



Erie County Industrial Development Agency

REQUEST FOR QUALIFICATIONS

Design and Construction Administrative Services for a Zero Net Energy Light Manufacturing and Commercial Space Facility

Proposal Due Date: August 1, 2016 at 1:30 PM Eastern

1.1 Purpose & General Description

Purpose

Erie County Industrial Development Agency, (ECIDA), is requesting qualification proposals from Architectural, Engineering and Consulting firms with Zero Energy Design experience to provide the required services necessary to advance schematic designs through to an approved final stage of design drawings and bid documents necessary to bid out and construct the project further described within this document. The approximately 101,000 SF. facility will be designed for occupancy by light manufacturing tenants and commercial office tenants and will provide an opportunity for these firms to achieve annual net zero utility charges. The project is registered for LEED with the goal of Platinum, and is also registered with the Living Buildings Challenge for certification. One of ECIDA's goals for this facility is to be a showcase facility for sustainability features emphasizing geothermal systems linked to in-floor radiant cooling and heating, thermal chimney feature, natural daylighting and natural ventilation components, solar and wind renewable energy generation and energy storage. The facility will be designed as an architecturally significant facility with "swagger", that draws peoples interest and demonstrates the ability to design, construct and operate a sustainable facility furthering the goals of promoting similar projects around the Western New York region.

Invited Firms are encouraged to include 10% Minority and 5% Women Owned Business Enterprises and staff in their design teams.

THE ECIDA RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS AND TO WAIVE ANY INFORMALITIES THEREIN.

ECIDA does not assume the responsibility or liability for costs incurred by firms responding to this RFQ or to any subsequent requests for interviews, additional information, submissions, etc.

General Description of the Project:

ECIDA proposes the construction and operation of a new zero energy facility for small light manufacturing and office firms to locate and grow their businesses within Western New York with the competitive edge of having a net zero energy utility charge for their operations, thus promoting accelerated growth and expansion to further encourage zero energy facility construction in the Buffalo, NY region. The facility will model many sustainability features including but not limited to the items listed in a general description of the facility

provided as **Exhibit A**. We envision an attraction facility to be designed and operated with these themes in mind:

- A Statement Piece featuring cutting edge architecture, (edgy, excitement, swagger) that captures your attention when passing by. (A facility that you would like to work at)!
- Premier building control systems with real time energy usage monitoring and robust systems flexibility
- Engineering masterpiece beginning with geothermal
- Rain water and grey water re-use.
- Optimal resilience
- Green materials/construction with consideration for local products for construction.
- A facility that your firm would want to break their existing lease just to relocate into this one.
- A showcase project for Western NY that will garner international attention and local institutions will desire to use and train facilities personnel and users on ZNe operations and benefits.

The anticipated 101,000 SF facility is proposed to be constructed within a five-mile radius of the new “Solar City Complex” leveraging the investment in Western New York manufacturing. The selected parcel will be a Brownfield Cleanup site, 12.5 acres at the northern end of the former Bethlehem Steel Plant Facility in Lackawanna, NY and may be eligible for BCP credits. The parcel has direct access to Fuhrmann Blvd., just north of the Ridge Road intersection. It is a standalone project that should be easily adaptable to plug and serve a micro-grid system.

1.2 Objectives and Deliverables

The selected firm shall include the following items in their qualifications proposal:

1. Meetings will be required but not limited to preliminary information exchange and direction, secondary monthly progress meetings, draft reviews, and final bid documents. The final design will include an estimate for construction costs with a 5 to 10% contingency. A construction manager will be brought in for pricing and constructability input approximately midway into design.
2. Professional services shall include, but not be limited to, the following:
 - a. Analyze schematic design and feasibility report provided by owner. Meet with stakeholder to review questions and or concerns with the schematic design and establish a line of communication so that the stakeholders have access to design team for real time feedback.
 - b. Assist owner with design/construct timeline and best case scenario for inputting CM and other service providers, (Commissioning etc.)
 - c. Prepare and present BIM or similar 3-D modelling for use during design and construction later to be turned over to facilities management to aid in the operations of the building.
 - d. Present optional façade treatment with pricing paying particular attention to local firms, i.e. Boston Valley Terra Cotta, Rigidized Metals, NRG Insulated Block, Litelab, etc.
 - e. Prepare and present designs for the proposed facility complete with preliminary energy and building modeling as further described within this RFQ.
 - f. Provide Energy engineering with expertise in zero energy design systems, construction and building controls complete with real time energy monitors.

- g. Provide estimate for construction costs, construction administration, assist ECIDA and or CM in the bid process, provide all civil and site work, permits, provide necessary resources to acquire approvals, respond to all RFI's in a timely manner, provide options to change orders with estimated costs attached, and all design and construction administration related aspects for this project to be constructed, occupied and perform to its intended standards and beyond.
- h. Design teams should include all disciplines of architecture, professional services and engineering, each with extensive experience in their perspective fields including but not limited to:
 - Zero energy facility design with built operating examples of their performance;
 - Site work/Civil Engineering with Brownfield Re-development expertise;
 - Architectural capabilities to provide a “statement showcase project”;
 - Energy/Systems Engineering with Zero Energy Facility design experience;
 - Building Controls and BIM expertise;
 - Engineering expertise in combining geothermal, solar, wind components;
 - Manufacturing space and green healthy commercial space design expertise;
 - Clerestory and thermal chimney systems knowledge.
 - Experience in Zero-Plus principals for Human Experience, Energy, Carbon, Water, Waste, Materials and Value;
 - Additional Service providers necessary to deliver the design and administer the construction of a Light Manufacturing/Commercial Zero Energy Certified, LEED Platinum Certified Facility to ECIDA and Western New York.

3. General Instructions for Design:

- a. Present viable options for the project. Present drafts of options and revise each to reflect comments made in monthly meetings by ECIDA and steering committee, (ZNe Team).
- b. Present revised drafts of options and revise the selected option to reflect comments made. Prior to finalizing the Design deliverables, present the revised, selected option to the ZNe Team for approval.
- c. Review a draft of the Final Design with the ZNe Team before the formal submission. The final Design submission must satisfy all comments made on the draft final review.
- d. The final drawings and bid documents shall include a detailed project cost estimate illustrating all anticipated project costs including, but not limited to:
 - i. Project site preparation
 - ii. Construction cost, broken down by CSI division
 - iii. Project related expenses such as permitting, testing, special inspections, etc.
 - iv. Project soft costs such as professional services, legal, financial fees, etc.
 - v. Recommended project contingencies.

The project cost estimate must be all encompassing so that an adequate comparison of project costs can be concluded. Submit estimates in a ZNe Team approved editable electronic formatting. (Excel and PDF)

e. Deliverables:

- i. Provide internet access to ECIDA for real time access to drawings.
- ii. Provide a video of the facility design for use in marketing space and raising fund support.

- iii. Provide seven (7) copies of the completed bid docs with full and half size drawings and associated graphics. Confirm actual number of sets with the ZNe Team.

1.3 Approach and Methodology

Respondents to this RFQ should include a brief narrative explaining their approach. The narrative should outline the approach and tasks to be provided in response to the recommended Scope of Work outlined above. The responding firms shall all be familiar with the general proposed location, and have existing zero energy project experience prior to submitting their proposals. Responding firms shall also demonstrate knowledge of regional and local development initiatives.

1.4 Proposal Format and Scoring

Submitted qualification proposals shall include the following items:

	Rating %
a) Firm’s Approach to the project design including demonstrated understanding of regional and local development initiatives 3 pages’ maximum	30%
b) Composition of Team, Expertise <ul style="list-style-type: none">• Outline/Explanation of general skills• Outline of specialist skills relevant to this project• Organizational model – description of proposed method of collaboration within interdisciplinary teams.• Clear outline of MBE/WBE participation in team	40%
c) Scope of Services Provided with schedule	10%
d) References from completed relevant projects that demonstrate experience in the design of zero energy buildings and business development in a similar context. Include documentation of the firm's ability to develop new thinking and innovate.	20%
e) Completed procurement forms attached as “Exhibit B.”	

There is no restriction on the length of a proposal; however, respondents are encouraged to be as concise as possible. **Seven (7) copies** of the proposal must be submitted, **no later than 1:30 PM, Monday, August 1, 2016** to:

(Package Label should include)
Z7+ DESIGN PHASE
ECIDA attn.: Phil Riggs
95 Perry Street, Suite 403
Buffalo, New York, 14203

ECIDA procurement requires any and all questions and comments be directed to one staff person and at no time is it permissible for any board member or other employees of ECIDA to be contacted in regards to this selection process. Forward all correspondence to priggs@ecidany.com

1.5 Proposal Evaluation

A stakeholder committee, (the ZNe Team), will evaluate all qualification proposals and select the most qualified firm according to the following process:

- 1) All proposals will be rated.
- 2) The proposals not meeting minimal requirements or that are non-responsive will receive no further consideration.
- 3) Proposals that are competitively ranged that exhibit extensive experience in Zero Energy Design and sustainability focused projects will be selected. These firms may be asked to meet with the selection group for a presentation.
- 4) ECIDA will request a fee proposal and enter into negotiations with the highest ranked firm. If a contract cannot be successfully negotiated with the highest ranked firm, ECIDA reserves the right to conclude those negotiations and enter negotiations with the second ranked team, and so on, until a successful contract is negotiated.
- 5) **Note: ECIDA reserves the right to select the highest ranked team based upon the initial proposals submitted, without presentations or discussions.**

1.6 Schedule:

Advertise RFP	July 6, 2016
Questions Submitted by *	July 20, 2016
Questions Answered	July 25, 2016
Due Date for Proposals	<u>August 1, 2016 1:30 PM Eastern</u>
Notice of Apparent Award	August 8, 2016
Notice to Proceed	August 15, 2016
Design Completion Date	On or Before March 30, 2017

Questions to: Phil Riggs, email at priggs@ecidany.com

Exhibit A
One Page Reference Sheet

ECIDA's "Z7+ for Light Manufacturing and Commercial Office Tenants "Sawtooth" Schematic SW Elevation



Facility Specs:

- Attain zero energy plus performance to provide unique environment for small emerging manufacturing firms.
- Strive for plus performance in six other categories as further detailed in feasibility report and schematic design.
- Approximately 101,000 SF of mixed use facility; 50,000 + light manufacturing, 30,000 + SF of green office space.
- Projected construction and design budget of \$23 to \$25 million.
- To be located at the former Bethlehem Steel Plant site in Lackawanna, just north of Ridge Road on Fuhrmann.
- 35' ceiling height in manufacturing space with at least one movable partition and 40' column spacing.
- Geothermal systems piped in to in-floor radiant heating and cooling with option for sidewalks snowmelt.
- Clerestory northern faced glass over manufacturing for natural daylighting with operable units for venting.
- Solar panels on the clerestory south facing slopes with rain water collection at all roof surfaces.
- Geothermal looks up to the clerestory elevations to capture excess heat during cool seasons.
- Natural daylighting and ventilation in to all spaces for a well building benefit.
- Approximately 5,000 + SF of class A meeting space for tenant and rental opportunities.
- Architectural gem of a design that captures the attention of the passersby on Route 5.
- Engineering marvel combining geothermal, solar, wind, grid and storage in to one Building Control System.
- Showcase design where tenants can display their manufacturing from an elevated observation level.
- Reuse of an old abandoned industrial brownfield site with the potential to spur further development.
- Resilience from back up generating and energy storage. Micro grid compatible for future park expansion.

ECIDA 716-856-6525

Exhibit B
Procurement Form

Proposals submitted without the following procurement forms completed and signed will be rejected.

ECIDA Procurement Forms

Pursuant to State Finance Law §§139-j and 139-k, this Solicitation/Request for Proposal includes and imposes certain restrictions on communications between the ECIDA and an Offerer /bidder during the procurement process. An Offerer/bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through the final award and approval of the Procurement Contract by the ECIDA and, if applicable, Office of the State Comptroller (“restricted period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated staff, as of the date hereof, is identified as Philip Riggs. ECIDA employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4 year period, the Offerer/bidder is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found at <http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>.

Offerer/Bidder’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

State Finance Law §139-j(6)(b) provides that the ECIDA seek written affirmations from all Offerers/Bidders as to the Offerer’s/Bidder’s understanding of and agreement to comply with the ECIDA’s procedures relating to permissible contacts (described above) during a Governmental Procurement pursuant to subdivision three of this section.

The ECIDA must obtain the required affirmation of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible Contacts in the restricted period for a procurement contract in accordance with State Finance Law §§139-j and 139-k. It is recommended that this affirmation be provided to the ECIDA as early as possible in the procurement process, such as when the Offerer/bidder submits its proposal or bid. The following language may be used for the affirmation.

Offerer/Bidder affirms that it understands and agrees to comply with the procedures of the ECIDA relative to permissible Contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

Offer’s/Bidder’s Certification of Compliance with State Finance Law §139-k(5)

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §§139-k or 139-j shall contain a certification by the Offerer/Bidder that all information provided to the

ECIDA with respect to State Finance Law §139-k is complete, true and accurate. It is recommended that the certification be provided to the ECIDA as early as possible in the process, such as when an Offerer/Bidder submits its proposal, bid or other form of offer. The following language may be used for the certification.

Offerer/Bidder Certification:

I certify that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

Offerer/Bidder Disclosure of Prior Non-Responsibility Determinations

New York State Finance Law §139-k(2) obligates the ECIDA to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer/bidder must disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such Contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer/bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offerer/bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer/bidder is necessary to protect public property or public health safety, and that the Offerer/bidder is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The ECIDA must include a disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The attached “Offerer Disclosure of Prior Non-Responsibility Determinations” form is to be completed and submitted by the Offer/Bidder and submitted to the ECIDA.

Contract Termination Provision

New York State Finance Law §139-k(5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j contain a provision authorizing the ECIDA to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. This statutory contract language authorizes, but does not mandate, termination. "Governmental Entity" and "procurement contract" are defined in State Finance Law §139-k(1). If a contract is terminated in accordance with State Finance Law §139-k(5), the ECIDA is required to include a statement in the procurement record describing the basis for any action taken under the termination provision.

Accordingly,

The ECIDA reserves the right to terminate this contract in the event it is found that the certification filed by the Offerer/Bidder in accordance with New York State Finance Law §139k was intentionally false or intentionally incomplete. Upon such finding, the ECIDA may exercise its termination right by providing written notification to the Offerer/Bidder in accordance with the written notification terms of this contract.

Form 2: Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract: _____

Address: _____

Name and Title of Person Submitting this Form: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):
 No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):
 No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

 No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-Responsibility: _____

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No Yes

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____ Title: _____