NEW YORK STATE OF OPPORTUNITY. | Empire State Development

SUPPLEMENTAL REQUEST FOR QUALIFICATIONS

FOR PRE-QUALIFIED REAL ESTATE LEGAL COUNSEL
Addendum #1

QUESTION AND ANSWER

The following is a list of responses to questions submitted by prospective respondents to the Supplemental RFQ for Pre-Qualified Real Estate Legal Counsel, available here: https://esd.ny.gov/doing-business-ny/requests-proposals/pre-qualified-real-estate-legal-counsel-supplemental-rfq

No.	Question	Answers
1.	Appendix A, Section V – Administrative Proposal Forms: Are we able to submit our federal EEO-1 form in lieu of completing the staffing plan?	No, in order to be considered for pre-qualification, you must complete the required forms set forth in the RFQ, including the staffing plan.
2.	Under Section VIII – Contractual Requirements, viii. Non-Discrimination and Contractor & Supplier Diversity Requirements CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN: Are we able to request a waiver for the affirmative action requirements and MWBE & SDVOB business participation goals related to the proposal submission? If so, how do we do so?	No. ESD does not grant waivers, blanket or otherwise, from Section VIII participation requirements as part of the pre-qualification process. Firms wishing to be pre-qualified do so with the understanding that the requirements of Section VIII will apply not only to their potential pre-qualification application, but also to each potential engagement that ESD invites them to participate in. It is possible, as set forth in Section VIII, that some individual engagements may not have participation goals if no such opportunities are found to exist, or that a firm could apply for a waiver if it makes good faith efforts to meet participation goals but falls short of the same. However, those determinations are not made in advance and are handled on a case by case basis as circumstances dictate. ESD does not intend to pre-qualify any firm that is unwilling or unable to comply with the requirements of Section VIII.