



**STEP: Professional Architectural Services
New Façade for 10 Hermes Road
Request for Qualifications
RFQL 1205**

PROPOSALS DUE: April 7, 2008 by 5:00 PM Eastern Time

The New York State Energy Research and Development Authority is seeking the services of a qualified, New York State-licensed architectural firm or team to design a new, aesthetically pleasing façade for the office and manufacturing building located at 10 Hermes Rd., Saratoga Technology + Energy Park (STEP), Malta. The design must adhere to the Conceptual Design Guidelines for STEP. The selected architect or team will: 1) provide and present conceptual designs; 2) once the design is selected and approved by NYSERDA, provide stamped construction documents and necessary specifications; and 3) provide construction administration services by being available throughout the duration of construction to advise on conformance to specifications and answer other questions, and to prepare and review payment requests from a contractor to be selected. NYSERDA will be responsible for all permitting, and the selection of the contractor to build the façade. The upgrades and renovations are to be designed to be consistent with LEED® standards and requirements. At least one member of the design team is to be a LEED-Accredited professional. Construction documents shall be completed within 3 months of contract execution, with the façade construction completed by December 31, 2008.

Proposal Submission: Proposers must submit seven (7) copies of the proposal with a completed and signed Proposal Checklist attached to the front of each copy, one of which must contain an original signature. Proposals must be clearly labeled and submitted to:

**Roseanne Viscusi, RFQL 1205
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399**

If you have technical questions concerning this solicitation, contact Kevin Hunt at (518) 862-1090, ext. 3259 or klh@nyserda.org. If you have contractual questions concerning this solicitation, contact Doreen Darling at (518) 862-1090, ext. 3216 or djd@nyserda.org.

No communication intended to influence this procurement is permitted except by contacting Kevin Hunt (Designated Contact) at (518) 862-1090, ext. 3259 or klh@nyserda.org. Contacting anyone other than this Designated Contact (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

*Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.org.

I. Introduction

A. New York State Energy Research and Development Authority (NYSERDA) and the Saratoga Technology + Energy Park (STEP)

NYSERDA is a public benefit corporation established in 1975 under Title 9 of New York State's Public Authorities Law. Among the statutory purposes of NYSERDA are developing and implementing new energy technologies consistent with economic, social, and environmental objectives, and promoting, encouraging, and assisting in the construction of industrial, commercial, and research facilities at STEP. The 280-acre parcel on which STEP is located is ten miles south of Saratoga Springs and 23 miles north of Albany in the Town of Malta. For a number of decades, STEP was used for research, development, and light manufacturing. At present STEP is improved with a road and two buildings, and supporting infrastructure. The original building, constructed circa 1972, contains +/- 23,000 square foot (sf) and is fully occupied. The newer building, consisting of +/- 105,000 sf, is in the midst of tenant fit-ups and will be occupied in early 2008. A third building is at 100% design, and a fourth is under design. NYSERDA holds title to the STEP site on behalf of the people of the State of New York

STEP is being developed as an energy and environmentally focused knowledge community. It is the first technology park designated and designed for research, development, and light manufacturing related to clean-energy and environmental technologies. It is also part of a comprehensive knowledge-based economic development strategy that takes advantage of the expertise of NYSERDA, its clients and partners, to add value beyond the facilities—in relationships, technology development services, and business funding.

B. STEP Conceptual Design Guidelines

An important goal of NYSERDA is to develop well designed and environmentally responsible buildings throughout the STEP campus that can serve as models for technology park construction in this region and elsewhere. NYSERDA's policy is to implement financially feasible, technologically sound strategies in all its buildings to make significant advances in five areas: energy efficiency; indoor environmental quality; water conservation and site management; conservation of materials and resources; and efficient operation and maintenance. To this end, NYSERDA has issued the Conceptual Design Guidelines for all new buildings at STEP. Any and all new construction, upgrades, renovations, and/or additions must adhere to the same Conceptual Design Guidelines. Refer to Attachment C.

Requirements of the Conceptual Design Guidelines will be that newly constructed buildings, renovations, and/or upgrades meet the goals of New York State Executive Order No. 111, which requires State entities to adopt certain energy efficiency and environmental practices. The Executive Order, along with Guidelines issued by NYSERDA for compliance with the Executive Order, can be found at www.nyserda.org/programs/exorder111.asp

The Conceptual Design Guidelines also require that buildings at STEP be designed to minimum LEED® standards from the U.S. Green Building Council.

The goal is to establish STEP as an environment specifically designed to meet the needs of

young, knowledge-based businesses. In addition, STEP will demonstrate a comprehensive array of sustainable design features, and ideally will be a “laboratory” for sustainability. Among the features that NYSERDA will incorporate into the STEP design are:

- Respect for the natural setting;
- Recognition of the Adirondack heritage; and
- Green building and innovative energy technologies.

C. The Building at 10 Hermes Road

As stated earlier, the building located at 10 Hermes Rd. was constructed circa 1972, and encompasses +/- 23,000 sf of office and manufacturing space. Refer to Attachment D for a building photograph. The front facade of the building, extending to northeast and southwest entrances at the sides of the building, is comprised of new windows and entry doors, and the original blue tiles and field stone. NYSERDA is seeking to modernize these sections of the building, while keeping the remainder of the building as-is. The design should incorporate a canopy over the entry way along with replacement of the existing soffits. The existing windows and entry doors shall remain and be incorporated into the redesign. To the best of NYSERDA’s knowledge there are no hazardous materials or asbestos in the area under discussion. To make the Park uniform, the façade needs to compliment that of the new building at 107 Hermes Road, and the NYS Dept. of Environmental Conservation’s Alternative Fuel Vehicle Research Laboratory. Refer to Attachment E for the building renderings.

II. Program Requirements

NYSERDA is seeking a qualified architect or design team to design a new, aesthetically pleasing façade for the building located at 10 Hermes Rd. It is NYSERDA’s requirement to have at least one LEED- Accredited professional on the design team and to have the project designed to be consistent with LEED standards and requirements (material content, local availability, etc). The selected architectural firm should have experience in innovatively designing exterior facades. NYSERDA is looking for a firm that has experience with green buildings and sustainable design techniques.

The selected architect or design team (Proposer) shall be expected to

1. Attend two (2) on-site meetings;
2. Present conceptual design, materials and estimated budget to NYSERDA and the STEP Design Review Committee at NYSERDA’s Albany office. The designs shall be of the front, northwest and southeast façade portions of the building. The Proposer should plan to create three (3) conceptual designs for consideration, and attend two (2) of such meetings;
3. Rendering approval is required from NYSERDA. The Proposer shall attend up to two (2) Malta Town Planning Board meetings to present the project for informational purposes only, answer any questions, and amend the plans as requested;
4. Once the renderings are approved by NYSERDA, provide three (3) sets of stamped construction documents, including all necessary load calculations. The construction

documents shall contain all necessary drawings, details, and specifications to facilitate the competitive bidding process for construction; and

5. Construction Administration Services: The selected Proposer shall be available for meetings throughout construction to answer specification questions and review and authorize pay requisitions.

In addition, NYSERDA or its representatives shall be responsible for

6. Obtaining the building permit from the New York State Office of General Services; and
7. Reviewing all contractor proposals.

III. Proposal Requirements

Proposers must submit seven (7) copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Qualifications. The proposals should not exceed 15 pages in length excluding resumes. A completed and signed Proposal Checklist must be attached as the front cover of your proposal, one of which must contain an original signature.

Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed copies will not be accepted.

Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The text of the laws is available at: <http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation that could result in agreements with an annual estimated value in excess of \$15,000, additional forms must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the Proposer, the RFQL number, and the page number. The proposal must be in the following format:

A. Minimum Qualifications

The Proposer must meet all of the following conditions to be considered for this project:

1. In business providing architectural and engineering services for a minimum of five (5) years;
2. Experience designing additions and facades;
3. Current New York State licensed architect; and
4. At least one member of the design team needs to be LEED-accredited.

B. Content

Proposals submitted to this RFQL shall address the following items. All items shall be addressed point-by-point in the order in which they appear in the RFQL identifying each response by section heading. To aid in the evaluation process, all proposals are to be submitted in the following sequence:

1. Consultant Profile:

- Name of Business Entity (including any “Doing Business As” names)
- Headquarters/Parent Company Locations
- History of Firm
- Internet Web Site Address (if any)
- Details of Entity’s Business Structure (Corporation, Partnership, LLC)
- Date Founded
- Organization Chart of Business Entity
- Office Locations and Total Number of Employees at each
- Home office address and telephone number and local address and phone number
- List of any outstanding litigation that would threaten the viability of the firm or the performance of this contract

2. Project Team: List each key employee who shall be assigned to this project, providing his or her background information, length of employment, project role, and resume. List any affiliated service providers that may provide consultant assistance. Clearly identify all LEED- Accredited professionals.

3. Portfolio: Provide samples of relevant architectural work, preferably LEED-certified. Relevant work refers to building design for industrial, office, technology, energy or other facility of similar size and scope to that being requested in this RFQL, that you have completed in the last five (5) years.

Reference the ability to accurately budget.

4. References: Provide names, phone numbers and addresses. Identify the time frame (start to finish) for which the consulting services were provided and customer contact name. Briefly describe the consulting services requested by the customer and the consulting services provided to meet the customers’ need.

5. Proposed Methodology: Explain your approach to this project. Provide a narrative of how the consulting services will be accomplished. Identify and describe possible barriers and delays in the achieving a final result.

IV. Proposal Evaluation

Proposals that meet Proposal Requirements will be reviewed by a Technical Evaluation Panel (TEP). Responses to this RFQL will be reviewed and assigned scores based on the criteria

highlighted below. NYSERDA, through its TEP, will review each proposal to determine whether a proposer has the necessary experience to provide services successfully under this program. The TEP consists of NYSERDA staff and selected outside reviewers.

The following factors will be considered during the review and evaluation:

- Understanding of NYSERDA's needs as specified in this RFQL;
- Qualifications and expertise of the proposer in relevant areas;
- Previous experience in the conduct and delivery of similar or related services;
- Quality and relevance of previous work as evidenced by sample projects presented in a portfolio;
- Ability to provide accurate construction budget;
- Ability to complete tasks as scheduled;
- Creative and innovative design; and
- Other programmatic and management factors deemed appropriate by NYSERDA.

Further, as part of the evaluation process, NYSERDA will select at a minimum the top three proposals, and invite them for an interview at NYSERDA's office in Albany, NY, which the Proposer is expected to attend. The project award will be following the interview. The price of the contract will be negotiated after NYSERDA selects an architectural firm that will provide described services.

VI. General Conditions

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary, and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to accept it from disclosure, including a written statement of the reasons why the information should be excepted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 www.nyserda.org/nyserda.regulations.pdf. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - 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 bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
30 South Pearl Street
Albany, NY 12245

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division
30 South Pearl Street
Albany, NY 12245

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at

<http://www.ogs.state.ny.us/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>

The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of \$100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. See, ST-220-TD (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220td_606_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a perspective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at http://www.tax.state.ny.us/pdf/2006/fillin/st/st220ca_606_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.state.ny.us/pdf/publications/sales/pub223_606.pdf.

Contract Award - NYSERDA anticipates making one award under this solicitation. It may award a contract based on initial proposals without discussion, or following limited discussion or

negotiations. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support proposals. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA expects to notify proposers in approximately six (6) weeks from the proposal due date whether your proposal has been selected to receive an award.

Limitation - This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

VII. Attachments

Attachment A – Proposal Checklist

Attachment B – Disclosure of Prior Findings of Non- Responsibility

Attachment C – Conceptual Design Guidelines

Attachment D – Photograph of 10 Hermes Rd.

Attachment E – Building Renderings: 107 Hermes Rd. and the AFVRL

Attachment F – Sample Agreement