

Request for Sealed Bids – Building Construction Vendors Design and Construction of Records Storage Building

INTRODUCTION

A. GENERAL INFORMATION

The Town of Rochester Town Board, hereinafter referred to as “the Town”, is requesting written sealed bids from Building Construction Vendors to provide professional services associated with the design, site preparation, and construction for the Town of Rochester records storage project located at the Harold Lipton Community Center, 15 Tobacco Road, Accord, NY. The selected firm will provide the professional services described herein in support of the Town and will work directly with the Town Supervisor and Town Clerk.

All work will be contracted within the terms, conditions, scope of work and other applicable requirements set forth in subsequent work orders related to this document. Procurement shall only be conducted with responsible vendors who have the technical and financial competence to perform.

In accordance with New York State General Municipal Law Section 104-b, this Request for Sealed Bids (RFSB) is designed to identify Building Construction vendors best qualified to provide the services necessary to provide engineering and design specifications and the construction of a Records Storage Building.

The estimated size of the building to be approximately 2000 square feet. The building will require electric and climate control, however, will not be a place of human assembly or congregation. It is envisioned to be a type of “polebarn structure with walls”, however the exact design will be left to the bidders to provide. The exact location on the property is to be determined in consultation with the Town. The Town retains the option of connecting the records storage building to the existing community center, based on project decision.

The engineering and design specifications will be provided by the contractor. There will be no architect or engineer hired for the project.

- Architectural Design.
- Building and building roof structural engineering and design..
- Floor and foundations engineering and design specifications.
- Electrical and lighting design and specifications.
- HVAC design and specifications

PART 1 – BUILDING & CONSTRUCTION VENDOR RESPONSIBILITIES

Scope of Work includes but is not limited to:

Construction Documents:

1. Develop 35-percent level design development documents for submission to the Town Board for review and comment.
2. Attend a 35-percent level design review meeting with the Town.
3. Incorporate comments received from the Town into the project design.
1. Prepare construction documents for the project including drawings and specifications for securing required permits..
2. Develop 90-percent level design development documents for submission to the Town Board for review and comment.
3. Attend a 90-percent level design review meeting with the Town.
4. Incorporate comments received from the Town into the final project design.
5. Prepare construction documents for the project including drawings and specifications for securing required permits.

Construction Administration:

Provide construction services for the project. The following are anticipated Construction Services:

1. Attend an on-site pre-construction conference with the Town.
2. Review of contractor provided shop drawings and other submittals for the project with the Town.
3. Identify any subcontractors who will be utilized in the project.
4. Site preparation
5. Oversee construction of the project.
6. On-site inspections are anticipated. Include an estimated number of on-site hours anticipated for critical activities.
7. Perform a punch list inspection.

PART 2 - GENERAL SUBMISSION REQUIREMENTS

Vendors are to provide a not to exceed time and expense fee for the outlined scope of services provided above. The fee is to be broken down by phase to include Construction Documents, Site Preparation, Construction, HVAC, Electrical, Administration and Expenses, and Contingency. Provide an hourly billing rate price sheet for the services to be provided.

A. Issuing Office

To be considered for this work, each firm must submit six (6) printed copies and one (1) electronic media copy of a Sealed Bid **by March 14 2024 at 2:00 pm.**

All submittals must be delivered in **hard copy form** (no faxes or e-mails) to:

**Kathleen Gundberg, Town Clerk
Town of Rochester
PO Box 65
50 Scenic Road
Accord, NY 12404**

All envelopes shall be clearly marked "Records Storage Building"

No oral, telegraphic, telephonic, electronic or faxed Sealed Bid will be considered.

All Sealed Bids will be date and time stamped with the official time upon receipt. Sealed Bids received after the submittal deadline shall be rejected. The Town is not responsible for lateness of mail, carrier, etc. and the date/time stamp shall be utilized, in all cases to determine the official time of receipt.

The Town reserves the right to reject any or all Sealed Bids submitted. Sealed Bids submitted will be evaluated individually by the Town.

B. RFSB Contact Person

Interested building construction vendors shall **e-mail**

mbaden@townofrochester.ny.gov any questions or requests for clarification of any ambiguity or correction of any inconsistency or error in the documents, no later than **March 1, 2024**. The Town will respond either through email or if necessary, a written addendum to the RFSB shall be prepared and provided to all participating building construction vendors. Only written addenda from Town shall be binding.

C. RFSB/Contract Award Anticipated Timetable (tentative)

Release of RFSB	Feb. 12, 2024
RFSB Due Date:	March 14, 2024
Oral Presentations (<i>tentative</i>)	TBD (if determined needed):
Anticipated Town Board Approval Date:	April 25, 2024

NOTE: The above dates are for informational purposes only. Efforts will be made to adhere to the above schedule; however, the Town reserves the right to alter or change these dates.

PART 3 – SEALED BID

A. General Sealed Bid format to be presented.

1. A letter of transmittal/introduction introducing the firm by describing its origin, current ownership and management, and must include an executive summary of the firm's qualifications. It is to be signed by the person authorized to bind the Proposer contractually.
2. Name, title, telephone & fax numbers, and e-mail addresses of the person to be contacted regarding the content of the Sealed Bid.
3. Legal organizational name and address of the Bidder.
4. Legal organizational name and address of sub-building construction vendors which may be used by the Bidder for this project.
5. Subcontractors (if proposed)
6. Information addressing each of the Part 3 evaluation criteria.
7. Part 5 "Compensation Sealed Bid" – Provide document which indicates proposed compensation
8. Estimated Cost of Construction (All Labor and Materials, broken down as Site Work, General Construction, Electrical, HVAC, Administration, and Contingency)
9. Sealed Bid Certification Signature
10. Attachment – Non-Collusive Statement

**FAILURE TO PROVIDE A NON-COLLUSIVE STATEMENT
OR SEALED BID CERTIFICATION
WILL RESULT IN NON-CONSIDERATION OF A SEALED BID**

B. References and Experience

For the experience listed, include details of experience with projects similar in size and complexity to the project described in this RFSB and provide the following information:

Agency/Owner, Name and Location of Project, Services Provided, Dates, Project Budget Amounts and Contact Name and Telephone Number.

C. Personnel

Include complete staff names and resumes of personnel who will be assigned to this project. Identify the Primary contact for the project

D. Specific Project Approach

Provide a detailed description of the services the firm can provide during various phases of the project and individuals who will be involved. Indicate in-house and sub-building construction vendor arrangements. Demonstrate understanding of the scope of services required and the approach the firm would use to achieve the Town's objectives.

E. Confidential Information

The New York State Freedom of Information Law (FOIL), as set forth in Public Officers Law, Article 6, mandates public access to certain government records. Generally, Sealed Bids submitted in response to this RFSB may constitute government records subject to FOIL. Sealed Bids may contain, among other things, certain technical, financial or other data and information that constitute trade secrets that, if publicly disclosed, could cause substantial injury to the commercial enterprise's competitive position. If a respondent believes that any information contained in its applications qualifies for an exception to the Freedom of Information Law (FOIL), it must indicate which information in the application should be exempted from the Act and clearly state the grounds for the exception.

PART 4 – SELECTION PROCESS

During the evaluation process, the Town reserves the right, where it may serve the Town's best interest, to request additional information and clarifications from bidders, or to allow corrections of errors or omissions. Any such information given, either orally or in writing, is not given in confidence and may be used, or disclosed to others, for any purpose at any time without obligation or compensation and without liability of any kind whatsoever.

At the discretion of the Town, building construction vendors submitting Sealed Bids may be requested to make oral presentations as part of the evaluation process at a time to be determined by the Town.

The Town reserves the right to negotiate with any and all bidders regarding the information which is requested in this RFSB. Each proposer must provide all information as requested to be considered and may be disqualified for failure to submit any required attachment / exhibit, or for submitting incomplete or non-responsive information, exhibits or attachments. Any such negotiations will occur subsequent to review and certification of Sealed Bids as fully complete and responsive.

The Town reserves the right to reject or accept any and all Sealed Bids, in whole or in part, to waive any and all informalities, and to disregard all non-conforming, non-responsive, or conditional Sealed Bids which, in the opinion of the Town Board, will be in the Town's best interest.

Any factual information contained in this RFSB is for informational purposes only and is subject to independent verification by the respondent.

A. Response Evaluation Criteria

The Town intends to enter into a contract with the building contractor vendor that in the Town's opinion best meets the responsiveness and price criteria described below. However, this RFSB does not commit the Town to select or enter into a contract with any organization, and Town reserves the right to reject any and all Sealed Bids. The Town Board will review and evaluate Sealed Bids.

B. Evaluation of Responsiveness

The Town will utilize a "Best Value" system point ranking system to aid in the evaluation process.

The Town reserves the right to use its discretion to eliminate Sealed Bids deemed unacceptable.

It will separately determine how well Sealed Bids satisfy the RFSB objectives in terms of responsiveness, and we will rank Sealed Bids, without consideration of price, using a point ranking system (unless otherwise specified). The Town will consider references in this portion of the evaluation.

The Town will determine whether any failure to supply information, or the quality of information, will result in rejection or downgrading a Sealed Bid. Building construction vendors who do not rank sufficiently high need not be considered for price evaluation and selection. Building construction vendors whose Sealed Bids meet minimum responsiveness requirements will be eligible for further consideration.

C. Evaluation of compliance

The Town Board will determine whether the Sealed Bids comply with this RFSB and will reject late Sealed Bids.

Failure to meet the requirements will affect the evaluation and may result in rejection.

D. Bonus Criteria

The Town Board may add additional bonus points for certified MBE, WBE, and SDVOB businesses.

The Town may add additional bonus points for businesses located in Ulster County or in contiguous counties.

Final consideration will be derived by the evaluation of the following criteria:

A. Responsiveness – 60% of weighted value

The maximum number of points for responsiveness is 75.

Building construction vendors who receive less than 50 responsiveness points will not be considered for price evaluation and selection.

Responsiveness

Demonstration of personnel availability and proposed response time will be required. A single point of immediate contact at the Principal level and a Project Manager must be established and highlighted in the Sealed Bid. These may be the same individual.

1. Experience and Qualifications of the Firm – 25 Points

Demonstration of prior successful and relevant work experience of the proposer will be required. At a minimum, five (5) references from other municipalities or other public agencies or schools are to be included; two of which should be less than three (3) years old. The depth and variety of the firm's disciplines and management of its work force organization by task will be evaluated.

2. Experience and Qualifications of Individuals, Team – 25 points

Include the titles and resumes of each person that will be assigned to the contract. Please also indicate if any of these functions will be subcontracted. The resumes are to indicate employment history, education, professional licenses and experience directly related to this work. Professional references must be furnished if requested.

3. Quality of Sealed Bid/Compliance with specifications of the RFSB – 25 points

B. Compensation Schedule - 40% of weighted value

Provide a fixed price for the specific work and / or additional services as indicated.

Evaluation of Price

The Town will rank prices on a relative basis. The maximum number of price points is 50.

The Town will determine price points for a Sealed Bid using the following formula:

Maximum price points X lowest price / bidder's price = price points

The Town will calculate prices based upon the bidder's estimated hours and applicable labor rates. When a Sealed Bid includes a range of hours, we will use the highest number in that range.

The Town reserves the right to disqualify Sealed Bids having prices that appear unrealistic or significantly understated for the services offered.

F. Evaluation Score

The maximum values of 75 and 50 points approximately represent a 60/40 ratio between responsiveness and price.

The maximum number of combined responsiveness and price points is 125, excluding any potential bonus points which may be added.

G. Alternate Evaluation

If Town receives three or fewer Sealed Bids, it may evaluate them using a simple comparative analysis of the elements of responsiveness and price instead of the announced method of evaluation.

H. Oral Presentations

In addition to interviews, the Bidders may be requested to make an oral presentation. Bidders unable or unwilling to make a presentation may be removed from consideration, at the sole discretion of the Town.

PART 4 – AGREEMENT FOR SERVICES

AGREEMENT

The Building construction vendor will be required to enter into an agreement with the Town based upon this document.

Respondent is responsible for meeting all deadlines. The selected firm will be responsible for submitting a draft A/E contract that includes a scope of services and cost Sealed Bid within two (2) weeks of the Initial Meeting. Failure to meet this deadline may result in the Town of Rochester exercising its right to terminate negotiations with the selected firm.

REIMBURSABLES

Unless indicated otherwise, all extraneous expense, such as additional printing or increase in deliverables beyond that listed as contract requirements, incurred by the Building construction vendor that are directly and solely required to complete the work in this Sealed Bid or additional work at the direction of Town represented in this RFSB will be reimbursed. Original receipts are required to receive reimbursement.

Travel, lodging, meals and other personal costs are considered to be incidental to the contract and are not reimbursable.

INSURANCE

- A.** Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the architect/engineer hereby agrees to effectuate the naming of the Town as an additional insured on the architect/engineer's insurance policies, with the exception of workers' compensation, NY State Disability and professional liability. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract
- B.** The Town shall be listed as an additional insured.
The architect/engineer agrees to indemnify the Town for any applicable deductibles.

The policy naming the Town as an additional insured shall:

1. Be an insurance policy from an A.M. Best rated "Secure" insurer, authorized to conduct business in New York State.
2. State that the architect/engineer's coverage shall be primary coverage for the Town, its Board, employees and volunteers

C. Required Insurance:

- 1. Commercial General Liability Insurance**
\$1,000,000 per occurrence/ \$2,000,000 aggregate.
- 2. Workers' Compensation and N.Y.S. Disability**
Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance for all employees.
- 3. Automobile liability**
\$1,000,000 per occurrence
- 4. Architect/Engineer Professional Errors and Omissions Insurance**
\$2,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the architect/engineer performed under the contract for the Town. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work.
- 5. Excess Insurance**
On a "Follow-Form" basis, with limits of \$5,000,000 each occurrence and aggregate.