

Green Infrastructure RFQ - Questions and Responses

In regards to Addendum #1, as very few single firms will have the qualifications to cover the entirety of the RFQ scope, how will a prime consultant's qualifications be evaluated without reference to a larger team?

Response: Firms responding to this RFQ will be evaluated as described on page 18 of the RFQ.

As not all of these scope items listed out are within our capabilities, in our RFQ response in the section where we will list out our approach - we're assuming it is expected for us to only describe our approach to selected scope items that are applicable?

Response: Yes. Only describe your approach to scope items that are applicable and for which your firm is seeking to be considered for.

We understand that this RFQ is seeking to identify individual firms to be pre-qualified to work on green infrastructure projects with Buffalo Sewer and starting on page 9 a list of potential tasks/services is provided. Please confirm if a consultant can respond to one or more of the items listed under a major heading (i.e. Data collection, outreach, analysis and preliminary design) OR if all items need to be referred to in a consultant team's qualifications and experience?

Response: Consultants can respond to one or any number of the items listed and do not need to provide all work items under a major heading.

Addendum #1 states, "The firm... should be clear about which services and tasks the firm is able to perform independently."

- a. **Does a responding firm need to be able to perform all of the professional services mentioned in the RFQ or can a firm submit their qualifications for providing only some specific services?**

Response: A responding firm does not need to be able to perform all of the professional services mentioned in the RFQ and can submit their qualifications for providing only some specific services. As stated on page 9, not all tasks and scope of work items in the RFQ will be involved on every project. The items are provided to give consultants background on the types of tasks that are often involved with green infrastructure. Consultants should use this RFQ as an opportunity to tell Buffalo Sewer what services your firm offers, what capabilities your firm has, what your firm can bring to the table, and how your firm can contribute to Buffalo Sewer green infrastructure work.

- b. **The RFQ lists five tasks and numerous subtasks that span a variety of professional services. Should the responding firm identify in its Approach specifically which subtasks the firm is able to perform independently?**

Response: The responding firm should identify which tasks in the RFQ, as well as any other tasks and services not explicitly stated in the RFQ for green infrastructure implementation that the firm is willing and able to perform. Consultants should only include what services they can and are willing to provide in future procurements. This could be tasks and services they can do independently or services for which their approach would be to bring on sub-consultants and serve as the prime consultant and project manager of a team. Please distinguish which of these tasks and services are able to be performed independently.

The RFQ provides a scope of work and expected tasks (page 9-15). Do firms have to show quals for all tasks, or can firms submit quals on just the tasks for which they are most qualified?

Response: Firms should submit qualifications for tasks which they are able to provide and want to be considered for.

Do you have priorities or expectations as to which of the activities on the task list a qualified respondent must be able to self-perform?

Response: No. Buffalo Sewer has no expectations for consultants to perform certain activities independently and each firm will likely have different capabilities and a unique approach to how they deliver services. Firms can respond for whatever services or tasks they are willing and able to provide to Buffalo Sewer.

Is every team expected to cover all areas of expertise?

Response: Individual firms do not need to be able to cover all areas of expertise. For some projects, multiple firms will be allowed to form teams to cover all areas of expertise, as needed.

Should our response address only the activities that we would seek to bid on in future procurements or all activities included in the RFQ, even if another entity would need to perform them?

Response: Consultants should only include what services they can and are willing to provide in future procurements. This could be tasks and services they can do independently or services for which their approach would be to bring on sub-consultants and serve as the prime consultant and project manager of a team.

Does lack of pre-qualification under this process preclude a firm from being a sub-consultant to a pre-qualified firm under an RFP that arises out of this process?

Response: No. A lack of pre-qualification does not preclude a firm from being a sub-consultant to a pre-qualified firm.

Will firms who do not submit qualifications be allowed to team with a firm who does submit quals on the upcoming RFPs?

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Response: Firms who do not submit qualifications will be allowed to be sub-consultants on a team with a firm who is pre-qualified.

Is Buffalo Sewer looking to contract directly with individual consultants from the various professions listed (landscape architecture, engineering, architecture, planning, urban design, and other related fields), who would then have to work together for the various projects, or will we be permitted to form teams of various consultants of our own choice during the RFP stage, one of whom will be contracted with Buffalo Sewer?

Response: Some projects will require the formation of teams and if appropriate, individual consultants will have the opportunity to propose their own teams when responding to an RFP. Sub-consultants on teams do not necessarily need to be from the pre-qualified list.

I'm curious if you are expecting this sewer project to more engineering or landscape-led

Response: Many different types of projects and work will be undertaken and each one will be unique. The expectation is that consultants will use their professional expertise to support and contribute to the work of other disciplines. In some instances, projects that have traditionally been led by engineers will instead be led by landscape architects, architects, planners, and the people who live and work in the surrounding community, with engineers playing a more supportive role. In other instances, more of an engineering approach may be best suited for the project. Buffalo Sewer will determine which firms are best suited to lead particular projects and tasks.

How many firms will be pre-qualified to receive future RFPs? Is this capped at 3? 5? By discipline, or full teams? Or to all submitters who meet your requirements? (upwards of 20-30-40?)

Response: Buffalo Sewer does not have an anticipated number of firms that will be pre-qualified to receive future RFPs and the number of firms from any discipline is not capped.

How many firms will be pre-qualified?

Response: Buffalo Sewer does not have an anticipated number of firms to pre-qualify.

How many firms does BSA plan to qualify at the RFQ stage?

Response: Buffalo Sewer does not have a planned number of firms to qualify.

How many firms does BSA plan to qualify at the RFP stage?

Response: Buffalo Sewer does not have a planned number of firms to qualify.

How many firms do you anticipate pre-qualifying? Will you share the list once completed?

Response: There is not an anticipated number of firms to pre-qualify. The list of selected firms will be available upon request.

Will prequalified firms be required to respond to all RFPs?

Response: No. Prequalified firms will not be required to respond to all or any RFPs.

Will the Authority keep an open list of prequalified firms for respondents to choose from when forming teams for specific RFPs?

Response: A list of prequalified firms will be made available upon request. Firms who do not submit qualifications or who are not prequalified will still be allowed to be sub-consultants on a team with a firm who is pre-qualified.

The RFQ states: "The submission must be signed by each individual CONSULTANT or their authorized representative who shall have the authority to legally bind the CONSULTANT(s)."

a. **Does this mean every person from our firm who is included in the response must sign the submission, or does this mean that just a representative must sign the submission?**

Response: Only one person's signature is required to represent the firm. Every person from the firm who is included in the response does not need to sign.

b. **Where is this signature required--in the cover letter, or elsewhere? Is an electronic signature permitted?**

Response: The cover letter should be signed, as stated on page 16. The list of people authorized to execute agreements should also be signed, as stated on page 18. Electronic signature is permitted. See Addendum #2.

Is this essentially for on-call contract work?

Response: Yes. Buffalo Sewer is seeking to identify qualified firms for future contracts to work on green infrastructure projects.

How will Buffalo Sewer be paying for the coordination and design work? Is there a budget set for this? Or, is this something that will come into play if selected to respond to the RFP?

Response: Buffalo Sewer will be issuing a bond to help pay for green infrastructure work. At present, Buffalo Sewer anticipates spending over \$50M in the next 5 years on green infrastructure and seeks to leverage this investment with grant funding from outside sources and external partnerships to increase the overall impact.

Do you have an estimate of the total construction value of the proposed work or the estimated value of consultants services?

Response: At present, Buffalo Sewer anticipates spending over \$50M on green infrastructure implementation over the next 5 years.

What is the budget allocated for this effort over the five year span?

Response: At present, Buffalo Sewer anticipates spending over \$50M on green infrastructure implementation over the next 5 years.

If selected to respond to the RFP, will you be able to provide all firms with a list of the companies applying? This may be beneficial in identifying sub-consultants, etc...

Response: Yes.

Will other scope of work items be considered for RFP projects beyond those listed in the RFQ?

Response: Yes. The scope of work and task list is a starting point to provide a list of some typical work items involved with green infrastructure projects. Consultants are encouraged to think outside this list about ways their firm can support Buffalo Sewer and green infrastructure implementation and communicate this in their Cover Letter and Approach narrative.

Can the qualifications include suggestions or tasks that are not explicitly listed in the RFQ?

Response: Yes. Firms are encouraged to include suggestions or tasks that are not explicitly listed in the RFQ. Tasks listed in the RFQ are a starting point and background of some common work items but is not an exhaustive list. The Cover Letter and Approach narrative are appropriate places to speak to what your firm can bring to the table to support Buffalo Sewer and green infrastructure implementation.

Can the auto insurance minimum be made up by an umbrella policy cap if we don't have the \$2M coverage? Alternatively, would you consider lowering the comprehensive auto coverage to \$1M each occurrence?

Response: Buffalo Sewer will outline contractual requirements, including insurance, for individual projects following this RFQ. Sample contract requirements are included in this RFQ as a reference.

Do we have to show the information required for staff that is required for the staffing worksheet also in narrative form, as is suggested on p17 of the RFP?

Response: Both a Narrative Description and a Staffing Worksheet are required. The individual staff that are available to work on projects is important to Buffalo Sewer's evaluation of firms. The Staffing Worksheet Table and resumes should provide a high-level summary for Buffalo Sewer to quickly assess and compare a firm's personnel and expertise. The Narrative Description of the professional team is the opportunity to provide a more in-depth look at each individual.

Do M/WBE consultants registered in NYC count towards the participation goals, or solely those certified by NYS and the Erie County/City of Buffalo Joint Certification Committee?

Response: At present, only Erie County/City of Buffalo and New York State lists are anticipated to be used for participation goals on subsequent projects.

On page 16 of the RFQ, it is stated that "Qualified firms must have a minimum of 3 years' experience with green infrastructure or a minimum of having worked on at least 3 separate green infrastructure projects". If a consultant team's staff have supported green infrastructure projects with previous firms will this experience be accepted?

Response: Staff members experience with green infrastructure projects from previous work history at a different firm will be considered, please indicate this, as applicable.

On page 16 of the RFQ, it is stated that "Qualified firms must have a minimum of 3 years' experience with green infrastructure or a minimum of having worked on at least 3 separate green infrastructure projects". Please confirm if a consultant can demonstrate experience with the potential tasks/services (as listed on page 9) that are not related to green infrastructure projects.

Response: Buffalo Sewer will consider experience for tasks/services that were not related to green infrastructure projects.

On page 18 the RFP states "Financial statement demonstrating your firm's financial capacity to undertake and complete projects resulting from this RFQ". What information would suffice to address this requirement?

Response: What specific information provided is left to the consultant to determine and can be as robust or as sparse as they see fit. This requirement should be used by the consultant to give Buffalo Sewer confidence in the firm and that work is able to be completed.

On the topic of financial statement, can you please clarify if you are referring to our yearly revenue?

Response: What specific information provided is left to the consultant to determine and can be as robust or as sparse as they see fit. This requirement should be used by the consultant to give Buffalo Sewer confidence in the firm and that work is able to be completed.

Is this RFQ and subsequent procurement process intended to deliver all 200 acres over the next five years?

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Response: Individual projects will range in scope, size, and duration. This RFQ will be used to pre-qualify firms to work on projects that Buffalo Sewer will take on over the next five years that work towards implementing green infrastructure to manage over 200 acres of impervious area.

Is there any page length limit to the overall submission?

Response: No. There is no page limit.

Besides 1-page resumes are there any other page limitations to the submittal?

Response: No. There is no page limit.

Do responding firms need to submit a MWBE report in the RFQ or was that supplied for reference?

Response: Responding firms do not need to submit an M/WBE report. M/WBE report is provided for reference.

If we are not a certified minority or women owned business do we need to fill out and include the final page of Appendix B?

Response: No. The final page of Appendix B ("Monthly MWBE Report") is provided for reference.

Can BSA identify all firms that have received this RFP?

Response: No. This RFQ has been distributed widely, as well as advertised on public websites and trade organizations.

We understand that you propose to fund projects using Environmental Impact Bonds. Do you plan to construct projects using a design-build approach that puts the contractor at risk for performance or does the City intend to assume the risk?

Response: Future RFPs will describe project work.

On page 18 the RFQ requires responding firms to "clearly state whether your main office/parent firm is currently licensed as an individual, partnership, or corporation to practice professional engineering or landscape architecture in New York State". Please confirm if a responding firm must be licensed to practice professional engineering or landscape architecture to be considered for pre-qualification.

Response: A firm does not need to be licensed in the State of New York to submit qualifications. Many tasks and scope items do not require a professional license. For engineering, architecture, and landscape architecture work, the company or individual employed by the company will need to be licensed at the time of contract award and for the duration of work.

Must a firm be licensed in the State of New York to submit qualifications (Is licensure at the time of contract award adequate)?

Response: A firm does not need to be licensed in the State of New York to submit qualifications. Many tasks and scope items do not require a professional license. For engineering, architecture, and landscape architecture work, the company or individual employed by the company will need to be licensed at the time of contract award and for the duration of work.

Must a firm have an individual licensed in the State of New York to submit qualifications?

Response: A firm does not need to be licensed in the State of New York to submit qualifications. Many tasks and scope items do not require a professional license. For engineering, architecture, and landscape architecture work, the company or individual employed by the company will need to be licensed at the time of contract award and for the duration of work.

Is the RFP stage a given or is it possible BSA may choose to select firms at RFQ stage and not release an RFP?

Response: Buffalo Sewer will select qualified firms to work with on projects at its sole discretion. In some cases, RFPs will be issued to several pre-qualified firms to compete on. Buffalo Sewer reserves the right to procure services as it chooses, including negotiating directly with a single pre-qualified firm and without sharing the opportunity with other pre-qualified firms. Buffalo Sewer makes no guarantees or commitments that all pre-qualified firms will be awarded contracts. See page 20 of the RFQ.

If multiple teams are to be pre-qualified at the RFP stage, would BSA award contracts in rotation to those firms or do you plan to ask for a cost bid?

Response: For some projects, multiple pre-qualified firms will be issued an RFP to compete. Each RFP will include a description of the basis for award. At this time, Buffalo Sewer anticipates most awards to RFPs will not be made on the basis of lowest bid, and instead will be based on the overall merit of the proposal which includes consideration of cost, but where cost is not the only evaluation criteria.

How will task orders be issued to pre-qualified firms? Will they all be competed on and if so how will awards be made (e.g., low bid, best qualified, etc.)?

Response: For some projects, multiple pre-qualified firms will be issued an RFP to compete. Each RFP will include a description of the basis for award. At this time, Buffalo Sewer anticipates most awards to RFPs will not be made on the basis of lowest bid, and instead will be based on the overall merit of the proposal which includes consideration of cost, but where cost is not the only evaluation criteria.

What could be the scale of the eventual contract from the RFP and over how many years?

Response: There will not be a single RFP to cover all work and services related to green infrastructure implementation over the next 5 years. Individual projects will range in scope, size, and duration.

What is BSA's vision so far as the use of third-party monitoring for potential pay-for-performance design/construction contracts? Would you hire someone in the RFP phase or do you plan to wait?

Response: Buffalo Sewer is interested in a wide range of projects and contract structures for green infrastructure implementation. Specifics of individual projects will be determined following the RFQ process.

Can you clarify your anticipated procurement process for planning, design and construction related services for pre-qualified firms?

Response: Buffalo Sewer will select qualified firms to work with on projects at its sole discretion. In some cases, RFPs will be issued to several pre-qualified firms to compete on. At this time, Buffalo Sewer anticipates most awards to RFPs will not be made on the basis of lowest bid, and instead will be based on the overall merit of the proposal which includes consideration of cost, but where cost is not the only evaluation criteria. Buffalo Sewer reserves the right to procure services as it chooses, including negotiating directly with a single pre-qualified firm and without sharing the opportunity with other pre-qualified firms. See page 20 of the RFQ.

We note that you have requested residency information on proposed staff; how is this incorporated into your prequalification selection process?

Response: Evaluation Criteria is described on page 18 of the RFQ. City of Buffalo residency is viewed favorably in the evaluation of the company and professional team.

What are the architectural services you anticipate for the RFQ projects?

Response: While many projects will involve landscape architects and engineers, Buffalo Sewer is interested in using the tools and approaches of architecture in its implementation of green infrastructure. Possible architectural services could involve a wide range of tasks and projects including but not limited to: prototyping; green building retrofit design; facility analysis; code analysis; feasibility analysis; site planning; permitting; construction support; urban design; the production of renderings, sketches, design concepts, diagrams; analytical drawings; spatial analysis; LEED certification assistance; physical scale model production; fabrication support; research and experimentation. Please use this RFQ to tell Buffalo Sewer what services and capabilities your firm has to offer to support green infrastructure implementation.

How many initial projects the Authority is anticipating to start this Fall?

Response: There is no pre-determined number of projects.

Regarding Scope of Services: 5. Conduct community outreach, engagement, visioning exercises, and participation workshops and meetings as requested by the Authority. Conduct surveys and interviews as requested by the Authority. Prepare analysis and summary documents based on planning and outreach work. Would this be expected for graphic design consultants as well?

Response: No. Graphic design consultants do not necessarily need to conduct outreach, engagement, surveys and interviews.

Should design consultants who have the capability include a signage and wayfinding design approach in our scope of services?

Response: Yes. Please include any capabilities or services which you think will be of potential use or value to Buffalo Sewer in green infrastructure implementation. Signage and wayfinding design are relevant and valuable services for green infrastructure implementation.

Would the Authority require that any graphic design work, including any communications materials or signage and wayfinding, also have a green / sustainability expert involved for processes such as signage fabrication or printing?

Response: It is not a requirement, but is viewed favorably.

We are not at liberty to disclose contract dollar amounts for most of our projects due to NDAs. Please confirm if it is acceptable to omit this information when describing relevant work experience.

Response: It is acceptable to omit this information if NDAs do not permit disclosure.

Can the client team please provide more specific examples of potential organizations that would be conflicts of interest we should make explicit?

Response: No. Any potential conflicts of interest are the responsibility of the consultant to disclose.

In regards to: RFQ Requirements -9. A copy of any resolution or some other form of authority, signed by a Chief Executive Officer, Corporate Secretary, or managing partners, which lists the specific officers who are authorized to execute agreements on behalf of the CONSULTANT; Can the project team please give a more specific example of what form this kind of statement or document should take? Can this be a few sentences describing our structure and the officer executing the agreement's role within the firm?

Response: A short list, a single sentence, or a few sentences are sufficient to identify who is authorized to enter into agreements on behalf of the firm.

Confirming there are no fees required in this RFQ response.

Response: Correct, there are no fee proposals required for this RFQ, please do not include any fee information.

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Will the client team be open to having some of the site visits or any boots on the ground work done virtually should quarantining/social distancing measures still be in effect when projects begin?

Response: Many scope of work items and tasks do not require any site visits or boots on the ground. Buffalo Sewer encourages the use of virtual meetings when possible.