

**Request for Proposals to Serve as Javits Center Expansion & Moynihan Train Hall  
Integrity Monitor**

**Questions and Answers**

The following are a list of responses to questions submitted by prospective respondents (“Respondents”) to ESD’s Request of Proposals dated May 1<sup>st</sup>, 2017 (“RFP”) to serve as Javits Center Expansion & Moynihan Train Hall Integrity Monitor. A copy of the RFP is also available at: <http://www.esd.ny.gov/CorporateInformation/RFPs.html>.

Questions listed in this document were received in writing following the release of the RFP on May 1<sup>st</sup>, 2017 and before the deadline for inquiries to be submitted on May 5<sup>th</sup>, 2017.

#	Questions	Responses
1	Section II. Scope of work, page 5-6. If the status of the project(s) does not require full time hours per week to be used by the IM Manager, could their time be used on other assignments until such time that full time hours are required?	Yes, provided other assignments do not create a real or perceived conflict of interest with the Javits or Moynihan projects, or increase costs to the client.
2	In section II. Scope of work, page 5-6 it states that the IM Manager will be supported by other full-time key personnel. Will these other full-time key personnel also be required to be dedicated exclusively to the project (i.e. not proposed for or assigned to other projects)?	Yes, full-time means dedicated exclusively to the project. Any non-key personnel shall be assigned as needed based on the Respondent’s assessment of the scope of work.
3	Section II. Scope of work, page 7-8. Will the selected IM perform background investigations on all parties or only as directed by the client?	As directed by the client or suggested by the selected IM and approved by the client.
4	Section VIII. Procurement Forms and Requirements, Bullet 4, page 23. If a firm is both a MBE and a WBE, can they be used to satisfy both MBE and WBE requirements?	No. A dual certified subcontractor can only be attributed to MBE or WBE project goals. The Proposer should identify which and then propose a different subcontractor to meet the other goal. Each respondent will be expected to submit a utilization plan as per the referenced OCSD forms.

5	What are the estimated hard construction costs of each project?	As design-build projects, a breakdown of construction costs is not available. Also ESD does not believe that this is relevant information to potential respondents.
6	Will escalation in rates be permissible during any time during the base contract term or option year?	Yes escalation will be allowed annually. Respondents should include in each Project Price Proposal Form a proposed escalation percentage that, if accepted, would be applied annually. This is subject to the Client's approval and acceptance.
7	Page 17 (#3 - Administrative Proposal) and page 20 (Sec VIII - Procurement Forms and Requirements) list several forms to be submitted and requirements of the Bidders (Primes). Do subcontractors have to submit ALL of the same forms and are they subject to ALL of the same requirements as Primes? If not all, then please indicate which forms subcontractors must provide and which requirements they are subject to.	All procurement forms are required to be submitted only by the Prime Proposer, except a vendor responsibility questionnaire should be submitted for any significant subcontractor. The Prime contractor is responsible for assuring that all subcontractors are responsible, legal business entities in New York State, including appropriately filed with the New York Department of State and Department of Taxation and Finance.  Also OCS form 2 is required for any certified MWBE subcontractor.
8	Will the Technical Evaluation be worth 60 percent or 50 percent of the overall score? (There appears to be a typo in Section IV. (2) Evaluation – the paragraph references “50 percent.”)	It is 60 percent.
9	Are all proposed staff expected to be full time employees on the projects?	Full-time commitment is required only where stated. The Proposer should determine and explain in its proposals the staff commitment it intends to engage on the project(s).

10	<p>(Page 7, Task 5) Construction for the Moynihan Train Hall started in Q4 of 2016. Will the selected applicant be responsible for retroactively reviewing invoices and other documentation related to work performed prior to the IM Contract Start Date?</p>	Yes
11	<p>(Page 7, Task 2) Task 2 of the Scope of Work states that the IM shall be responsible for “establishing and maintaining a Fraud Prevention Hotline”. Will the IM be responsible for the operation of this call line?</p>	Yes
12	<p>Is there an approximate timeline for the construction of the Javits Center Expansion and Moynihan Train Hall?</p>	Both projects are expected to be substantially complete by mid-year 2021.
13	<p>On the Price Proposal Form, is the “Total-Personnel Costs” to be in the sum of the billable rates, or all of our costs for personnel for the entire project?</p>	The “Total – Personnel Costs” should represent the calculation of the Bill Rates Proposed multiplied by the anticipated number of hours expected for each staff person in those titles for the full term of the resulting contract.
14	<p>Must the team include an attorney?</p>	Yes, an attorney must be included in the team for each project.