



Office of General Services

Memorandum

Pre-Bid Conference: Manhattan Psychiatric Center

Major Renovations for the Manhattan Forensic Relocation for Building 102

Sept. 3, 2015, 10:00 a.m., Building 106

ATTENDANCE: Attendees signed in on attendance sheets at the main table. There were 38 individuals in attendance from Construction companies, six OGS employees, four from Office of Mental Health (client agency), eight from TDX Construction Corp. (Construction Management firm for OGS), and three from RBSD/STV (architecture and engineering consultants to OGS). Handout sheets of the Power Point presentation were also distributed. These will be posted on the OGS website along with the Minutes and the attendance sheets.

INTRODUCTION: OGS Project Executive Alex D'Oelsnitz opened the meeting with an overview of the agenda and who would be speaking. The Minutes of this meeting will be posted on the OGS website in about a week's time. Verbal questions and answers during this session are unofficial and non-binding. Only written questions and answers posted electronically on the web are binding. If answers involve changes to the bid documents, an addendum will be issued.

This project is currently under the **restricted period** of the bid phase. Under Procurement Lobby Law, the "designated contacts" are the only individuals allowed to answer questions during the restricted period from the time the project is advertised all the way to award. Designated contacts for this project are: John McCullough, Joe Fitzpatrick, John Lewyckyj, Carl Ruppert, and Frank Peris. In addition, several OGS individuals present have been designated as contacts to answer questions only for today's Pre-Bid Conference: Alex D'Oelsnitz and Leonard Etienne (Division of Construction), Laurie Adrian (Vendor Responsibility), and Tryphina Ramsey (MWBE).

John McCullough explained that today's walk-through would not cover the entire work site, due to the large area and the current construction activity going on. Everyone will move in one group and be lifted to an upper floor by an elevator hoist. No wandering will be allowed. Not every floor can be visited, because some of the floors are still occupied. Beginning at the 13th floor, we will then walk downstairs to the 12th, 7th, 5th, 2nd, 1st and basement. The first and second floors are similar in construction, the third through eleventh floors are typical patient floors, and the twelfth through fifteenth are typical program floors.

PROJECT OVERVIEW

This project is being bid as a single prime contract with the use of subcontractors for the various trades. John McCullough summarized the scope of work, which includes full interior renovation of the A-side, north half of the building, the stair towers, full HVAC, some demolition and abatement, electrical and plumbing, fire protection, site security fencing, and infrastructure for the security, fire alarm and Telecom, power and conduit. Certain work such as fire alarm cabling, security wiring, Telecom devices and head-end equipment, etc. are not in this contract and will be done by others. The contract documents have detailed information on areas of responsibility. General requirements include hoisting and regular clean-up.

Two previous contracts include demolition of the A-side and work on windows. There is remaining work ongoing from other contracts for demolition, abatement, sidewalks for Building 103, and an access road being built. Workers on various contracts will be working alongside each other and need to coordinate their work. There is no anticipation of any labor problems, but all workers must work in harmony with each other. Emergency projects may be ongoing which may have non-union workers.

Project Labor Agreement (PLA): Joe Fitzpatrick emphasized that Project 44578 has a PLA in the contract. All contractors onsite with this project must comply with PLA requirements. Please see further information about this in the contract documents and make sure it is understood. One feature of the PLA, for example, is that benefits go to the union.

Joe McCullough pointed out a **light fixture** package in the contract: the security-type fixtures are to be pre-purchased by the owner, and installed as part of the contract. Alex D'Oelsnitz added that contracts for **HVAC and elevator maintenance** will be separate contracts with the client (OMH), but *must be included in the bid*, so bidders must be sure to get these priced.

Mr. McCullough touched on the other items included in the Project Overview:

- **Schedule:** A preliminary schedule is included in the contract documents for the project to be completed in 38 months, including critical milestones. Liquidated damages for missing the schedule are identified in the contract. The contractor can offer viable alternatives for scheduling, but obligations and milestones have to be met.
- **Beneficial Occupancy:** Floors 1 – 16 are to be completed first. The facility will continue to use the basement while the other work goes on, and when the upper floors are substantially complete, the basement will be finished in the last six months. This requires close coordination with the facility. Beneficial occupancy of the 1st through the 16th floor, basement pharmacy, security lockers and site work have Critical Milestones.
- **Phasing:** Several parts of the construction are required to be phased, including the basement of Building 102, the basement sally port in Building 106, the center core of Building 102, elevator lobbies, and site work. The facility will evacuate three floors at a time in Building 102. The site work is in three zones in a certain sequence. Phasing is identified in the contract. The completion of each phase is a critical milestone. It is crucial for submittals to be on time.
- **BIM Requirements:** All contractors are required to provide a BIM model for the project, and a full-time BIM coordinator is required. The low bidder will receive a 3-D model from the architect. The contractor must have the right software to use it.

- **Facility Egress:** This building is occupied by several hundred patients. Emergency egress must be maintained at all times with access paths on all four sides. The contractor must not impact the facility with smoke, fumes, dust, etc.
- **Contractor Staging:** Only areas designated in the contract documents can be used. There are limited areas for laying down equipment. The contractor's trailer staging area will be near the bridge.
- **Material/ Personnel Hoist:** The existing OGS hoist will become the responsibility of the contractor to operate and use for access to all trades. The removal of the hoist is one of the Critical Milestones noted in the contract.
- **Site Staffing:** The contract calls for three full-time positions: Quality Control Manager, BIM Coordinator, and Site Safety Manager. These are *in addition to* project management and construction supervision staff.
- **Safety:** The contractor must submit a site-specific Health and Safety Plan before any site work, and all personnel must have at minimum the certification for the 10-hour OSHA training. Also, a separate site-specific Interim Life Safety Plan (ILSP) must be submitted by the contractor that addresses staff and patients in the facility.
- **ID Cards:** Workers must have visible photo ID cards on site and any required licenses. TDX (Construction Manager) will issue cards as necessary.
- **Work Hours:** Work cannot begin before 7:00 a.m., or go past 11:00 p.m. Normal hours are 7:00 a.m. to 4:00 p.m. Monday – Friday. A second shift is 2:30 p.m. to 11:00 p.m. Extra hours and weekends must be scheduled in advance with TDX and the facility.

MWBE BUSINESS OPPORTUNITIES

Tryphina Ramsey introduced herself as the contact person for MWBE. She demonstrated how to navigate the OGS website in order to find project listings, plans for purchase, bid documents, etc. There is also a hyperlink called "Interested Subcontractors and Suppliers" that will take you to a list of suppliers and contractors who may be interested in subcontracting for this project.

MWBE Goals for this project are 30% (15% minority-owned/ 15% women-owned). Different requirements apply to MWBE firms as brokers vs. suppliers. MWBE's can register to receive notice of upcoming opportunities. Contact Tryphina for any help that may be needed.

Tryphina asked how many MWBE representatives were present at this meeting. Seven people raised their hands.

VENDOR RESPONSIBILITY

"FLIP Review": Laurie Adrian gave a presentation defining a responsible vendor as one who has the capacity to fully perform its contractual obligations with competence and integrity, so as to justify the use of public dollars. The vendor review process is mandated by law, and all prime contractors and subcontractors must be reviewed and approved before starting work. Vendors are reviewed by four areas of the "FLIP" standard: Financial viability to carry through the project, Legal authority to do business, Integrity and compliance with laws and regulations, and

Performance record and proof of expertise. Vendors must be registered with the NYS Dept. of State Corporations, or if a sole proprietor, be registered with the counties in which they do business. Vendors are also required to furnish proof of workers' compensation and disability insurance.

Form CCA-2: Prime contractors must complete an online vendor questionnaire (Form CCA-2) within 72 hours of their notice of being the apparent low bidder. OGS will send an e-mail to the low bidder with instructions. The questionnaire resides in the electronic vendor system administered by the Office of the State Comptroller (OSC). OSC can be contacted if help is needed in completing the questionnaire, and they are good at responding to questions.

Note: It is very important to answer all questions truthfully and to disclose all issues. Reviewers will check such things as Dept. of Labor violations and tax liens. Failure to disclose issues may lead to disapproval and/or a determination of non-responsibility.

Vendor ID: Every vendor doing business with NYS must have an OSC Vendor Identification number. This number is required in order to fill out the CCA-2. OGS will assist new vendors in obtaining one. It is advisable to have the number before the bid opening.

Subcontractors: All subcontractors must be submitted, reviewed, and approved before the sub is allowed on site. Prime contractors must submit them electronically on Form BDC-329. Major subs are to be identified with the bid in accordance with the PLA agreement. All subs doing \$100,000 or more of work must do the CCA-2 questionnaire for review. In selecting subs, it may be helpful to consult the list of "Previously Approved Construction Vendors." This link under "D&C Construction Opportunities" goes to a list of contractors who have been approved to work on OGS projects within the last year. Please note that this is not a guarantee of approval – all subs must be submitted, reviewed and approved for each project.

PRE-AWARD PROCESS: Bids are due in before the bid opening at 2:00 p.m. on Wed., Sept. 30th. (The bid date was already postponed two weeks for completion of the plans.) The bid opening can be attended in person. Contractors should be aware of the Pre-Award review process, which is explained in the documents. There will be a Pre-Award meeting with the low bidder, at which the contractor must be ready with work plans, scheduling, a detailed cost estimate, staffing, sub information, licensing, etc. OGS will review and discuss this information with the low bidder in order to determine whether the firm is capable and ready to undertake the project.

QUESTION AND ANSWER SESSION:

Q: Are MWBE contractors also under the PLA agreement?

A: Yes, all contractors are under PLA. It is very clearly stated in the PLA agreement included in the bid documents.

Q: Where is the bid opening?

A: In Albany at the Corning Tower, currently scheduled for 2:00 on 9/30/15.

Q: Where are the archives for bidder questions?

A: On the OGS website. All RFI's are to be submitted electronically on this website.

Q: Where do we find plan purchases listed?

A: On the OGS website. There is a hyperlink called "Who Purchased Bid Documents."

Q: What are the estimated costs of the project?

A: OGS is projecting costs between \$120 million and \$138 million.

Q: We subcontract our installation. Is that a problem?

A: No, it is acceptable as long as PLA requirements are met.

Q: I purchased a CD of the documents and drawings through the OGS web, but the CD was sent to our old office address instead of the new one that was given.

A: That has to be dealt with in Albany, in the Contract Awards unit.

Q: For the BIM requirements, how do we get the software?

A: You have to buy it; OGS does not pay for it. You can include it in your bid price.

Q: What about security guard requirements?

A: It is not applicable or mandated for this project.

Q: Is it possible to split the MWBE goals as 16/14% instead of 15/15%?

A: Yes, there can be some variation. You can submit your proposal.

Q: Is there a difference in meeting goals between MWBE subs and suppliers?

A: Suppliers can count for 100% of the goals, and brokers for 25%.

Q: Can the bid date be delayed? There are three Jewish holidays before Sept. 30th and we have Jewish estimators.

A: OGS does not anticipate a postponement as the owner is intent on pushing forward. However, OGS will take this under advisement and evaluate the need to extend the date.

Q: Does the prime contractor have to name the subcontractors with the bid?

A: Yes. Due to the PLA, it is required. Read the Instructions for Bidders.

At the conclusion of the session, it was restated that any bidder questions are to be submitted in writing through the OGS website.

NETWORKING SESSION

Alex D'Oelsnitz announced at about 11:15 a.m. that there was time allotted now to give primes and subs the opportunity to meet and talk with each other. He asked primes to identify themselves by raising their hands. There were five or six of them in attendance. He asked attendees to be sure that they were all signed in, and the networking session began.

WALK-THROUGH

The group was organized to be escorted for the walk-through at around 11:45 a.m. and proceeded to Building 102 to view the worksite. The walk-through concluded at approximately 12:30 p.m.

