number and email address of the individual within the Respondent’s organization who will be DHCR’s primary contact concerning the Bid Response;

- v. The name(s) of the primary staff who will provide services to the Agency;
- vi. A statement relating to the ability of the Respondent to meet the MWBE and SDVOB participation goal requirements set forth in Section 1 of this RFQ;
- vii. A statement confirming that the Respondent's Cost Response remains within the budget indicated in Section 7.D of this RFQ; and
- viii. A statement certifying and affirming that the information contained in the Bid Response is true and accurate and that the person signing this Cover Letter is authorized to submit a Bid Response on behalf of the Respondent.

C. Tab 2 - Technical Response

The purpose of the Technical Response is to provide the Respondent an opportunity to demonstrate its qualifications, experience and competence to undertake the Scope of Work described in Section 5 of the RFQ. Bid Responses should specifically detail a Respondent's qualifications and experience in providing services sought by DHCR (including the experience of its subcontractor(s), if applicable). The Technical Response must include responses to the items listed below.

- a. Relevant experience, specific qualifications, and technical expertise of the Respondent's organization in the development of schedules of reasonable costs for MCIs.
- b. The name(s) of staff, including titles, of individuals that would be assigned to work on this Project. Resumes of each individual should also be included, listing years of relevant experience.
- c. Proposed Work Plan, including methodology in the preparation of an MCI Schedule and ability to meet timelines or deadline in accordance with Section 5 of this RFQ. The Proposed Work Plan should describe the scope of services to be provided as specified in Section 5 of this RFQ, with a reasonable level of detail of the methodology to be used to create the MCI Schedule(s), including ability and the methodology for updating MCI Schedule(s) in a timely manner, in accordance with DHCR directives.
- d. List between three (3) to five (5) engagements, relevant to the Scope of Services described in Section 5 herein, within the last five (5) years that your firm has provided similar services as those described in the Scope of Services section of this RFQ. For each engagement, provide the following information:
 - (i) The name and location of the client;
 - (ii) Entity Name;
 - (iii) Type of entity (government, private, etc.);
 - (iv) Dates of engagement;
 - (v) Month(s) and/or Year(s) serviced;
 - (vi) Description of the services provided under the engagement;

- (vii) Describe any best practices or innovative techniques that were learned and/or applied under the engagement that may be useful in achieving outcomes listed in the Scope of Services section of this RFQ; and
- (viii) Provide the name, title and contact information for the individual that can provide a reference for the client and speak with authority to your firm's performance in the engagement.

By submitting a Bid Response, the Respondent agrees to authorize DHCR to contact these organizations regarding work performance.

D. Tab 3 - Cost Response

The Respondent must submit a not-to-exceed budget of \$49,500 for this Project for all work performed under an awarded Contract, inclusive of travel reimbursement, if any. The Cost Response must include a listing of specific itemized categories and provide hourly rates for the specific itemized categories. The Cost Response must be on company letterhead, signed and dated by an authorized signatory of your organization.

The "Hourly Rate" must be inclusive of all goods and services including, but not limited to travel and ancillary expenses. DHCR does not reimburse for ancillary expenses such as printing, postage, copying, secretarial support and overhead as a separate item.

In no event will reimbursement for travel be approved under the Contract for travel rates which exceed the per diem rates outlined in the [OSC Travel Manual](#) ("State Travel Guidelines"), hyperlinked herein. All rules and regulations associated with this travel can be found within the OSC Travel Manual.

The successful Respondent shall request prior written approval from DHCR for any travel that occurs during the term of the awarded Contract. The successful Respondent is responsible for keeping adequate records to substantiate any claims for reimbursement, by personnel, for travel in performance of the Scope of Services in this RFQ. All travel must be factored into the not-to-exceed budget of \$49,500 for this Project.

E. Tab 4 - Administrative Response

Respondents must complete and submit the required forms and/or information indicated below.

- (i) [Non-Collusive Bidding Certification Form](#), hyperlinked herein.
- (ii) [Vendor Information Form](#), hyperlinked herein.
- (iii) Iran Divestment Act Certification, attached hereto as Exhibit B.

- (iv) [Lobbying Law Form 1](#) and [Lobbying Law Form 2](#), both forms hyperlinked herein.
- (v) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#), or [Vendor Responsibility Questionnaire for Non-Profit Business Entity](#), both hyperlinked herein.
- (vi) Disclose any existing or contemplated relationship with any other person or entity, including relationships with any parent, subsidiary or affiliated firm, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Respondent or former officers and employees of the Agency and its HCR Affiliates (i.e., New York State Housing Financing Agency, Housing Trust Fund Corporation, New York State Affordable Housing Corporation, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency and Tobacco Settlement Financing Corporation), in connection with your rendering services enumerated in this RFQ. If a conflict does or might exist, please describe how your firm would eliminate or prevent it. Indicate what procedures will be followed to detect, notify the Agency of, and resolve any such conflicts. Disclosure to be made on company letterhead, signed and dated by an authorized signatory of your organization.
- (vii) Disclosure of Commission Findings. The Respondent must disclose whether its entity, or any of its members discussed in the above subsection 7.E (vi) titled “Disclosure of Conflict of Interest,” has been the subject of any investigation or disciplinary action by the New York State Joint Commission on Public Ethics or its predecessor NYS entities (collectively, “Commission”), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved. Disclosure to be made on company letterhead, signed and dated by an authorized signatory of your organization.
- (viii) Licenses, Certifications and Other Credentials. The Respondent must respond affirmatively that it, and its subcontractors (if any), will have, if awarded a Contract, prior to commencement of work, all necessary licenses, certifications, approvals, and other needed credentials to perform the Scope of Services in the RFQ, if applicable. Affirmative statement to be made on company letterhead, signed and dated by an authorized signatory of your organization.
- (ix) Minimum Insurance Requirements. The successful Respondent must submit the following insurance documentation upon notification of selection for Contract award:

The successful Respondent (“Contractor”) is required to procure and maintain (at its sole expense) throughout the term of the Contract, the following insurance levels that will protect the Contractor and DHCR from claims (as set forth below) which may result from the Contractor’s operations or performance of the work, whether such

operations be conducted by the Contractor, a subcontractor, or anyone directly employed or acting as an agent by either for whose act any may be liable. DHCR and their officers, employees and agents must be identified as named insured. The Contractor must also require their subcontractors to carry these levels of insurance.

The insurance required by this section shall not be written for less than the limits of liability specified below, or the statutory amounts required by law, whichever is greater. Such insurance shall also include contractual liability insurance applicable to the Contractor’s obligations as provided for in the Contract between DHCR and the Contractor.

1. Workers’ Compensation Limits:
 - (a) State.....Statutory
 - (b) Applicable Federal (e.g.Longshoremen’s).....Statutory
2. Employer’s Liability.....\$500,000 to Unlimited

Workers’ Compensation Documentation.

Upon notification of award, the successful Respondent will be requested to submit one (1) of the following forms as Workers Compensation Insurance documentation:

- **CE-200** – Certificate of Attestation for New York Entities with No Employees and Certain Out-of-State Entities, that New York State Workers’ Compensation and/or Disability Benefits Insurance Coverage is Not Required; or
- **C-105.2** – Certificate of Workers’ Compensation Insurance (or **U-26.3** if insured through the State Insurance Fund); or
- **SI-12** – Certificate of Workers’ Compensation Self-Insurance (or **GSI-105.2** Certificate of Participation in Workers’ Compensation Group Self-Insurance).

Disability (“Employer’s Liability”) Insurance Documentation.

Upon notification of award, the successful Respondent will be requested to submit one of the following forms as Disability documentation:

- **CE-200** – Certificate of Attestation for New York Entities with No Employees and Certain Out-of-State Entities, that New York State Workers’ Compensation and/or Disability Benefits Insurance Coverage is Not Required; or
- **DB-120.1** – Certificate of Disability Benefits Insurance; or
- **DB-155** – Certificate of Disability Benefits Self-Insurance.

Errors and Omissions Liability Insurance (or Professional Liability Insurance), which shall include individual limits of not less than One Million Dollars (\$1,000,000) per occurrence.

ACORD forms are not acceptable proof of insurance. Further information is available at the Workers Compensation Board website, which can be accessed through this link: <http://www.wcb.ny.gov>. Please note that these forms are not required as part of the Bid Response submissions.

Certificates of Insurance in accordance with minimum requirements set forth above must be on file with DHCR indicating coverage prior to commencement of the work. These certificates shall identify DHCR as the certificate holder and additional insured and must contain a provision that the insurer shall give notice that the coverage afforded under the policies will not be cancelled and DHCR's interest will not otherwise affected until at least thirty (30) days prior written notice has been given to DHCR.

F. EEO, MWBE and SDVOB Response

Respondents must complete and submit the required forms and information indicated below.

- i. [Equal Employment Opportunity Staffing Plan, PROC-1 form](#), hyperlinked herein.
- ii. [Utilization Plan, PROC-2 form](#), hyperlinked herein.
- iii. If applicable, [Request for Waiver Form, PROC-3 form](#), hyperlinked herein.
- iv. [Minority and Women Business Enterprises – Equal Employment Opportunity Policy Statement, PROC-4 form](#), hyperlinked herein.
- v. [Company Demographic Profile, PROC-7 form](#), hyperlinked herein.
- vi. [EEOC Statement, PROC-8 form](#), hyperlinked herein. Please note that completion of the PROC-8 form is applicable to Respondents with 15 or more employees.

8. Evaluation of Bid Responses

The DHCR Review Committee (“Committee”) will independently score each Bid Response that meets the submission requirements of this RFQ. DHCR will assess each Respondent’s Bid Response and assign a total number of points for each Bid Response using the scoring model shown

in this section. Bid Responses may be rejected if the Respondent fails to provide a complete Bid Response Package in the format defined in Section 7 of this RFQ. Below is an overview of the evaluation process.

A. Technical Response Rating Criteria

Bid Responses will be assigned a Technical score based on the following criteria:

Technical Evaluation Criteria	Technical Score	Maximum Score
Qualifications and Experience		35
Work Plan		35
References		5
TOTAL:		75

B. Cost Response Rating Criteria

Cost Responses will be evaluated on a pre-determined formula using the Respondent's proposed total budget for this Project. The maximum score (20 points) will be allocated to the Cost Response with the lowest cost according to the below formula. All other Cost Responses will receive a proportionate score to the Cost Response with the lowest cost, according to the following formula:

Cost points awarded = (30 potential points) X (Low bid / Respondent's Cost Response)

C. Administrative Response Score

Administrative Responses will be evaluated on pass/fail basis.

D. EEO, MWBE and SDVOB ("Diversity") Response Score

EEO, MWBE and SDVOB Responses will be given a maximum of 5 points.

E. Interviews, if needed – 10 Additional Points

DHCR reserves the right to conduct interviews with selected Respondents with the three highest Initial Composite Scores. An Initial Composite Score for each Respondent will be comprised of the average of each Respondent's Technical, Cost and Diversity scores.

Respondents will be notified of the date, location, and time of their interview. The interview will be designed to allow the Respondent to demonstrate their ability to provide the required services. The Respondent, as well as other key personnel who would be responsible for providing the required

services, should be present and participate in the interview (including key personnel of subcontractor(s), if any).

Further information with regard to the format of this stage of the evaluation may be provided to the Respondent prior to the interview. The interview should substantiate the characteristics and attributes claimed by the Respondent in the written response to the RFQ. However, the interviews will not be an opportunity to cure material omissions in any Respondent's Bid Response and are not a substitute for a well-written Bid Response.

F. Total Evaluation Score

Technical, Cost and Diversity scores will be averaged to arrive at an overall score. Technical scores will account for 75% of the total score, Cost will account for 20% of the total score and Diversity will account for 5% of the total score. If interviews are needed, selected Respondents are eligible to receive up to an additional 10 points. DHCR will make the award based on the highest overall score.

9. Contract Award

The term of the contract will be for twelve (12) months and contingent upon the availability of funding. DHCR may, upon thirty (30) days' written notice, terminate the contract resulting from this RFQ in the event of a successful Respondent's failure to comply with any of the RFQ requirements unless the successful Respondent obtained a waiver of the requirement.

In addition, DHCR may also terminate any contract resulting from this RFQ upon ten (10) days' written notice if a Contractor makes any arrangement or assignment for the benefit of creditors.

Further, DHCR shall have the right, in its sole discretion, at any time to terminate a contract resulting from this RFQ or any unit portion thereof, with or without cause, by giving a thirty (30) day written notice to the Contractor.

DHCR reserves the right to terminate a contract resulting from this RFQ process in the event it is found that a certification filed by the Respondent in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, DHCR may exercise its termination right by providing written notification to the Contract awardee.

The successful Respondent will be expected to produce work products in coordination and collaboration with DHCR staff. The successful Respondent should be prepared to devote resources sufficient to meet any timelines or deadlines established by DHCR. The Respondent's work products are to be completed in a timely manner. DHCR will monitor the progress and results of the successful Respondent's work products through direct communication with the successful Respondent.

Performance standards are based on the following criteria:

1. Project management effectiveness, including planning and timeliness of work products;
2. Thoroughness of methodology and schedule development and recommendations including accuracy of analyses and associated supporting evidence; and
3. Thoroughness and persuasiveness of written and oral communications to DHCR.

The awarded contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise. The written contract (“Agreement”) with the awarded Respondent shall be a New York State contract that includes the State’s “*Standard Clauses for New York State Contracts*.” The entire Agreement shall consist of the documents, appendices and forms listed below. Conflicts between these documents shall be resolved in the following order of precedence:

1. [Standard Clauses for New York State](#), hyperlinked as Appendix A;
2. [DHCR Requirements and Procedures for Contract Participation by Minority Group Members and Women](#), hyperlinked herein as Appendix II;
3. Contract;
4. This Request for Quotes document;
5. Successful Respondent’s Bid Response Submission

10. Negative Findings

A Bid Response may be rejected at any time during the evaluation process and thereafter if there are any adverse findings that would prevent DHCR from selecting the Respondent. These findings may pertain to: (i) the Respondent and any firm listed as a partner, sub-consultant, or subcontractor in the Bid Response; (ii) any owners, primary shareholders, or executive staff of the Respondent or any of its partners; or (iii) any of the principal staff expected to perform or supervise the work outlined in the Scope of Services. Such adverse findings include, but are not limited to:

- Negative findings from the New York State Inspector General, a federal Inspector General or from the U.S. Government Accountability Office, or from an Inspector General in another state;
- Pending or unresolved legal action from the U.S. Attorney General or from an attorney general in New York State or another state;
- Pending or unresolved litigation with the Federal government, any State government, or a local municipality regarding contract performance;
- Arson conviction or pending case;

- Harassment conviction or pending case;
- Local, State, Federal or private mortgage arrears, default, or foreclosure proceedings;
- In rem foreclosure;
- Sale of tax lien or substantial tax arrears;
- Fair Housing violations or current litigation;
- Defaults under any Federal, State or locally-sponsored program;
- A record of substantial building code violations or litigation against properties owned and / or managed by the Respondent or by any entity or individual that comprises the Respondent;
- Past or pending voluntary or involuntary bankruptcy proceeding;
- Conviction for fraud, bribery or grand larceny; or
- Listing on the federal or State excluded parties' lists.

If the Respondent believes that any of the adverse findings listed above may be applicable to their firm, or any person or entity partnering with their firm, they should provide a detailed explanation of the finding in their Tab 4 – Administrative Response. Failure to disclose any relevant findings may result in disqualification of the Bid Response.

11. Reservation of Rights

DHCR reserves the right to:

- Reject any or all Bid Responses received in response to the RFQ;
- Withdraw the RFQ at any time, at DHCR's sole discretion;
- Make an award under the RFQ in whole or in part;
- Disqualify any Respondent whose qualifications, conduct and/or Bid Response fails to conform to the requirements of the RFQ;
- Seek clarifications and revisions of Bid Response;
- Use information obtained through DHCR's investigation of a Respondent's qualifications, experience, ability or financial standing, and any material or information submitted by the Respondent in response to DHCR's request for clarifying information in the course of evaluation and/or selection under the RFQ;
- Prior to the contract award, amend the RFQ specifications to correct errors or oversights, or to supply additional information, as it becomes available;
- Prior to the contract award, direct Respondents to submit modifications addressing subsequent RFQ amendments;
- Change any part of the scheduled timeline;
- Eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective Respondents;
- Waive any requirements that DHCR deems are not material;
- Negotiate with the successful Respondent within the scope of the RFQ in the best interests of the State;
- Conduct contract negotiations with the next responsible Respondent, should DHCR be unsuccessful in negotiating with the selected Respondent;
- Utilize any and all ideas submitted in the Bid Responses received;
- Unless otherwise specified in the solicitation, every offer is firm and not revocable for a period of 60 days from the contract award; and,

- Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a Respondent's Bid Response and/or to determine a Respondent's compliance with the requirements of the solicitation.

Depending on the nature of the procurement, there may be additional State reserved rights beyond those presented here.

-REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY-

EXHIBIT A

INTENT TO SUBMIT PROPOSAL FORM

**NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY
RENEWAL**

*Request for Quotes
Schedule of Reasonable Cost for Major Capital Improvements*

This is to notify you that it is our present intent to **submit** a bid in response to the above referenced RFQ and to acknowledge that we have read the listing of experience satisfying the Minimum Qualifications set forth in the RFQ.

The individual to whom all information regarding this RFQ should be transmitted is:

Company Name:

Contact Name: _____

Street Address:

City, State, & Zip: _____

Phone Number: Fax Number: _____

E-Mail Address: _____

Authorized Signature:

Name_ _____ Title: _____

(_____) _____ (_____) _____
Phone Number FAX Number

Email completed Intent to Submit Proposal Form to: Lisa.Pagnozzi@nyshcr.org

NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL
NEW YORK STATE NON-COLLUSIVE BIDDING CERTIFICATE &
NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND
[MACBRIDE FAIR EMPLOYMENT PRINCIPLES]

**NONDISCRIMINATION IN EMPLOYMENT IN NORTHERN IRELAND
MACBRIDE FAIR EMPLOYMENT PRINCIPLES**

In accordance with New York State Finance Law, Section 165, the contractor certifies that it or any individual or legal entity in which the contractor holds a 10% or greater ownership interest, or any individual or legal entity that holds a 10% or greater ownership interest in the contractor, either (answer yes or no to one or both of the following, as applicable),

(1) have business operations in Northern Ireland,
No _____ Yes _____, and if yes:

(2) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles relating to nondiscrimination in employment and freedom of workplace opportunity regarding such operations in Northern Ireland, and shall permit independent monitoring of compliance with such principles.
No _____ Yes _____

NON-COLLUSIVE BIDDING CERTIFICATION

In accordance with New York State Finance Law, Section 139-d, by submitting its bid each bidder and each person signing on behalf of any other bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his or her knowledge and belief:

- (A) The prices of this bid have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
- (B) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (C) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

BIDDER JOINT BIDDER

By: _____
Name: _____
Title: _____
Company: _____
Principal Place of Business: _____

By: _____
Name: _____
Title: _____
Company: _____
Principal Place of Business: _____

Address: _____

Address: _____

Federal Tax Identification #: _____

Federal Tax Identification #: _____

DATE: _____

DATE: _____

