



REQUEST FOR QUALIFICATIONS Architectural & Engineering Design Services

Professional Service Contract

To All Interested Parties:

Attached is a copy of a Request for Qualifications for Architectural & Engineering Design Services for the Broome County Land Bank Corporation ("BCLBC" or "Land Bank"). These services are needed for the architectural, structural, mechanical, electrical, and plumbing design of several single and multi-family residential buildings as well as site design, permitting and construction administration as needed at Land Bank properties intended to be rehabilitated as part of the Land Bank's Affordable Homes Program or intended to be demolished and replaced using New York State Community Development Block Grant ("CDBG") funds. The aforementioned services are being solicited at this time to assist the Land Bank in its subrecipient responsibilities of project implementation for New York State CDBG Project No. 135HR125-20 as well as a pending American Rescue Plan Act ("ARPA") funded Program with the City of Binghamton. This contract will also be utilized in future grant-funded programs as well as projects funded by Land Bank program income.

The submission requirements and deadline for this Request for Qualifications are included in the attached document. The Land Bank reserves the right to award multiple contracts as a result of this solicitation.

The Land Bank is an Affirmative Action/Equal Opportunity Employer. Section 3 Residents, Section 3 Businesses, Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises, and Labor Surplus Area Firms are encouraged to submit qualifications.

Please submit Qualifications to:

Jessica Haas, Executive Director
Broome County Land Bank Corporation
60 Hawley Street, 5th Floor
Binghamton, New York 13901-1766
Jessica.Nejeschleba@BroomeCounty.US

Attachments:

Request for Qualifications for Architectural & Engineering Design Services
Rating Sheet
EEO/MWBE Form
Non Collusive Bidding Certificate
Risk Management & Insurance Specifications



REQUEST FOR QUALIFICATIONS Architectural & Engineering Design Services

Professional Service Contract

May 2, 2022

To Whom it May Concern:

The Broome County Land Bank is soliciting qualifications for architectural & engineering design services at properties to be rehabilitated or demolished and replaced using New York State Community Development Block Grant (“CDBG”) funds. These services are needed for the architectural, structural, mechanical, electrical, and plumbing design of several single and multi-family residential buildings, as well as site design, permitting and construction administration as needed at Land Bank properties intended to be rehabilitated as part of the Land Bank’s Affordable Homes Program or intended to be demolished and replaced using New York State Community Development Block Grant (“CDBG”) funds. The aforementioned services are being solicited at this time to assist the Land Bank in its subrecipient responsibilities of project implementation for New York State CDBG Project No. 135HR125-20 as well as a pending American Rescue Plan Act (“ARPA”) funded Program with the City of Binghamton.

It is the intent of the Land Bank to rehabilitate all single-family and multi-family residential buildings under CDBG Project No. 135HR125-20. However, future grant programs may encompass a demolition and replacement component. Further, *it is the Land Bank’s intent to procure Construction Administration services through the Land Bank’s co-development partner, SEPP Inc (“SEPP”).* CA services are being solicited as part of this Request for Qualifications in the event that such services become unavailable from SEPP or that such services are necessary in future grant programs. For CDBG Project No. 135HR125-20, firms will be expected to coordinate with SEPP.

1.0 REQUIRED SCOPE OF SERVICES

- 1.1 Planning for new and/or existing single and multi-family residential buildings.
- 1.2 Evaluate new and/or existing single and multi-family residential buildings to identify maintenance issues and/or code compliance issues including current cost estimates to address such issues.
- 1.3 Project schematic design, preliminary design, and design development for each respective discipline required under this solicitation, including but not limited to architecture, building structural engineering, site design, and mechanical/electrical/plumbing design, including preliminary cost estimates.
- 1.4 Final project design and bid support including preparation of final plans and specifications, preparation of final cost estimates, preparation of bid documents, bid assistance (pre-bid meeting coordination and addressing addendum if required), and bid analysis.
- 1.5 Construction contract administration phase services as required including review and approval of contractor submittals, daily project management, construction monitoring, on-site inspection, analysis, survey reporting and miscellaneous technical support and assistance as necessary.

1.6 Post construction contract administration phase and final project close-out services to assure compliance with all guarantees and funding sources as necessary.

1.7 Coordination of all review and approval with involved agencies as required, including but not limited to Local Governments (planning and zoning), local utility companies, Broome County Health Department, and any other involved agencies and/or funding sources. Contractors are responsible for applicable building permits.

All work under this contract shall be completed in accordance with applicable Federal, State, and local rules, regulations and codes. All work must be performed under the direction and supervision of a Professional Engineer or Architect (of other licensed professional as required by law), registered to practice in the State of New York.

2.0 REQUIRED SUBMITTALS

To be considered for selection, your qualification/proposal submittal must include Federal General Service Administration Form SF-330 as a minimum. If the requested services are not available within a single firm, it will be necessary to include the above requested information for each proposed subcontracted firm. Submittals should include and/or address the following items:

2.1 Name and overall size of your firm.

2.2 Location of offices with a description of the size and specific location of the office that will provide the proposed services.

2.3 If a branch office will provide services, the capability of a branch office to perform independently of the home office, or conversely, its capability to obtain necessary support from the home office.

2.4 A statement of interest in performing the proposed services.

2.5 A description of other contracted small housing-related services your firm provides (either current or in the past), as well as a list of current clients that you have term contract experience with if any. Included with this information should be at least 2 (two) professional references with contact information that can attest to your experience with the requested services.

2.6 Evidence in your presented project history of your firm's ability to work within project budgets and schedules.

2.7 A statement of qualifications to include recent specialized experience specific to the general services specified in this RFQ.

2.8 The resumes of those individuals in the office designated to provide these services who will work on Land Bank projects and the office that they typically work from.

2.9 If applicable, the names of sub consultants or associate consultants, or joint venture partner consultants, who would be engaged by your firm including their background, relevant experience, key personnel, location of offices that would provide services, etc.

2.10 A description of your proposed approach to providing services for single-family and multi-family residential buildings for the Land Bank. Your description would address such items as projected project staffing, average turnaround time for design documents, the need for sub consultant support, etc.

2.11 An organizational chart.

2.12 Completed EEO/MWBE form and Non-Collusive Bidding Certificate

3.0 INSURANCE REQUIREMENTS

**Please see attached insurance requirements.*

4.0 CONTRACTING AND SUBCONTRACTING REQUIREMENTS

Section 3 Residents, Section 3 Businesses, Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises, and Labor Surplus Area Firms are encouraged to submit qualifications. If the awarded firm is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:

4.1 Placing qualified Section 3 Residents, Section 3 Businesses, Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises, and Labor Surplus Area Firms on solicitation lists;

4.2 Assuring that Section 3 Residents, Section 3 Businesses, Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises, and Labor Surplus Area Firms are solicited whenever they are potential sources;

4.3 Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by Section 3 Residents, Section 3 Businesses, Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises, and Labor Surplus Area Firms;

4.4 Establishing delivery schedules, where the requirement permits, which encourage participation by Section 3 Residents, Section 3 Businesses, Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises, and Labor Surplus Area Firms; and

4.5 Using the services and assistance, as appropriate, of such organizations as the Binghamton Housing Authority, Greater Binghamton Chamber of Commerce, Small Business Administration, New York Empire State Development, etc.

5.0 PROPOSAL EVALUATION

The Land Bank shall apply the following evaluation criteria for selecting a firm(s). Such criteria are not necessarily listed in order of importance. The Land Bank reserves the right to weigh its evaluation criteria in any manner it deems appropriate.

Criteria	Max Points
<ul style="list-style-type: none"> Proposer's capacity and capability to provide the services 	20
<ul style="list-style-type: none"> Evaluation of the professional qualifications, personal background and resume(s) of individuals involved in providing the services 	20
<ul style="list-style-type: none"> Proposer's experience to perform the proposed services 	20
<ul style="list-style-type: none"> Past record of performance 	20
<ul style="list-style-type: none"> Ability to rapidly mobilize 	20

Once firms are evaluated on the above criteria, a committee of the Land Bank's Board of Directors will invite firms to interview.

6.0 SCHEDULING AND COMPLETION

Please submit questions to Jessica Haas, Land Bank Executive Director at Jessica.Nejeschleba@BroomeCounty.US by 4:00 PM on May 23rd, 2022. It is anticipated that a contract will be awarded by June 13th, 2022 to the qualified firm(s). This is an as-needed contract not to exceed two years.

7.0 PROPOSAL SUBMISSION

Upon receipt of qualification proposals, submittals will be reviewed by a Committee comprised of Land Bank Board Members. It is the intent of the Land Bank to invite several qualified firms to interview for a more detailed in-depth evaluation of qualifications and ability to meet the terms of the proposed contract. The firms interviewed will be asked to address their professional expertise as a part of their interview (and that of their sub-consultant(s)), with the planned scope of services outlined above. Firms should be willing and able to provide additional information that may be required by the selection committee.

Interested parties should submit all required submittals to Jessica Haas by 4:00 PM on May 30th, 2022 by mail, hand delivery or email as follows:

Email: Jessica.Nejeschleba@BroomeCounty.US

By Mail or Hand Delivery

Broome County Land Bank
 Attn: Jessica Haas
 60 Hawley Street, 5th Floor
 Binghamton, NY 13901

Please do not hesitate to call me at (607) 778-6001 with any questions.

Sincerely,

Jessica Haas
 Executive Director

Attachment A-1

Architectural & Engineering Design Services Evaluation Form

FIRM NAME: _____

DATE: _____

Required Submissions	YES	NO
• EEO / MWBE Policy Statement		
• Non-Collusive Bidding Certificate		

EVALUATION CRITERIA	SCORE	MAX. POINTS	NOTES
• Proposer's capacity and capability to provide the services.		20	
• Evaluation of the professional qualifications, personal background and resume(s) of individuals involved in providing services.		20	
• Proposer's experience to perform the proposed services.		20	
• Past record of performance.		20	
• Ability to rapidly mobilize		20	

TOTAL: _____

EVALUATOR NAME: _____

**EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT & M/WBE PARTICIPATION
BROOME COUNTY LAND BANK CORPORATION**

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

It is the policy of _____ (name of organization) to provide equal employment opportunity to all people without regard to race, color, sex, religion, age, national origin, disability, sexual preference, or veteran status. This organization will undertake and/or continue existing programs of affirmative action to ensure that minority group members are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force. These programs will be in accordance with all relevant Federal and State non-discrimination laws and regulations.

This organization shall state in all solicitation and advertisements for employees that all qualified applicants will be afforded equal employment opportunities without discrimination. In addition, this organization shall request of any employment agency, labor union, or other authorized representative used to solicit employees that they will not discriminate on the basis of race, color, sex, religion, age, national origin, disability, sexual preference, or veteran status, AND that such union or representative will affirmatively cooperate in the implementation of this organization's obligations herein.

Finally, this organization agrees to include these same EEO provisions in every subcontract in such a manner that the requirements will be binding upon the subcontractor doing work in connection with this contract.

M/WBE PARTICIPATION

This organization shall take good faith actions to achieve M/WBE participation in this contract by taking and documenting the following steps:

1. Actively and affirmatively solicit bids and/or quotes for subcontracts (and/or supplies) from qualified State certified MBEs or WBEs, including solicitations from M/WBE contractor associations.

Documentation shall include:

- a. Copies of solicitations to M/WBE firms and copies of any responses.
 - b. Copies of any advertisements placed for participation of M/WBEs (including dates of advertisements and publications)
2. Ensure that documents used to secure bids and/or quotes are made available in sufficient time for review by prospective M/WBE's.

3. If responses to the organization's solicitations were received, but a certified M/WBE was not selected, provide specific reasons that such enterprise was not selected.
4. Contractor will also ask for and maintain records of any actions that subcontractors have taken to achieve M/WBE participation.

This organization agrees to provide copies of said documentation illustrating good faith efforts upon award of contract.

Agreed on this _____ day of _____, 20_____

By: _____
(Signature)

Print Name: _____

Title: _____

NON-COLLUSIVE BIDDING CERTIFICATION

Special Note:

BIDDER MUST RETURN THIS FORM WITH THE PROPOSAL FORM

TO THE BROOME COUNTY LAND BANK CORPORATION:

In accordance with Section 103D of the New York State General Municipal Law, the Undersigned declares that, in submitting this Proposal, he/she is or they are the only person(s) interested in said Proposal that it is made without any connection with any person making another Proposal for the same Contract; that the Proposal is, in all respects, fair and without Collusion, Fraud or Mental Reservation; and that no officials of the Broome County Land Bank Corp. or any person in the employ of the Broome County Land Bank Corp., is directly or indirectly interested in said Proposal or in the Supplies, Materials, Equipment or Work to which it relates, or in any portion of the profits thereof.

NON-COLLUSIVE BIDDING CERTIFICATION: (Section 103d, as amended)

1. By submission of this Proposal, each Bidder and each Person signing on behalf of any Bidder certifies, and in the case of a Joint Proposal, each Party thereto, certifies as to its own organization, under penalty of perjury, that, to the best knowledge and belief:
 - A. The prices in this Proposal have been arrived at independently, without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices, with any other Bidder or with any Competitor.
 - B. Unless otherwise required by law, the prices which have been quoted in this Proposal, have not been knowingly disclosed by the Bidder and will not knowingly be disclosed, by the Bidder prior to Proposal Opening, either directly or indirectly, to any Bidder or to any Competitor.
 - C. No attempt has been made or will be made, by the Bidder, to induce any other person, partnership or corporation to submit or not submit a Proposal, with the purpose or restricting competition.

NAME OF BIDDER

SIGNATURE OF SIGNER

TITLE

NOTE:

A Proposal shall not be considered for award nor shall any award be made where: Paragraph 1, Subparagraphs A, B and C above, have not been complied with, providing however, that, if in any case, the Bidder cannot make the foregoing certification, the Bidder shall so state and shall furnish, with the Proposal, a signed statement which sets forth, in detail, the reason therefore.

Where Paragraph 1, Subparagraphs A, B and C above, have not been complied with, the Proposal shall not be considered for award nor shall any award to made, unless, the Head of the Purchasing Unit of the political subdivision, public department, agency or official thereof, to which the Proposal is made, or his/her designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a Bidder has published price lists, rates or tariffs covering items being procured; informed prospective customers of proposed or pending publications of new or revised price lists for such items or has sold the same items to other customers at the same prices as being Proposed; does not constitute, without more, a disclosure within the meaning of paragraph 1, subparagraphs A, B & C.

NON-COLLUSIVE AFFIDAVIT

STATE OF NEW YORK _____)

)ss.

COUNTY OF _____)

being first duly sworn, deposes and says that:

A. He/She is owner, partner, officer, representative or agent of:

_____ the Bidder that has submitted the attached Quotation.

B. He/She is fully informed respecting the preparation and contents of the attached Quotation and of all pertinent circumstances respecting such Quotation;

C. Such quotation is genuine and is not a collusive or sham Quotation;

D. Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this Affiant, has in any way colluded, conspired, connived, agreed, directly or indirectly, with any other Bidder, firm or person, to submit a collusive or sham Proposal, in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix the price or prices in the attached Quotation or that of any other Bidder, or to fix any overhead, profit or cost element of the quote price or the quoted price of any other Bidder or to secure, through any collusion, conspiracy, connivance or unlawful agreement, any advantage against the Local Public Agency or any person interested in the proposed Contract, and;

E. The price or prices quoted in the attached Proposal are fair and proper and are not tainted by collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees or parties in interest, including this Affiant.

(Signed): _____

Subscribed and sworn to before me

this ____ day of _____ 20

My Commission expires:

Risk Management & Insurance Specifications

Project Description	Work includes architectural, structural, mechanical, electrical, plumbing design as well as site design, permitting and construction administration for Broome County Land Bank rehabilitation or demolition and replacement projects funded by CDBG. Contract is an as-needed contract with no assignments guaranteed.
Date Issued	May 2, 2022
Vendor name ("Contractor")	TBD

Please read these specifications very carefully. These specifications are part of your Agreement with the Broome County Land Bank Corporation (BCLBC). It is advisable that you forward a copy of these specifications to your insurance agent. BCLBC waiver of any requirement(s) set forth herein shall not constitute a waiver of any other Agreement provision.

Part I. General Provisions

1. The Contractor shall procure and maintain during the term of this Agreement, at the Contractor's expense, the insurance policies listed in Part II with limits equal to or greater than the enumerated limits.
2. The contractor shall be solely responsible for any self-insured retention or deductible losses under each of the required policies.
3. Every required policy, including any required endorsements and any umbrella / excess policy, shall be primary insurance. Insurance carried by BCLBC, its officers, or its employees, if any, shall be excess and not contributory insurance to that provided by the Contractor.
4. Every required coverage type shall be "occurrence basis".
5. The Contractor may utilize umbrella/excess liability coverage to achieve the limits required hereunder; such coverage must be at least as broad as the primary coverage (follow form).
6. All insurance certificates must be approved by the BCLBC. See section II for specific requirements regarding insurance proof.
7. The BCLBC reserves its right to request certified copies of any policy or endorsement thereto.
8. All insurance shall be provided by insurance carriers licensed & admitted to do business in the State of New York and must be rated "A-:VII" or better by A.M. Best (Current Rate Guide).
9. If the Contractor fails to procure and maintain the required coverage(s) and minimum limits such failure shall constitute a material breach of Agreement, whereupon BCLBC may exercise any rights it has in law or equity, including but not limited to the following:
 - (a) immediate termination of the Agreement;
 - (b) withholding any / all payment(s) due under this Agreement or any other Agreement it has with the vendor (common law set-off); OR
 - (c) procuring or renewing any required coverage(s) or any extended reporting period thereto and paying any premiums in connection therewith. All monies so paid by BCLBC shall be repaid upon demand, or at the BCLBC's option, may be offset against any monies due to the Contractor.

Part II. Required Insurance – Minimum coverage types and amounts

- a. Commercial General Liability insurance (including contractual and contractor's protective liability coverage) with combined single limits of \$1,000,000 per occurrence, and \$2,000,000 in the aggregate for bodily injury and property damage; Aggregate limit must be per project.

Proof of additional insured coverage shall be evidenced through a carrier issued endorsement (ISO CG 20 10 11 85 or equivalent)

- b. Automobile Liability coverage including owned and hired vehicles with a combined single limit of \$1,000,000 per occurrence for bodily injury and property damage;
- c. Worker's Compensation and Employer's Liability insurance in compliance with all applicable New York State laws and regulations and Disability Benefits, if required by law.
- d. Professional Liability insurance in an amount not less than One Million Dollars (\$1,000,000.00) on either a per-occurrence or claims-made coverage basis.

Proof of additional insured coverage shall be evidenced through a carrier issued endorsement

Certificates must list the Broome County Land Bank Corporation as additional insured with Waiver of Subrogation included. Location of the properties must be listed on the description of certificate.

1. The certificate face shall:
 - indicate coverage(s) (other than Workers' Compensation & Disability) & minimum amounts required in part II.1
 - provide that the coverage(s) shall not be cancelled, terminated or materially changed (including an insurance limits reduction) unless **thirty (30) days** prior written notice has been given to the BCLB.
 - Disclose all policy exclusions
 - Disclose the amount of self-insured retention or deductibles.
 - Show Products & completed operation
2. Proof of Workers' Compensation Coverage must be provided on WCB form C-105.2 or U-26.3
3. Proof of NYS Disability Coverage must be provided on WCB form DB-120.1 OR DB-820/829 OR DB-155
4. The Additional Insured & Certificate Holder should read:

Broome County Land Bank Corporation
60 Hawley Street, 5th Floor
Binghamton, NY 13901

Housing Trust Fund Corporation and the State of New York
38-40 State Street
Albany, NY 12207

SEPP Inc.
53 Front Street
Binghamton, NY 13905

Part III Defense and Indemnification

The following provisions concerning indemnification shall not be construed to indemnify the BCLBC for damages arising from bodily injury to persons or property contributed to, caused by or resulting from the sole negligence of the BCLBC or its employees.

The Contractor agrees to defend, indemnify and hold the Broome County Land Bank Corporation and any officer, employee and/or agent thereof free and harmless from any and all loss(es), penalty(ies), damages, settlement(s), cost(s), charge(s), professional fee(s) or other expense(s) or liability(ies) of every kind arising from or relating to any and all claim(s), lien(s), demand(s), obligation(s), action(s), proceedings or causes of action of any kind in connection with, or arising directly or indirectly from the negligent error(s) and/or omission(s) and/or act(s) of the Contractor (including Contractor's employees, agents or and/or subcontractors) in the performance of this agreement.

Without limiting the generality of the preceding paragraphs, the following shall be included in the indemnity hereunder: any and all such claims, etc., relating to personal injury, death, damage to property, or any actual or alleged violation of any applicable statute (including specifically but not limited to New York State Labor Law §§ 200; 202; 240 & 241), ordinance, administrative order, executive order, rule or regulation, or decree of any court of competent jurisdiction in connection with, or arising directly or indirectly from, errors and/or negligent acts by the Contractor, as aforesaid.

Part IV Safety

Broome County Land Bank Corporation specifically reserves the right to suspend or terminate all work under this Agreement whenever Contractor and/or contractor's employees or subcontractors are proceeding in a manner that threatens the life, health or safety of any of contractor's employees, subcontractor's employees, BCLB employees or member(s) of the general public on BCLB property. This reservation of rights by Broome County Land Bank Corporation in no way obligates Broome County Land Bank Corporation to inspect the safety practices of the Contractor.

If Broome County Land Bank Corporation exercises its rights pursuant to this part, the contractor shall be given three days to cure the defect, unless Broome County Land Bank Corporation, in its sole and absolute discretion, determines that the service cannot be suspended for three days due to Broome County Land Bank Corporation's legal obligation to continuously provide contractor's service to the public or Broome County Land Bank Corporation's immediate need for completion of the Contractor's work. In such case, Contractor shall immediately cure the defect.

If the Contractor fails to cure the identified defect(s), Broome County Land Bank Corporation shall have the right to immediately terminate this Agreement. In the event that Broome County Land Bank Corporation terminates this Agreement, any payments for work completed by the Contractor shall be reduced by the costs incurred by Broome County Land Bank Corporation in re-bidding the work and /or by the increase in cost that results from using a difference vendor.