



Request for Qualifications

West Apartments HVAC Upgrades-Structural Design

RFQ #18/19-063MC

Stony Brook University
100 Nichols Road, Stony Brook, New York 11794
Attn: Marie Titone, Contract Officer



SUMMARY INFORMATION FORM

THIS PAGE MUST BE SIGNED AND RETURNED WITH BIDDER'S RESPONSE

RFP #: 18/19-063MC		RFP Title: West Apartments HVAC Upgrades-Structural Design	RFP Release Date: November 7, 2018
Key Events			
RFQ Due Date and Time: November 30, 2018 @ 5:00 P.M. EST			
<i>Stony Brook University reserves the right, in its sole discretion, to modify the above schedule. Bidders will be notified via email of any changes in a timely manner</i>			
Contact Information		Delivery Location for Proposals:	
Primary Contact: Name: Marie Titone, Contract Officer Phone: 631 632 6066 E-mail: procurementbids@stonybrook.edu Or marie.titone@stonybrook.edu		If using U.S. postal service (USPS) or FEDEX to deliver a bid, the envelope must be delivered to: State University of New York at Stony Brook Procurement Department, Bid Section Research & Development Park Research & Support Services (RSS) Stony Brook, NY 11794-6000	
		If using UPS service to deliver a bid, the envelope must be delivered to: <i>State University of New York at Stony Brook Procurement Department, Bid Section 17 Development Drive., Room 100 Stony Brook, NY 11794-6000</i>	
The envelope(s)/box(es) containing Bidders' proposals must be clearly marked, "Sealed RFQ – Proposal 18/19-063MC."			
Restricted Period			
In accordance with the requirements of New York State Finance Law Sections 139j and 139k ("Lobbying Law"), the RESTRICTED PERIOD for this procurement is now in effect. Therefore, all communications regarding this procurement must be handled through Stony Brook University's "Designated Contacts" ONLY. Please see "Contact Information" on this page, for the "Designated Contact(s)" The required form is provided: Exhibit L (Procurement Lobbying Law).			
Bidder Information			
Legal Business Name of Company Bidding:		Bidder's Federal Tax Identification Number	
D/B/A – Doing Business As (if applicable):		NYS Vendor ID Number (See Exhibit B, Section 16)	
Street Address:	City/State:	Zip Code:	
If applicable, place an "x" in the appropriate box: (check all that apply)			
<input type="checkbox"/> Small Business (if checked, provide # of employees ____) <input type="checkbox"/> Minority Owned Business (NYS Certified)		<input type="checkbox"/> Disabled Veteran Owned Business <input type="checkbox"/> Women Owned Business (NYS Certified)	
If you are not bidding, place an "x" in the box and return this page only. <input type="checkbox"/> We are unable to bid at this time because:			
Bidders Signature:		Title:	
Printed Name:		Date:	
Note: Proposals may be delivered by mail, courier, overnight delivery service or by hand. It is your responsibility to ensure that your bid is received in the Procurement Department by the date/time of the bid opening.			

THIS PAGE MUST BE SIGNED AND RETURNED WITH BIDDER'S RESPONSE

By signing this form, bidder acknowledges (a) that the RFQ instructions are understood; (b) that the bidder is committed to servicing SUNY's needs in the required time period; and (c) that all information required by this RFQ has been included in bidder's proposal

Table of Contents

1 Request for Qualifications 4

2 Instructions..... 4

2.1 Format of Proposal and Statement of Qualifications 5

2.2 Pre Bid Meeting..... 5

2.3 RFQ Process and Evaluation Criteria..... 5

2.4 Additional Information..... 5

3 Scope of Services 6

3.1 Background 6

3.2 Available Data..... 6

3.3 Scope of Services 6

3.4 Basic Design Fee 6

3.5 Subconsultant Staffing 6

3.6 Time of Completion Schedule..... 6

4 General Conditions 6

4.1 Additional Terms & Conditions 7

 4.1.1 Vendor Debriefing 7

 4.1.2 Proposal/Qualifications Confidentiality..... 7

 4.1.3 Information Security Breach and Notification Act..... 7

4.2 Required Consultant Documentation 7

 4.2.1 Minority & Woman Owned Business Enterprises Participation 7

 4.2.2 Service Disabled Veteran Owned Business Enterprises Participation 7

 4.2.3 State Finance Law §§ 139-j and 139-k (Forms as defined in SUNY Procedure 7552)..... 8

 4.2.4 Omnibus Procurement Act of 1992 (*Form from SUNY Procedure 7553*)..... 8

 4.2.5 Encouraging Use of New York State Businesses in Contract Performance 8

 4.2.6 Required Insurance 9

 4.2.7 Vendor Responsibility 9

 4.2.8 State Consultant Services Reporting (*OSC Form A and B*)..... 10

 4.2.9 Contract Award Protest Procedure..... 11

4.3 Additional Terms & Conditions 11

5 Attachments 15

6 References..... 16

1 Request for Qualifications

Stony Brook University is seeking a consulting firm to provide structural design services for the installation of new HVAC mechanical equipment and associated duct and piping located at the West Apartment Complex, buildings; F, G, H and I on the west campus of Stony Brook University.

2 Instructions

Proposals are due by 11/30/2018 @ 5:00 PM the Offeror must:

1. Prepare a clearly readable document. Attach all required information.
2. Indicate any deviations from the specifications and if necessary attach separate documents and/or explanation.
3. Sign the qualifications submittal. By signing the Offeror indicates full knowledge and acceptance of this Request for Qualifications (RFQ) including Exhibits A and A-1. The proposal must be completed in the name of the proposer, corporate or otherwise, and must be fully and properly executed by an authorized person.
4. Submit **four (4)** complete qualifications, one of which must have original signatures. Proposals are to be addressed to:

If using U.S. postal service (USPS) or FEDEX to deliver a bid, the envelope must be delivered to:

State University of New York
at Stony Brook
Procurement Department, Bid Section
Research & Development Park
Research & Support Services (RSS)
Stony Brook, NY 11794-6000
Attn: Marie Titone

If using UPS service to deliver a bid, the envelope must be delivered to:

*State University of New York
at Stony Brook
Procurement Department, Bid Section
17 Development Drive, Room 100
Stony Brook, NY 11794-6000
Attn: Marie Titone*

5. Qualifications must be received by Marie Titone, Contract Officer by the due date and time listed above. Offerors mailing their qualifications must allow sufficient time to ensure receipt of their proposals by the time specified. Electronically transmitted qualifications will **not** be accepted.
6. **No cost proposals are to be submitted with the qualifications.** Cost proposals will be requested only after a consultant selection is made.

2.1 Format of Proposal and Statement of Qualifications

Provide the Consultant Questionnaire and support material as indicated, stapled or bound together with a cover page that indicates the project number and title noted on the Request for Qualifications. This material is non-returnable.

2.2 Pre Bid Meeting

Not Applicable

2.3 RFQ Process and Evaluation Criteria

(In your RFQ response please include information that demonstrate your experience based on the criteria below)

- Firm Qualifications and Experience
- Personnel Qualifications and Experience
- Approach and Capability
- Previous Experience with Work Scope Specific to the Project Scope
- MWBE Utilization

2.4 Additional Information

PROFESSIONAL PRACTICE QUALIFICATIONS

- New York State Licensed Structural Engineer

CODES, STANDARDS & AGENCY APPROVALS

- New York State Building Code and all related Building Codes.
- All required applications and filings to be completed by SBU CPDC.

DELIVERABLES

- Preliminary Design Drawings, Specifications with Preliminary Budget Estimate for review. Final Estimate for final budget verification purposes.
- (3) Sets Signed and Sealed Construction Drawings and Specifications by State of New York Professional Licensed Engineer.
- Preliminary and Final Construction Estimate for Structural portion.
- Construction Administration Services, including response to structural RFI's, and site visits and reports as required to review installation.
- Shop Drawing and Submittal reviews and approvals.
- Final Design Drawings on CD in AutoCAD file format.

3 Scope of Services

3.1 Background

No additional information is available.

3.2 Available Data

Structural CAD Backgrounds (dated 05-19-03) to be provided to consultant.

Scope of Services

Review, field survey, analysis of existing conditions, and final construction drawings to allow installation of New HVAC Mechanical equipment and associated systems which include the following:

- Core drills for piping through existing concrete plank structure system
- New Equipment concrete pads (air handlers, condensing units, and associated equipment).
- Review of Mechanical equipment and pipe hanging details.
- New openings in exterior walls for mechanical louvers and new doors
- New openings for vertical duct shafts through existing concrete plank structure
Note: It is planned to be approximately of 9 ducts shaft openings for each building.
- Construction level design drawings and specifications to accompany architectural, mechanical and electrical drawings to be completed by Stony Brook University Campus Planning Design and Construction.
- C.P.D.C. has the original Structural Design Drawings for each building.

3.3 Basic Design Fee

Fee shall be negotiated with the most qualified consultant.

3.4 Subconsultant Staffing

The consultant shall provide a subconsultant staffing list for the project using [Form 7555-15](#), [7555-16](#) or [7555-17](#). This subconsultant staffing list shall include the percent of work to be completed by each subconsultant and indicate whether or not each subconsultant is a Minority or Women Owned Business.

3.5 Time of Completion Schedule

- 60 Day Design Schedule
- 75% Preliminary Construction Documents and Specifications
- 100% Construction Documents and Specifications

4 General Conditions

The following items will be incorporated into, and made part of, the formal agreement: (1) SUNY's RFQ; (2) the Successful Offeror's proposal; (3) Exhibit A, Standard Contract Clauses; (4) Exhibit A-1, Affirmative Action Clauses; (5) Exhibit C (Consultant Questionnaire) and, (6) Exhibit L, Procurement Lobbying Form.

In the event of any inconsistency in or conflict among the document elements of the agreement described above, such inconsistency or conflict shall be resolved by giving precedence to the document elements in the following order: (1) Exhibits A and A-1; (2) Exhibit C (Consultant Questionnaire) (3) Exhibit L, (4) the Agreement; (5) this RFQ; and (6) the Successful Offeror's proposal

4.1 Additional Terms & Conditions

4.1.1 Vendor Debriefing

Upon notification of the selection and award of a contract unsuccessful offerers may request in writing a debriefing of the results of their response to this solicitation. Requests for debriefing must be received within a reasonable timeframe, not more than 30 days after notice of award.

4.1.2 Proposal/Qualifications Confidentiality

All proposals and qualifications submitted for SUNY's consideration will be held in confidence. However, the resulting contract is subject to the New York State Freedom of Information Law (FOIL). Therefore, if an Offeror believes that any information in its proposal constitutes a trade secret or should otherwise be treated as confidential and wishes such information not to be disclosed the Offeror shall submit with its proposal a separate letter to the designated contact. The letter shall specifically identify the page number(s), line(s) or other appropriate designation(s) containing such information, explaining in detail why such information is a trade secret and formally requesting that such information be kept confidential. Failure by an Offeror to submit such a letter will constitute a waiver by the Offeror of any rights it may have under Section 89(5) of the Public Officers' Law relating to protection of trade secrets.

The proprietary nature of the information designated confidential by the Offeror may be subject to disclosure if ordered by a court of competent jurisdiction. A request that an entire proposal be kept confidential is not advisable since a proposal cannot reasonably consist of all data subject to FOIL proprietary status.

4.1.3 Information Security Breach and Notification Act

The Offeror shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa and State Technology Law, Section 208). The Offeror shall be liable for the costs associated with such breach if caused by its negligent or willful acts or omissions, or the negligent or willful acts or omissions of its agents, officers, employees or subcontractors.

4.2 Required Consultant Documentation

4.2.1 Minority & Woman Owned Business Enterprises Participation

Pursuant to New York State Executive Law Article 15-A, SUNY recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority-and women-owned business enterprises and the employment of minority group members and women in the performance of SUNY contracts.

For purposes of this solicitation, SUNY hereby establishes an overall goal of **30%** for MWBE participation, **22%** for Minority-Owned Business Enterprises ("MBE") participation and **8%** for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). For additional information please refer to the MWBE requirements outlined in the Prospective Bidders Notice (Form 7557-121) and Exhibit A-1. Documentation required with the submittal of qualifications includes a/an Subconsultant Staffing List (Forms 7555-15, 16 or 17) and the consultant's EEO policy statement (or Form 7557-104 MWBE-EEO Policy Statement).

4.2.2 Service Disabled Veteran Owned Business Enterprises Participation

Consistent with the State University of New York (SUNY) 's commitment and in accordance with Article 17-B of the New York State Executive Law, contractors are required to ensure that good faith efforts are made to include meaningful participation by Service Disabled Veteran-Owned Business in SUNY's MWBE

Program. The requirements apply to contracts in excess of \$25,000.

To ensure that SDVOB Enterprises are afforded the opportunity for meaningful participation in the performance of the University's contracts, and to assist in achieving the SDVOB Act's statewide goal for participation on state contracts the University hereby establishes an overall goal of 6% for SDVOB participation for this solicitation.

For additional information please refer to the SDVOB requirements outlined in the Prospective Bidders Notice ([Form 7557-121c](#)). Documentation required with the submittal of qualifications includes a Subconsultant Staffing List (Forms [7555-15](#), [16](#) or [17](#)).

Directory of NYS Certified SDVOBs, please go to web page at:

<https://ogs.ny.gov/Veterans/default.asp>

4.2.3 State Finance Law §§ 139-j and 139-k (Forms as defined in SUNY Procedure 7552)

State Finance Law §§139-j and 139-k imposes certain restrictions on communications between a Governmental Entity and an Offeror during the procurement process. During the restricted period the Offeror is restricted from making contacts to other than designated contact unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). The restricted period is from the earliest notice of intent to solicit offers through final award and approval of the Contract.

SUNY employees and their designated representatives are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offeror pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period the Offeror is debarred from obtaining government procurement contracts.

4.2.4 Omnibus Procurement Act of 1992 (Form from SUNY Procedure 7553)

It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts. Information on the availability of New York State subcontractors and suppliers and a directory of minority and women-owned business enterprises is available from:

Empire State Development
Division for Small Business
One Commerce Plaza
Albany, NY 12210
Phone: 1-800-782-8369

4.2.5 Encouraging Use of New York State Businesses in Contract Performance

New York State businesses have a substantial presence in SUNY contracts and strongly contribute to the economies of New York and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers/contractors for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers/contractors need to be aware that to the maximum extent practical and consistent with

legal requirements, they are strongly encouraged to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, bidders/proposers/ contractors are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in SUNY contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under this contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. SUNY therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to New York State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question "Will New York State Businesses be used in the performance of this contract?" on the

4.2.6 Required Insurance

Prior to the commencement of work the Successful Offeror will provide, at its sole cost and expense, Certificates of Insurance in accordance with Article VII of the Consultant Agreement, which shall remain in force throughout the term of the agreement, or any extension thereof. Such Certificates of Insurances shall be from an insurance company licensed by the New York State Department of Insurance with a rating of at least "A-" as published with Standard & Poor's, and a liability insurance policy with limits no less than \$2,000,000 per claim. If during the term of the policy, the carrier's rating falls below "A-", the liability insurance must be replaced no later than the renewal date of the policy with an insurer acceptable to the State of New York. Such policies shall name the STATE UNIVERSITY OF NEW YORK as an additional insured. The policy shall designate the State University of New York as the loss payee and shall contain a provision that the State University of New York shall receive at least thirty (30) day's notice prior to material change, cancellation or expiration of any such policy.

Workers Compensation Insurance & Disability Benefits Coverage

All employees of the Successful Offeror shall be adequately and properly covered by Workers' Compensation Insurance and Disability Benefits coverage for all work related to the resultant contract. Such policies shall name the STATE UNIVERSITY OF NEW YORK as an additional insured and are to be written by recognized and well-rated insurance companies authorized to transact business in the State of New York. The Successful Offeror shall deliver certificates of such coverage, or proof that such coverage is not required, in the required format, as required by the Workers' Compensation Board, to the following when the agreement is signed by the parties and thereafter not less than thirty (30) days prior to material change or cancellation of such coverage. Proof of NYS Worker's Compensation is only accepted on the C-105.2 or U-26.3 form. Proof of Disability insurance is only accepted on the DB-120.1 form.

4.2.7 Vendor Responsibility

SUNY recommends that vendors file the required Vendor Responsibility Questionnaire online via the New York State VendRep System. To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at http://www.osc.state.ny.us/vendrep/vendor_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.

Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID or for VendRep System assistance, contact the Office of the State Comptroller's Help Desk at 866-370-4672 or 518-408-4672 or by email at ciohelpdesk@osc.state.ny.us.

Vendors opting to complete and submit a paper questionnaire can obtain the appropriate questionnaire from the VendRep website www.osc.state.ny.us/vendrep or may contact SUNY or the Office of the State Comptroller's Help Desk for a copy of the paper form.

4.2.8 State Consultant Services Reporting (OSC Form A and B)

Chapter 10 of the Laws of 2006 amends State Finance Law §§ 8 and 163 by requiring that contractors annually report certain employment information to the contracting agency, the Department of Civil Service (DCS) and Office of the State Comptroller (OSC). As a result of these changes in law, State contractors will be required to disclose, by employment category, the number of persons employed to provide services under a contract for consulting services, the number of hours worked and the amount paid to the contractor by the State as compensation for work performed by these employees. This will include information on any persons working under any subcontracts with the State contractor.

This is a two step process. The first step, Form A is to be submitted with the Consultants' fee proposal; the State Consultant Services Contractor's Planned Employment From Contract Start Date Through the End of the Contract Term (OSC Form A). The completed form must include information for all employees providing service under the contract whether employed by the contractor or a subcontractor. Please note that the form captures the necessary planned employment information *prospectively from the start date of the contract through the end of the contract term*.

The second step is the completion and filing of State Consultant Services Contractor's Annual Employment Report (OSC Form B), which is to be used to report the annual / actual information. Please note that, in contrast to the information to be included on Form A, which is a one-time report of planned employment data for the entire term of a consulting contract on a projected basis, *Form B will be submitted each year the contract is in effect and will capture historical information, detailing actual employment data for the most recently concluded State fiscal year (April 1 – March 31). The legislation mandates that the annual employment reports are to be submitted by the contractor to the contracting agency, to OSC and to the Department of Civil Service. Annual reports are due May 1.*

Form A and Form B shall be completed for contracts for consulting services in accordance with the following:

Scope of Contract (Form B only): a general classification of the single category that best fits the predominate nature of the services provided under the contract.

Employment Category: the specific occupation(s), as listed in the O*NET occupational classification system, which best describe the employees providing services under the contract. (Note: Access the O*NET database, which is available through the US Department of Labor's Employment and Training Administration, on-line at online.onetcenter.org to find a list of occupations.)

Number of Employees: the total number of employees in the employment category employed to provide services under the contract during the Report Period, including part time employees and employees of subcontractors.

Number of hours (to be) worked: for Form A, the total number of hours to be worked, and for Form

B, the total number of hours worked during the Report Period by the employees in the employment category.

Amount Payable under the Contract: the total amount paid or payable by the State to the State contractor under the contract, for work by the employees in the employment category, for services provided during the Report Period.

By submitting Qualifications for consideration on this project you are agreeing to comply with the requirements Chapter 10 of the Laws of 2006.

4.2.9 Contract Award Protest Procedure

This procurement is subject to [SUNY Procedure Item 7561, Contract Award Protest Procedure](#).

4.3 Additional Terms & Conditions

1. The terms and conditions of the State University of New York *Consultant Contract Form 7555-10* shall apply, and is provided as an attachment to this RFQ.
2. Consultant's Terms: The Consultant's standard terms and conditions will not be considered relevant to their proposal or the contract, and should not be included with their proposal. Any additional Consultant terms and conditions which are attached or referenced with Consultant's proposal shall not be considered part of the qualifications or proposal, but shall be deemed included for informational purposes only. No extraneous terms will be incorporated into an agreement unless approved in writing by the Office of General Counsel. Acceptance and/or processing of a proposal shall not constitute acceptance of the extraneous terms.
3. The resulting agreement shall be binding upon its execution by both parties and, if required by New York State law, upon the approval of the Attorney General and the Office of the State Comptroller.
4. The agreement may be revised at any time upon mutual consent of the parties in writing. Such written consent will not be effective until signed by both parties and, if required by New York State law, approved by the Attorney General and the Office of the State Comptroller.
5. The relationship of the Successful Offeror to SUNY shall be that of independent consultant.
6. Compliance with the post-employment restrictions of the Ethics in Government Act is required.
7. The submission of a proposal constitutes a binding offer to perform and provide said services.
8. In the event the Successful Offeror uses partners, subcontracts or subcontractors, the Successful Offeror will remain responsible for compliance with all specifications and performance of all obligations under the contract resulting from this RFQ. For the resulting agreement, the Successful Offeror will be the prime contractor.
9. SUNY will not be liable for any costs associated with the preparation, transmittal, or presentation of any proposals or materials submitted in response to this RFQ.
10. Public announcements or news releases regarding this RFQ or any subsequent award of a contract must not be made by any offeror without the prior written approval of SUNY.

11. The Successful Offeror(s) is responsible for compliance with all applicable rules and regulations pertaining to cities, towns, counties and State where the services are provided, and all other laws applicable to the performance of the resulting contract. The Successful Offeror shall provide all necessary safeguards for safety and protection as set forth by the United States Department of Labor, Occupational Safety and Health Administration.
12. The Successful Offeror will be responsible for the work, direction and compensation of its employees, consultants, agents and contractors. Nothing in the resulting agreement or the performance thereof by the Successful Offeror will impose any liability or duty whatsoever on SUNY including, but not limited to, any liability for taxes, compensation, commissions, Workers' Compensation, disability benefits, Social Security, or other employee benefits for any person or entity.
13. In the event the Successful Offeror is required to be reimbursed for travel, Offeror shall be reimbursed at rates not to exceed the current NYS Schedule of Allowable Reimbursable Travel Expenses. Refer to the U.S. Government Administration Rates for Travel at: <http://www.gsa.gov>

SUNY reserves the right to:

1. Not accept any and all proposals received in response to this RFQ.
2. To terminate any resulting contract for: (1) unavailability of funds; (2) cause; (3) convenience; (4) in the event it is found that the certification filed by the Offeror in accordance with State Finance Law §§139-j and 139-k are found to be intentionally false or intentionally incomplete; and if applicable, the Department of Taxation and Finance Contractor Certification Form ST-220CA was false or incomplete. Upon such finding, SUNY may exercise its termination right by providing written notification to the Offeror in accordance with the written notification terms of the contract.
3. Request certified audited financial statements for the past three (3) completed fiscal years and/or other appropriate supplementation including, but not limited to, interim financial statements and credit reports.
4. Contact any or all references.
5. Waive requirements or amend this RFQ upon notification to all Offerors. Mandatory requirements may be eliminated if unmet by all Offerors.
6. Negotiate with Offerors responding to this RFQ within the requirements necessary to serve the best interests of SUNY.
7. Begin contract negotiations with another Offeror in order to serve the best interests of SUNY, should SUNY be unsuccessful in negotiating a contract with the Successful Offeror within an acceptable time frame.
8. Reject any or all portions of any offer, to negotiate terms and conditions consistent with the intent of SUNY, and to make an award for any or all remaining portions.
9. Request clarifications from Offerors for purposes of assuring a full understanding of responsiveness, and further to permit revisions from all Offerors determined to be susceptible to being selected for

contract award, prior to award.

10. Advise Offeror of any objectionable employee(s) and/or subcontractor(s) and request their removal from the project. Such removal shall not be reasonably withheld by the Offeror.
11. Terminate agreement with thirty (30) days written notice.



EO 177 Certification

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law 3.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Contractor: _____

Signature: _____

Printed Name: _____

Title: _____

Date: _____

The Certification is to be submitted prior to contract award by all successful bidders on all Covered contracts and contract renewals.

EO 177 Guidance: Guidance documents are published on the websites of the New York State Department of Labor (DOL) and the New York State Division of Human Rights (DHR). The topics to be addressed include, but are not limited to, issues relating to pregnancy, familial status, pay equity and sexual harassment. Available at:

<https://dhr.ny.gov/anti-discrimination-harassment-guidance>

5 Attachments

Request for Qualifications Submission Checklist

√	Description
<input type="checkbox"/>	RFQ Summary Information Form
<input type="checkbox"/>	Exhibit A (Standard Contract Clauses)
<input type="checkbox"/>	Exhibit A-1 (Affirmative Action Clauses)
<input type="checkbox"/>	Exhibit C (Consultant Questionnaire) Form A (TBD in dollar amount)
<input type="checkbox"/>	Exhibit D (Non-Collusive Bidding Certification)
<input type="checkbox"/>	Exhibit L (Procurement Lobbying Law)
<input type="checkbox"/>	Exhibit M (MWBE Forms) Reaching Goals advertised (TBD in dollar amount)
<input type="checkbox"/>	Exhibit N (NYS Subcontractors) (TBD in dollar amount)
<input type="checkbox"/>	Exhibit SDVOB (Service-Disabled Veteran-Owned Business)
<input type="checkbox"/>	Exhibit V (Vendor Responsibility Questionnaire)
<input type="checkbox"/>	EO 177 Certification (Executive Order 177)
	<p>Vendor Responsibility:</p> <p>File either the required Vendor Responsibility Questionnaire online via the New York State VendRep System or complete and submit a paper questionnaire.</p> <p>Select one:</p> <p><input type="checkbox"/> Completed online questionnaire</p> <p><input type="checkbox"/> Paper copy of questionnaire included in Bid.</p>
<input type="checkbox"/>	Sample Consultant's Agreement
<input type="checkbox"/>	References (page 16)
<input type="checkbox"/>	Sub-Consultant Staffing List Form (see page 6)

6 References

Bidder Name: _____

Project No: _____

Bidders must provide three (3) example projects completed in the past five (5) years. Example projects must be of similar size, scope and complexity to the project currently being bid, as further described in the Description of Work. Each project must include the Owner/Agency, Award Date, Contract Amount, Date Completed, Contact Person, Telephone number of the contact, General Contractor, Contract Number, Contact Email, and the Project Title and a brief scope description. Reference contacts may be used to verify project size, scope, dollar value, percentages and quality of performance

1.	Agency/Owner:		Award Date:	Contract Amount:	Date Completed:
	Agency/Owner Contact Person:		Telephone No:	General Contractor:	
	Contract No.	Contact E-mail:	Project Title & Scope:		
2.	Agency/Owner:		Award Date:	Contract Amount:	Date Completed:
	Agency/Owner Contact Person:		Telephone No:	General Contractor:	
	Contract No.	Contact E-mail:	Project Title & Scope:		
3.	Agency/Owner:		Award Date:	Contract Amount:	Date Completed:
	Agency/Owner Contact Person:		Telephone No:	General Contractor:	
	Contract No.	Contact E-mail:	Project Title & Scope:		
Completed By:			Phone Number:		
			E-mail:		
			Date:		

Minority and Women Owned Business Enterprises

<u>Firm Name</u>	MBE or WBE	<u>Discipline</u>	Has your firm held contracts with this firm in the past? Y or N
Brief summary of services to be provided with justification of estimated participation:			
<u>Firm Name</u>	MBE or WBE	<u>Discipline</u>	Has your firm held contracts with this firm in the past? Y or N
Brief summary of services to be provided with justification of estimated participation:			
<u>Firm Name</u>	MBE or WBE	<u>Discipline</u>	Has your firm held contracts with this firm in the past? Y or N
Brief summary of services to be provided with justification of estimated participation:			
<u>Firm Name</u>	MBE or WBE	<u>Discipline</u>	Has your firm held contracts with this firm in the past? Y or N
Brief summary of services to be provided with justification of estimated participation:			
<u>Firm Name</u>	MBE or WBE	<u>Discipline</u>	Has your firm held contracts with this firm in the past? Y or N
Brief summary of services to be provided with justification of estimated participation:			

Certification: I hereby certify that the information provided on this form is true, accurate and complete. I understand that the information provided is to be used to comply with the reporting requirements of Article 15-A of the Executive Law.

Signature (Officer of the Company): _____
 Name: _____
 Title: _____

Date: _____

For internal use only. Approval is required for contracts greater than \$50,000.

MWBE Program Office Approval: _____

Date: _____

Instructions for completing form 7555-15:

1. Fill in all requested information including your firm name, SUNY Project No., Project Title, Campus, date and the Minority and Women Owned Business Enterprise goals as specified in the Project Advertisement.
2. In the Consultant/Subconsultant fields, enter both your firm as prime and any proposed subconsultant firms. Firms located out of New York State should have the appropriate approvals in place to practice in NYS. If a firm, including your firm provides service in multiple disciplines, list them for each area of expertise. Discipline areas may be modified as appropriate. Add additional pages if necessary.
3. Enter the Federal ID number for your firm and any subconsultant firms.
4. Enter "M" or "W" if your firm or any proposed subconsultant firms are certified by NY State as a Minority or Woman-Owned Business Enterprise.
5. **With the submittal of qualifications:** Enter the estimated percentage of the work scope for your firm and any identified subconsultants. **Do not enter dollar values. Do not enter "TBD"**. The sum of the individual percentages should add up to 100%.
6. Enter the name of the Partner in Charge and/or Key Staff member from your firm and subconsultants firms. Also include the individual's license number if providing professional services.
7. Complete page 2 with the name of each certified MBE or WBE subconsultant identified on page 1 of the Subconsultant staffing list, note whether the firm is an MBE or WBE and their discipline. Provide a brief summary of the services to be provided by the certified MBE or WBE with justification to support the estimated participation.
8. The certification must be signed and dated by an individual from your firm who is authorized to sign on behalf of your company.
9. Retain a copy for your files and as a reference for proposing any future changes. Any proposed changes to an approved Subconsultant Staffing list must be reviewed with the Project Coordinator and approved by SUNY.
10. **If your firm is selected, at the time the cost proposal is submitted an updated Subconsultant Staffing List with Dollar Values is required.**