

JSCB Phase 2 – PM RFP Addendum #2 - Questions and Responses

February 12, 2015

1. **Question:** Based on your addenda issued 2/2/15, are you confirming that the SF330 is a table and can be 10 pt font? If we use the actual GSA form SF330, we are unable to confirm font size or modify it. Is that acceptable? Or should we use the form as a guide, and put the information in our own template to confirm the font size?

Answer: Use the SF 330 as it is formatted. We recognize that the font size cannot be verified.

2. **Question:** On page 15, item 1.vii.), you request a chart or tabular form showing how your firm or team meets or exceeds the Program Manager Qualifications items 1 through 11 in section I. However, it appears to only be 9 items in Section II, from pages 6 & 7. Can you clarify if the 9 items in Section II is the correct list?

Answer: The correct reference is Section II, items 1-9 (on pages 6-7).

3. **Question:** Do subcontractors need to submit qualifications and financials? If yes, can you detail what? This is in reference to the conflicting information on page 12 and page 18.

Answer: For subcontractors, each subcontractor shall fill out Page 6 of the SF 330 with their individual company's information. Provide any additional qualifications you deem appropriate.

4. **Question:** On page 21, 2b, you state that the program manager shall oversee the Construction Manager(s) who shall... prepare construction estimates. This messaging continues on page 23, 2e. On pdf pg 41 (or page 7 of the legislation) it states, "The program manager shall...prepare cost estimates..." Are we correct that CMs would be responsible for estimates for their individual school projects and the PM would take responsibility for ensuring these estimates collectively fit into the budget for the overall program?

Answer: Yes.

5. **Question:** As we want to ensure we are proposing appropriate staffing, can you clarify if the PM would be required to deliver any cost estimating?

Answer: The PM is not required to prepare any construction cost estimates. The PM shall be responsible for program budgeting and estimating.

6. **Question:** The definition of "Building Commissioning" makes reference to ASHRAE Standard 202-2013. Page 20 states that the PM will monitor, report and coordinate Building Commissioning (BC) on all projects. Page 27 states the PM shall assist the CM in completing the BC tasks. On page 26, reference is made to CM being responsible to monitor A/E progress on "Building Commissioning plan and third party commissioning agents. Have Owner Project Requirements (OPR) per ASHRAE 202-2013 been developed? ASHRAE 202-2013 recommends that a separate professional agreement be established with a commissioning

agent. Will a third party commissioning agent be hired? Please clarify PM responsibilities regarding Building Commissioning.

Answer: An Owner Project Requirements (OPR) has not been developed. The PM will not hire a Commissioning Agent. The PM shall perform the duties as outlined on page 19, A, 1. a. in the PM RFP and I.) Building Commissioning/Occupancy on page 27-28.

7. **Question:** On pg 17, 2ci, we assume you request staffing scheduled by title and by phase. For phases, do you mean Tranches 1 & 2 or do you mean the phases listed on pg16?

Answer: The phases listed on page 16.

8. **Question:** When does the JSCB expect to have the financing plan approved? The RFP mentions that our contract will not be executed until that plan is approved by the NYS Comptroller, yet one of the first scope items we are required to perform is a review of the, "...Comprehensive Plan in detail and recommend any modifications that would improve the program..." Seeing that the Comprehensive plan is the cornerstone to the financial plan, will those modifications result in an amendment to the plan or will we be required to perform that review prior to contract execution?

Answer: The Financial Plan has been submitted to the NYS Comptroller. Per the legislation, the Financial Plan is part of the Comprehensive Plan. Per page 8, Program Overview, paragraph 3, a contract will not be signed with the PM until the NYS Comptroller has approved the Financial Plan.

9. **Question:** Under VII. F. Proposed Professional Fee, section 1 asks for fee to be provided as a percentage basis broken out by phase per the table provided. Section 2 then requests billing rates and multipliers (which are inclusive of overhead and profit). How will services be billed, by percentage based on the table or by billing rate times a multiplier. If the later, what is the intent of the table and fee breakout by percentage? We just want to make sure we are giving you the information you need in the format that you need

Answer: Please provide the information as requested in Section F.

10. **Question:** RFP Page 28 paragraph J.) a.) if required the Program Manager shall assist the JSCB with the following: ii.) Litigation preparation (with Legal Counsel). Is this the PM assisting the JSCB's legal counsel or the PM and their legal counsel assisting the JSCB? What assistance should be planned for?

Answer: Per the RFP, the PM shall be required to defend, indemnify and hold harmless the JSCB, The City of Syracuse, the SCSD, their officers and employees and the Agency issuing the bonds using their own legal counsel or assisting JSCB legal counsel as the circumstances dictate.

11. **Question:** Can the cost of the training program be handled as an allowance within the fee to be confirmed once the program is defined and a training service is hired?

Answer: The Training Program and CMS are reimbursable costs and should be included in your proposal.

12. **Question:** RFP Section VII.A. Program Management Scope of Work, General Requirements states the following:

“The Program Manager, and its affiliates or subsidiaries, if any, shall be prohibited from awarding contracts or being awarded contracts for or performing any other work on projects undertaken pursuant to the JSCB Enabling Legislation.”

Prospective members of our team have the capacity to provide services within the scope of Program Manager as well as services outside of this scope (i.e. Inspections, design services, training and outreach programming), including Syracuse based MWBE candidates. As this RFP requirement prohibits the PM’s affiliates participation in the Program outside of the PM contract, some of the most qualified candidates for specific PM roles may exclude themselves in order to participate in other areas of the Program.

In the interests of procuring the most qualified PM and increasing local participation in the Program, would it be acceptable to allow PM sub-prime team members to compete for contracts outside of the PM contract as long as they are for unrelated services and are not a conflict of interest?

Answer: No, as such an arrangement would be an inherent conflict of interest, since the PM will be involved with all contracts.

13. **Question:** Please provide a list of outside entities / companies that will be providing services directly to the JSCB as pursuant to the JSCB Enabling Legislation. Can this information be represented in an org chart?

Answer: Refer to the Comprehensive Plan for a list of firms involved with the Program to date. The JSCB will be retaining a PM, CM(s), A/E’s, Independent Compliance Officer (ICO), testing firms and other consultants as needed. These firms are not known at this time.

14. **Question:** In section VIII the general requirements note that the PM will assist the JSCB in reducing the program local share cost through methods such as building aid maximization, energy performance contracting and grants. Please advise if the JSCB will retain a financial aid consultant(s) directly and if so please provide the name of the entity.

Answer: No, this is part of the PM scope of services.

15. **Question:** The RFP states that the CM will approve change orders during the Project Construction Phase. Please provide additional details regarding the change order approval process with respect to the responsibilities of the Program Manager and Architects / Engineers.

Answer: A/E's need to approve and sign all change orders per SED requirements. Refer to page 25, H., 1., a., i. for the PM's responsibility with change orders.

- 16. Question:** With regards to sustainability, we want to make sure that we understand what "sustainability consultant" means since the time requirement can swing greatly depending on the scope of work. Is it sustainability in a broad sense? Or just the LEED process and the Syracuse school district green code? Please advise.

Answer: See page 9, Program Goals, Item 6.