

The City University Construction Fund

Request for Qualifications

Architectural Design Services Requirements Contracts

Project No. CITYW-CUCF-08-10

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Release Date: August 11, 2010

Responses Due: September 15, 2010, by 12:00 Noon

www.cuny.edu/constructionsolicitations

I. Purpose & Description

The City University Construction Fund (CUCF), on behalf of the City University of New York (CUNY), is seeking firms to provide architectural design services at CUNY's various sites and facilities on an "as needed" basis in the following Categories of Work:

1. Architectural Design Services
2. Building Envelope Design Services
3. High Performance Design Services
4. Historic Preservation Design Services
5. Landscape Design Services
6. Signage and Interpretation Design Services

The scope of work & design assignments for each of these Categories of Work are more fully described in Appendix A.

A firm may apply to be considered for one, some or all of the Categories of Work.

For each Category of Work, those responsive and responsible firms that are determined by CUNY to meet the Minimum Qualification Requirement below and to best meet the Evaluation Criteria listed below will, as the need arises, be further considered for project specific task order assignments to be defined by CUNY at a later date. Firms selected through this solicitation will execute contracts with the City University Construction Fund on behalf of the City University of New York. A three (3) year contract term is anticipated, subject to all required internal and external oversight approvals and contingent on the availability of funds. It is further anticipated that each contract would have a not-to-exceed amount of up to \$5 million for assigned task order services, depending on the particular Category (ies) of Work. A draft form of the contract will be issued in an Addendum to this RFQ.

Subsequent to contract execution, as the need arises in a particular Category or Categories of Work, CUNY will identify those firms eligible to compete for project specific task order assignments and send them a written description of the task order assignment and the criteria that will be used for selection. The firms will have an opportunity to submit a written response to the request, including a fee. The responses will be reviewed and evaluated by CUNY according to the criteria, after which the firm that best meets the criteria will be selected for the task order assignment at a fee determined by CUNY to be fair and reasonable.

Project assignments are anticipated to range up to \$15 million in estimated construction cost, in whole or in part, depending on the particular Category of Work, and shall be performed in a timely manner for the rehabilitation, construction, renovation or expansion of CUNY sites

and facilities: 23 institutions located throughout the five boroughs of New York City that include 293 buildings on 26 million square feet of space with state-of-the-art computer centers, science and language laboratories, gymnasiums, theatres, greenhouses, astronomy observatories and many other features. The City University Construction Fund (“CUCF”) provides facilities for the City University of New York (“CUNY”) and supports the educational purposes of CUNY. CUNY is the largest municipal college system and the third largest university in the nation.

II. Format & Submission of Responses

A. Response

Firms that wish to be considered should submit a Response comprising ten (10) hard copy sets and one (1) electronic CD set of the following:

1. The Requested Category of Work Form (Appendix B).
2. The firm’s brochure.
3. SF254 and SF255 forms or SF330 form for the Responder only.
4. Demonstration that the Minimum Qualification Requirement cited below has been met for each requested Category of Work designated by the firm in Appendix B.
5. A list of up to five (5) projects demonstrating a range of the firm’s work completed within the last two years within the requested Category of Work, including the following for each project: a description of the project; client names and contact information; the sub-consultants used if any; the construction cost; the scope of services; and the size of the project in square feet. A separate relevant project list is to be submitted for each requested Category of Work designated by the firm in Appendix B. Each project list is to be labeled with the name of the requested Category of Work.
6. The proposed project team not including sub-consultants, for each requested Category of Work designated by the firm in Appendix B. Each proposed project team is to be labeled with the name of the requested Category of Work. (Please note that a successful Responder shall assign the same project team members listed in the Response, to the Work of the Contract. Any proposed changes to any proposed project team, either before or after the execution of a contract resulting from this solicitation, require the prior approval of CUNY. Failure to do so may result in the forfeiture of the contract.)

B. Additional Information

Firms should also submit one original and one copy of each of the following:

1. NYS Vendor Responsibility Questionnaire (See Attachment C)
2. NYS Procurement Lobbying Act Forms (See Attachment D)
3. M/WBE Utilization Plan and EEO Staffing Plan Forms (See Attachment E)

C. Inquiries

All questions pertaining to this solicitation shall be directed to Michael Feeney, the Authorized Agency Contact, by email to DDCM.ContractsDept@mail.cuny.edu by **5:00 PM on Wednesday, August 18, 2010**. Please place "Architectural Design Services Requirements Contracts" in the subject heading of the email. Answers of general applicability will be issued in the form of an Addendum to this solicitation.

This solicitation, and any Addenda to this solicitation that may be issued by CUNY, are available for downloading at www.cuny.edu/constructionsolicitations. Please periodically check this website for any Addenda to this solicitation that may be issued by CUNY before submitting a Response.

D. Responses are to be submitted by September 15, 2010, 12:00 Noon to:

Michael Feeney
Chief of Consultant Contracts
CUNY Office of Facilities Planning, Construction and Management
555 West 57th Street – 11th Floor
New York, NY 10019
Phone: 212-541-0440

III. Requirements & Evaluation Criteria

A. Minimum Qualification Requirement

Responders to this solicitation must meet the following Minimum Qualification Requirement. Responders that do not meet this requirement will be rejected.

- The firm or one or more of its principals must have, on the date by which Responses are due, at least five (5) years of experience in performing the services described in Appendix A for each requested Category of Work designated by the firm in Appendix B.

B. Evaluation Criteria

The following Evaluation Criteria will be used by CUNY to evaluate the submissions to this solicitation for each requested Category of Work designated by the firm in Appendix B:

<u>Criteria</u>	<u>Points</u>
1. Professional and technical competence and experience.	50 points
2. Quality of staff to be assigned to this project.	50 points
Total	100 points

The selection of firms and submission of additional information, if any, will be made consistent with applicable laws and procedures.

IV. Terms & Conditions

A. Non-Binding Acceptance of Proposals: This Solicitation does not commit CUCF to award a contract for any services.

B. Incurring Proposal Costs: CUCF is not liable for any costs incurred in the preparation of a response to this Solicitation. If Firms choose to participate, they may be asked to submit such technical data or other revisions to their Responses as may be required by CUCF.

C. Confidentiality: The contents of a Firm's Response to this Solicitation are not deemed confidential unless the Firm identifies those portions of its Response which it deems confidential, or containing proprietary information, or trade secrets. The Firm must provide justification as to why such materials, upon request, should not be disclosed by CUCF. Such information must be easily separable from the non-confidential sections of the Response.

D. Debriefings: Any unsuccessful Firm, upon request, will be given a debriefing as to why it was not selected for award. The request for a debriefing shall be made in writing within ten (10) business days of the date of notification of non-selection. The debriefing will be given as soon as practicable thereafter.

E. Reserved Rights:

CUCF reserves the right to:

- Reject any and all Responses received in response to this Solicitation;
- Waive or modify minor irregularities in Responses received;
- Delete one or more requirements if no Responder meets such requirement(s) upon written notice to the Responders;
- Use any and all ideas submitted in the Responses received without liability unless otherwise designated as proprietary or confidential as required by Section C,

above;

- Amend this Solicitation, upon issuance of an Addendum;
- Issue Addenda to this Solicitation;
- Issue requests for additional information to any or all Responders;
- Require Responders to make presentations on their Responses and attend interviews;
- Issue “Clarification Questions” before or after conducting presentations and interviews;
- Include in the final score the evaluation of a Responder’s presentation and interview, answers to “Clarification Questions” and such additional materials as the Responder provides during its presentation and interview;
- Ask some or all Responders for Best and Final Offers (“BAFOs”);
- Terminate negotiations with a selected Responder and select the next most qualified Responder, or take such other action as deemed appropriate if negotiations fail to result in a signed contract within a reasonable time of the commencement of negotiations as determined by CUCF;
- “Short list” Responders;
- Reject any Responses containing conflicting, ambiguous or materially misrepresented information, or that does not comply with this Solicitation or applicable procedures;
- Determine that a Responder has substantially met the requirements of this Solicitation and/or request additional information;
- Waive instances in a Response for immaterial non-compliance with this Solicitation and reject a Response as non-responsive for material non-compliance with these requirements;
- Not be responsible for the use or public disclosure of any confidential or proprietary materials not so designated and clearly marked as required in Section C, above;
- At any time and in its sole and absolute discretion & without liability, to withdraw or cancel this Solicitation without notice;
- Waive compliance with and/or change the terms of this Solicitation, upon issuance of an Addendum.

Submission of a Response is deemed assent to the terms of this Solicitation.

Submission of a Response to this Solicitation, absent a clear statement of any limitation on its use, shall be deemed to grant CUCF the right to utilize submissions in any way, with or without prior notice. All materials submitted by Responders become the property of CUCF and will be returned at CUCF’s option. CUCF makes no representations, nor incurs any obligations or commitments in announcing this Solicitation.

Responders shall not be entitled to modify their Responses once submitted. Responders may be permitted to modify or correct information submitted such as a typographical or arithmetic error in their Responses only with the prior written consent of CUCF for compelling reasons, which CUCF will determine on a case-by-case basis.

This Solicitation shall not, in any way, commit CUCF to enter into any agreement, to pay

any expenses incurred in preparation of any Response to this Solicitation, or to procure or contract for any supplies, goods or services.

This Solicitation is in compliance with the requirements of Education Law Section 6218, New York State Finance Law Article XI, and the New York State Lobbying Law, as set forth in the State Finance Law, Sections 139-j and 139-k.

Any contract award shall be subject to all required internal and external oversight approvals (e.g., CUCF/CUNY/State/City Law Departments, Boards of Trustees of the City University Construction Fund/City University of New York, and the New York State/City Comptroller's Office), and shall be contingent on the availability of funds.

All information, descriptions, data, tables, calculations, examples, opinions or assumptions made in connection with this solicitation are made in good faith for information purposes only. The proposer shall not rely on any such information without conducting its own independent research and verification. CUCF, CUNY and its officers, agents and employees make no representations or warranties, including without limitation representations or warranties as to the accuracy of any information, opinions or assumptions contained in this solicitation or otherwise furnished to proposers by CUCF, CUNY, and will assume no responsibility or liability for any errors and omissions contained herein.

For each project specific task order assigned to a successful firm subsequent to contract execution, the Minority-owned business enterprise (MBE) sub-contracting goal is 7.25 percent and the Women-owned business enterprise (WBE) sub-contracting goal is 4.75 percent. (See Appendix E)

Responders are advised that the ONLY Authorized Agency Contact for ALL matters concerning this solicitation and the individual who also serves as the Procurement Lobbying Act Designated Contact for this solicitation is Michael Feeney, Chief of Consultant Contracts. All contacts shall be sent in writing to DDCM.ContractsDept@mail.cuny.edu . Please place "Architectural Design Services Requirements Contracts" in the subject heading. Only the written interpretation or correction given by the Authorized Agency Contact shall be binding. Prospective Responders are warned that no other officer, agent, or employee of CUCF or CUNY is authorized to give information concerning, or to explain or interpret, this solicitation.

APPENDIX A

SCOPE OF WORK & DESIGN ASSIGNMENTS

1. Architectural Design Services

In general, the Scope of Work for these assignments will consist of:

1. Survey of the existing conditions;
2. Design services – pre-schematic through final design;
3. Preparing contract documents (i.e., drawings and specifications);
4. Providing construction related services as described herein;
5. Filing with the NYC Department of Buildings and other agencies, and obtaining approval when required;
6. Preparing cost estimates; and
7. Construction administration.
8. Feasibility studies.
9. Programming.

The types of Architectural Design Assignments included, but not limited to, in this solicitation are:

- New building or renovation of, or additions to, existing buildings;
- Urban design, including consideration of project siting, massing and relationship to adjacent buildings and related work;
- Site design, including consideration of pedestrian and vehicular circulation, adjacent off-site conditions, existing site conditions as well as zoning regulations, campus needs and environmental effects and related work;
- ADA improvements;
- Interior design including furniture specifications;
- Innovative exterior materials and cladding systems;
- Roofing systems including planted roof systems and those with photovoltaic applications;
- Specialized security systems;
- Presentations/Renderings.

2. Building Envelope Design Services

In general, the Scope of Work for these assignments will consist of:

1. Survey of the existing conditions;
2. Design services as well as preparing contract documents (i.e., drawings and specifications);
3. Providing construction related services as described herein;
4. Filing with the NYC Department of Buildings and other agencies and obtaining approval when required;

5. Preparing cost estimates; and
6. Construction administration.

The types of Building Envelope Design Assignments included, but not limited to, in this solicitation are:

- Building envelope maintenance and improvements including roof replacements and associated work to flashings, copings and parapets; masonry restoration; repointing; structural repair of shelf angles, lintels, columns and beams; window repairs and/or replacement; repair or replacement of other building façade systems;
- Local Law 11 evaluation and repairs/improvements including the preparation and filing of LL11 reports with the NYC Department of Buildings.

3. High Performance Design Services

In general, the Scope of Work for these assignments will consist of:

1. Survey of the existing conditions;
2. Design services as well as preparing contract documents (i.e., drawings and specifications);
3. Providing construction related services as described herein;
4. Filing with the NYC Department of Buildings and other agencies and obtaining approval when required;
5. Preparing cost estimates; and
6. Construction administration.

The types of High Performance Design Assignments included, but not limited to, in this solicitation are:

- Renovation of existing structures with new High Performance Systems consistent with LEED;
- Improvement of existing systems into High Performance Systems;
- Specialized systems for improved energy use, improved indoor environment;
- Systems for resource reduction, pollution prevention and recycling;
- Building operations resource management.

4. Historic Preservation Design Services

In general, the Scope of Work for these assignments will consist of:

1. Survey of the existing conditions/historical research;
2. Design services as well as preparing contract documents (i.e., drawings and specifications);
3. Providing construction related services as described herein;
4. Filing with the NYC Department of Buildings, Landmarks and State Historic Preservation Office and other agencies and obtaining approval when required;

5. Preparing cost estimates; and
6. Construction administration.

The types of Historic Preservation Design Assignments included, but not limited to, in this solicitation are:

- Additions to, or renovations of landmark or historically significant structures;
- Renovation or restoration of existing landmark or historically significant buildings with High Performance Systems consistent with LEED;
- Architectural lighting systems;
- Specialized security systems.

5. Landscape Design Services

In general, the Scope of Work for these assignments will consist of:

1. Survey of the existing conditions;
2. Design services as well as preparing contract documents (i.e., drawings and specifications);
3. Providing construction related services as described herein;
4. Filing with the NYC Department of Buildings and other agencies and obtaining approval when required;
5. Preparing cost estimates; and
6. Construction administration.

The types of Landscape Design Assignments included, but not limited to, in this solicitation are:

- Landscapes at new facilities;
- ADA sidewalks and paths;
- Vehicular access and parking;
- Restoration of existing landscapes;
- New specialized native plant landscapes;
- Landscapes intended for improved drainage/storm water control.

6. Signage and Interpretation Design Services

In general, the Scope of Work for these assignments will consist of:

1. Survey of the existing conditions;
2. Design services as well as preparing contract documents (i.e., drawings and specifications);
3. Providing construction related services as described herein;
4. Preparing cost estimates; and
5. Construction administration.

The types of Signage and Interpretation Design Assignments included, but not limited to, in this solicitation are:

- Campus maps and wayfinding directories and Kiosks;
- Building identification signs;
- Building directories and wayfinding signs;
- Department and room identification signs;
- Historic or landmark buildings identification and informational signs;
- Donor recognition signs or plaques.

APPENDIX B

REQUESTED CATEGORY OF WORK FORM

**CUCF Request for Qualifications
Architectural Design Services Requirements Contracts
Project No. CITYW-CUCF-08-01**

A firm may apply to be considered for one, some or all of the Categories of Work. Please check the box below of each Category of Work for which the firm is applying to be considered.

Categories of Work

- 1. Architectural Design Services
 - 2. Building Envelope Design Services
 - 3. High Performance Design Services
 - 4. Historic Preservation Design Services
 - 5. Landscape Design Services
 - 6. Signage and Interpretation Design Services
-

Name of Firm (Responder)

Name of Authorized Responder Representative

Title

Signature

Date

APPENDIX C

NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE

The NYS Vendor Responsibility Questionnaires and accompanying instructions for completing the Questionnaires are posted on the New York State Office of the State Comptroller website at: <http://www.osc.state.ny.us/vendrep/templates.htm>. They are listed under the heading “Vendor Responsibility Questionnaires”.

Submission: Responders are required to submit the appropriate Questionnaires and Attachments with their Responses.

Responders who have previously submitted the appropriate Vendor Responsibility Questionnaires and Attachments may submit either a Responder-signed update to previously-submitted Questionnaires & Attachments or a Statement of No Change, along with a copy of the original Questionnaires & Attachments.

APPENDIX D

NYS PROCUREMENT LOBBYING ACT FORMS

CUCF & CUNY are governed by the NYS Procurement Lobbying Act (PLA) set forth in State Finance Law Sections 139-j and 139-k; for guidelines and additional information see: <https://www3.ogs.state.ny.us/legal/lobbyinglawfaq/default.asp>

Forms are available from the New York State Office of General Services:

<http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>

Submission: Responders (“Proposers”) are required to submit Forms 3, 4 and 5 with their Responses (“Proposals”). They are listed under the heading “Model Language and Forms”.

1. There are certain exceptions to the PLA. The following types of “contacts” are permitted during the “Restricted Period:”

- 1.1 Proposals: the submission of written Proposals to this Solicitation.
- 1.2 Complaints: complaints by a Proposer regarding the failure of the Designated Point of Contact to respond in a timely manner to authorized Proposer contacts, provided such complaints are made in writing to the CUCF/CUNY General Counsel. Such written complaints will become a part of the transaction record. Written complaints shall be mailed or emailed to:

Frederick Schaffer
Senior Vice Chancellor and General Counsel
City University of New York
535 East 80th Street
New York, NY 10075
frederick.schaffer@mail.cuny.edu
- 1.3 Oral Presentations and Discussions with Proposers: scheduled presentations by a Proposer to CUCF/CUNY describing its Proposals and/or scheduled discussion by CUCF/CUNY with Proposers.
- 1.4 Negotiations: After a Proposer has been preliminarily designated, communications between that Proposer and CUCF/CUNY for the purposes of negotiation.
- 1.5. Review of Award: Following award to another Proposer, a Proposer’s request to the Designated Point of Contact for a review of the award.
- 1.6 Protests and Complaints: (a) contacts by Proposers in protests, appeals or other review proceedings (including the apparent successful Proposer and his or her representatives), before CUCF/CUNY seeking a final administrative

determination, or in a subsequent judicial proceeding; or (b) complaints of alleged improper conduct in this transaction to the New York Attorney General, CUNY Inspector General, a district attorney, or a court of competent jurisdiction, and where such communications and any proposals thereto are made in writing and shall be entered in the transaction record pursuant to section one hundred sixty-three of the state finance law; or (c) complaints of alleged improper conduct in this Solicitation process.

2. New York State Finance Law §139-k(4) obligates the CUCF & CUNY during the Restricted Period of a Procurement Contract to make a written record of any Contacts made. The term "Contact" is defined by statute and refers to those oral, written or electronic communications that a reasonable person would infer are attempts to influence the Governmental Procurement. In addition to obtaining the required identifying information, the CUCF & CUNY must inquire and record whether the person or organization that made the Contact was the Proposer or was retained, employed or designated on behalf of the Proposer to appear before or Contact the CUCF or CUNY.
3. A finding that a Proposer has knowingly and willfully violated the limitation on the Contacts rule will result in a determination of non-responsibility for such Proposer, and such Proposer and its subsidiaries, and any related or successor entity with substantially similar function, management, board of directors, officers and shareholders, shall not be designated as a Designated Proposer, unless CUCF/CUNY finds that such designation is necessary to protect public property or public health or safety, and that the Proposer is the only source capable of supplying the required article of procurement within the necessary timeframe, provided that CUCF/CUNY is required to include in the procurement record a statement describing the basis for such a finding.

EXCEPT AS EXPRESSLY AUTHORIZED BY THE AUTHORIZED AGENCY CONTACT PERSON LISTED ON PAGE 7 OF THIS SOLICITATION OR AS OTHERWISE EXPRESSLY AUTHORIZED BY THE NEW YORK STATE FINANCE LAW §§ 139-J AND 139-K, PROPOSERS MAY NOT CONTACT BOARD MEMBERS, OFFICIALS, EMPLOYEES OR CONSULTANTS OF CUCF, CUNY, OR ANY OF ITS AFFILIATES OR SUBSIDIARIES, DASNY, THE STATE OF NEW YORK OR ANY OTHER GOVERNMENTAL ENTITY REGARDING THIS SOLICITATION AND THE RELATED DISPOSITION, OR SEND PROPOSALS TO ANY OF THEM. FAILURE TO OBSERVE THIS REQUIREMENT MAY RESULT IN THE PROPOSER'S DISQUALIFICATION FROM CONSIDERATION PURSUANT TO THIS SOLICITATION.

APPENDIX E

ANTI-DISCRIMINATION AND M/WBE POLICIES AND FORMS

Submission: Proposers are required to submit the M/WBE Utilization Plan Form and the Equal Employment Opportunity Staffing Plan Form with their Proposals. These forms are attached.

Goals for this Contract

CUCF has established the following goals for this contract for each project specific task order assigned subsequent to contract execution:

MBE Participation - 7.25%

WBE Participation - 4.75%

Note: In fulfilling these goals, under New York State MBE/WBE Law and Regulations, Proposers may only use New York State Certified MBEs and WBEs listed in the New York State Directory of Minority and Women-owned Business Enterprises certified pursuant to the Regulations. The Directory may be accessed at: <http://www.nylovesmwbe.ny.gov/>.

Anti-discrimination Policy

This policy applies to any contract resulting from this Solicitation.

A. The broker will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, sexual orientation, age, disability, or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members including, without limitation, women, are afforded equal opportunity without discrimination. Such programs shall include, but not be limited to, recruitment, employment, job assignments, promotion, upgrading, demotion, transfer, layoff, termination, rates of pay or other forms of compensation, and selections for training or retraining, including apprenticeship and on-the-job training. The broker will agree to post, in conspicuous places available to employees and applicants for employment, notices setting forth the substance of this non-discrimination provision.

B. At the request of the CUCF or CUNY, the broker shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding and which is involved in the performance of the contract with the authority to furnish a written statement that such employment agency, labor union or representative shall not discriminate because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status and that such union or representative will cooperate in the implementation of the broker's obligations hereunder.

C. The broker will state, in all solicitations or advertisements for employees placed by or on behalf of the broker in the performance of the contract with the CUCF, that all qualified applicants will be afforded equal employment opportunity without discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status.

D. The broker will include the provisions of paragraphs A through C of this section in every sub-contract or purchase order in such a manner that such provisions will be binding upon each sub-contractor or vendor as to its work in connection with the contract with the CUCF.

CUCF and CUNY MWBE Policy

It is the policy of CUCF and CUNY that New York State Certified Minority and Women-Owned Business Enterprises (MBE/WBE's) shall have the maximum opportunity to participate in the performance of any contracts resulting from this solicitation. In those contracts, successful Proposers would agree to insure that New York State Certified MBE/WBE's have the maximum opportunity to participate in the performance of those contracts. In this regard, all Proposers shall take all necessary and reasonable steps as hereinafter defined to insure that New York State Certified MBE/WBE's have the maximum opportunity to compete for and perform on contracts or sub-contracts. CUCF and CUNY, and their contractors shall not discriminate on the basis of race, creed, color, national origin, sex, sexual orientation, age, disability, or marital status, in the awarding and performance of contracts and sub-contracts.

This language is included to insure that all Proposers who enter into any contract with CUCF or CUNY are aware of their responsibility and the commitment of CUCF and CUNY to see that their MBE/WBE Policy is carried out in all of their business dealings.

Article 15-A of the NYS Executive Law

It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises, as Proposers, Sub-proposers, and Suppliers on its procurement contracts.

Information on the availability of New York State Sub-Proposers and Suppliers is available from:

New York State Department of Economic Development
Division of Small Businesses
One Commerce Plaza
Albany, NY 12245
(Telephone) 518-474-7756

Contract Provisions

Under the contract to be awarded through this Solicitation the successful Proposer would specifically agree that:

A. In the hiring of employees for the performance of services under the contract or any sub-contract hereunder, neither the Proposer nor any Sub-Proposer or other person acting on behalf of such Proposer or Sub-Proposer shall, by reason of race, creed, color, national origin, sex, sexual orientation, age, disability, or marital status, discriminate against any person who is qualified and available to perform the services to which the employment relates;

B. Neither the Proposer nor any Sub-Proposer or other person acting on behalf of such Proposer or Sub-Proposer shall in any manner discriminate against or intimidate any employee hired for the performance of services under the contract on account of race, creed, color, national origin, sex, sexual orientation, age, disability, or marital status;

It shall include the provisions of paragraph A and B of this section in every sub- contract the Proposer enters into with respect to the services to be performed hereunder and shall take such action to enforce such provisions of such sub-contract as the CUCF or CUNY may direct.



M/WBE UTILIZATION PLAN

INSTRUCTIONS: This form must be submitted with any bid, proposal, or proposed negotiated contract or within a reasonable time thereafter, but prior to contract award. This Utilization Plan must contain a detailed description of the supplies and/or services to be provided by each certified Minority and Women-owned Business Enterprise (M/WBE) under the contract. Attach additional sheets if necessary.

Offeror's Name: Address: City, State, Zip Code: Telephone No.: Region/Location of Work:	Federal Identification No.: Solicitation No.: Project No.: M/WBE Goals in the Contract: MBE 7.25 % WBE 4.75 %
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1. Certified M/WBE Subcontractors/Suppliers Name, Address, Email Address, Telephone No.	2. Classification	3. Federal ID No.	4. Detailed Description of Work (Attach additional sheets, if necessary)	5. Dollar Value of Subcontracts/Supplies/Services and intended performance dates of each component of the contract.
A.	NYS ESD CERTIFIED MBE WBE			
B.	NYS ESD CERTIFIED MBE WBE			

6. IF UNABLE TO FULLY MEET THE MBE AND WBE GOALS SET FORTH IN THE CONTRACT, OFFEROR MUST SUBMIT A REQUEST FOR WAIVER FORM (M/WBE 104).

PREPARED BY (Signature): DATE: NAME AND TITLE OF PREPARER (Print or Type): SUBMISSION OF THIS FORM CONSTITUTES THE OFFEROR'S ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE M/WBE REQUIREMENTS SET FORTH UNDER NYS EXECUTIVE LAW, ARTICLE 15-A, 5 NYCRR PART 143, AND THE ABOVE-REFERENCED SOLICITATION. FAILURE TO SUBMIT COMPLETE AND ACCURATE INFORMATION MAY RESULT IN A FINDING OF NONCOMPLIANCE AND POSSIBLE TERMINATION OF YOUR CONTRACT.	TELEPHONE NO.: EMAIL ADDRESS: <div style="background-color: #cccccc; text-align: center; padding: 5px;">FOR M/WBE USE ONLY</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">REVIEWED BY:</td> <td>DATE:</td> </tr> </table> UTILIZATION PLAN APPROVED: YES NO Date: _____ Contract No.: _____ Project No. (if applicable): _____ Contract Award Date: _____ Estimated Date of Completion: _____ Amount Obligated Under the Contract: _____ Description of Work: _____ NOTICE OF DEFICIENCY ISSUED: YES NO Date: _____ NOTICE OF ACCEPTANCE ISSUED: YES NO Date: _____	REVIEWED BY:	DATE:
REVIEWED BY:	DATE:		



EQUAL EMPLOYMENT OPPORTUNITY STAFFING PLAN

Submit with Bid or Proposal – Instructions on following page

Solicitation No.:		Report includes: <input type="checkbox"/> Work force to be utilized on this contract <input type="checkbox"/> Contractor/Subcontractor's total work force
Offeror's Name:		Reporting Entity: <input type="checkbox"/> Contractor <input type="checkbox"/> Subcontractor
Offeror's Address:		Subcontractor's name _____

Enter the total number of employees for each classification in each of the EEO-Job Categories identified

EEO-Job Category	Work force by Gender				Work force by Race/Ethnic Identification								Other Categories				
	Total Work force	Total Male	Total Female	White		Black		Hispanic		Asian		Native American		Disabled		Veteran	
		(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)	(M)	(F)
Officials/ Administrators																	
Professionals																	
Technicians																	
Sales Workers																	
Office/Clerical																	
Craft Workers																	
Laborers																	
Service Workers																	
Temporary /Apprentices																	
TOTALS																	

PREPARED BY (Signature):	TELEPHONE NO.: EMAIL ADDRESS:	DATE:
NAME AND TITLE OF PREPARER (Print or Type):	Submit completed plan with bid or proposal EEO 100	

General instructions: All Offerors and each subcontractor identified in the bid or proposal must complete an EEO Staffing Plan (EEO 100) and submit it as part of the bid or proposal package. Where the work force to be utilized in the performance of the State contract can be separated out from the contractor's or subcontractor's total work force, the Offeror shall complete this form only for the anticipated work force to be utilized on the State contract. Where the work force to be utilized in the performance of the State contract cannot be separated out from the contractor's or subcontractor's total work force, the Offeror shall complete this form for the contractor's or subcontractor's total work force.

Instructions for completing:

1. Enter the Solicitation number that this report applies to along with the name and address of the Offeror.
2. Check off the appropriate box to indicate if the Offeror completing the report is the contractor or a subcontractor.
3. Check off the appropriate box to indicate if the work force being reported is just for the contract or the Offerors' total work force.
4. Enter the total work force by EEO job category.
5. Break down the total work force by gender and enter under the heading 'Work force by Gender'
6. Break down the total work force by race/ethnic background and enter under the heading 'Work force by Race/Ethnic Identification'. Contact the Designated Contact(s) for the solicitation if you have any questions.
7. Enter information on disabled or veterans included in the work force under the appropriate headings.
8. Enter the name, title, phone number and email address for the person completing the form. Sign and date the form in the designated boxes.

RACE/ETHNIC IDENTIFICATION

Race/ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. For the purposes of this report, an employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic group. The race/ethnic categories for this survey are:

WHITE (Not of Hispanic origin) All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

BLACK a person, not of Hispanic origin, who has origins in any of the black racial groups of the original peoples of Africa.

HISPANIC a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

ASIAN & PACIFIC ISLANDER a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent or the Pacific Islands.

NATIVE INDIAN (NATIVE AMERICAN/ ALASKAN NATIVE) a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

OTHER CATEGORIES

DISABLED INDIVIDUAL any person who: - has a physical or mental impairment that substantially limits one or more major life activity(ies)
- has a record of such an impairment; or
- is regarded as having such an impairment.

VIETNAM ERA VETERAN a veteran who served at any time between and including January 1, 1963 and May 7, 1975.

GENDER