

**Capital Construction Projects Program Management Services
OBHS F&C-CAPM-001
Questions and Answers
June 12, 2018**

RFP Correction:

1. Page 16 of the RFP states “The proposals shall be limited to twenty (20) pages. The resumes (Section 4), staffing plan (Section 5) and fee proposal (Section 6) are excluded from the **fifteen-page** limit count.” The bolded text is corrected as follows:

The proposals shall be limited to twenty (20) pages. The resumes (Section 4), staffing plan (Section 5) and fee proposal (Section 6) are excluded from the **twenty-page** limit count.”

Bidders' Conference Questions (Asked in person or via e-mail)

1. **Will the slides be shared?**

RESPONSE:

The bidders' conference presentation as well as Questions and Answers will be posted at <https://obhs.org/rfp-information> and the [NYS Contract Reporter](#) on June 12th.

2. **Does the exhibit [Attachment F] include the list of [FQHC] sites that the Program Manager would not be overseeing?**

RESPONSE:

Yes, Attachment F – List of Projects includes all the ambulatory care projects expected to be managed by the Program Manager as well as ambulatory care projects that will be overseen by OBHS' FQHC and non-OBHS provider partners. The Program Manager will be expected to gather capital project information and updates from the non-OBHS entities and include said information in required reports for key stakeholders including the NYS Department of Health and OBHS senior leadership. The scope of work with regards to these partnership projects will include the financial control and auditing as they relate to required reporting.

- 3. The minimum qualification requirement “Have a documented record of successfully completing capital grant projects with the NYS Department of Health within the last three (3) years” does not indicate how many or what volume of grants?**

RESPONSE:

OBHS expects eligible bidders to demonstrate a history of successfully completing at least one capital grant project with the NYS Department of Health within the last three years. However, successful completion of more than one project with the Department of Health will be assessed favorably.

Please note that proposals need to meet the following minimum qualification requirements:

- a. Successfully completed two (2) project management assignments involving similar scopes of work within the past five (5) years, with each project or the programmatic value of a portfolio of related projects having a contracted value in excess of \$500 million.*
 - b. Have a documented record of successfully completing capital grant projects with the NYS Department of Health within the last three (3) years.*
 - c. Have a documented record of successfully completing construction projects pertaining to health care facilities, including hospitals, while such facilities were in operation, within the past five (5) years.*
- 4. There are a number of projects here and each of the applicants could evaluate these projects with respect to the duration they might take each one unto themselves, making assumptions about order of operations. Can a set of defines a set of givens with respect to those durations and the phasing assumed?**

RESPONSE:

Appendix A to this Q&A is a list of the awarded projects with a preliminary estimated construction start, end and priority level.

- 5. Are there in-house project managers and if yes, how do you see the direction between the in-house project managers and the awarded Program Manager?**

RESPONSE:

There are no in-house project managers, per se. As shown in the Project Delivery Structure slide (15) of the bidders’ conference presentation, the OBHS Project Management lead Dona Green will work closely with the Program Manager and the Joint Operating Committee, which includes facility management leadership from all three OBHS member hospital sites, to coordinate and streamline project management responsibilities.

6. Has the steering committee been determined and can you please tell us who is on it and if there are any outside stakeholders involved?

RESPONSE: *The Steering Committee is known as the Joint Operating Committee. This Committee is comprised of OBHS leadership, True North Consulting, and other key advisors. Please see the Project Delivery Structure slide in the Bidders' Conference slide deck.*

7. On the list of tasks outlined, one was the development of a Guaranteed Maximum Price (GMP). In common practice, that's normally the purview of the construction manager. Does that jive with what the role of a successful project manager will be?

RESPONSE: *Yes, the Program Manager is expected to ensure the successful execution of the awarded Kings County Transformation Project and as such will work with selected vendors, including construction management to ensure that the success is met by staying within the limits of the grant award as well as meeting project completion timeline goals.*

8. It was mentioned that the grant funding cycle is five years, is that also the contract cycle?

RESPONSE: *The contract period for the Program Management engagement is five years. However, the each of the last two years of the project have optional one-year extensions.*

9. Are these projects anticipated to run concurrently?

RESPONSE: Yes.

10. Can you share the priority of each of the projects?

RESPONSE: See Q&A-Appendix A

11. What is the current expectation of timeline for each of the projects?

RESPONSE: See Q&A-Appendix A

12. The RFP references a master plan that was produced and a study done by True North consulting. Will these reports be shared?

RESPONSE:

In 2016, the NYS DOH announced the launch of a study to assess and improve quality of health care in Brooklyn. Northwell Health was awarded a grant to prepare a feasibility study that would identify options to dramatically improve the quality of health care in central and northeastern Brooklyn.

In 2017, Northwell Health published [The Brooklyn Study: Reshaping the Future of Healthcare](#), which proposed a roadmap or "Plan" to transform the healthcare delivery

system in central and northeastern Brooklyn. The Transformation Plan proposed in the study has been adopted by OBHS as a strategic plan. The study can be found on the Northwell website (<https://www.northwell.edu/about/our-organization/northwell-ventures/brooklyn-study>).

The awarded Program Manager would work with OBHS on the development of the master Program Management schedule (e.g., development of RFPs for subcontracted services and a long-range plan that creates a unified framework for the various projects to be completed).

13. Assuming this to be a capital grant of \$664 million for five years, will all funds have to be expended or committed in term?

RESPONSE: All funds must be committed by the end of the 5-year term.

14. How do additional projects and or omitted projects get addressed during the course of the project?

RESPONSE: Project changes should be managed using change orders and in accordance with required reporting to NYS Department of Health and other major stakeholders

15. What is the overall schedule for project ramp-up, peak activity and winding down?

RESPONSE: Please review Appendix A. OBHS expects applicants to utilize the Project Management Body of Knowledge and their experience to provide a proposed schedule for all project phases.

16. Please provide the proposed OBHS - Capital Construction Projects Program Management Services agreement.

RESPONSE: A draft agreement will be uploaded to both the NYS Contract Reporter and the obhs.org websites no later than Friday, June 15, 2018.

17. To what extent will the Capital Construction Projects Program Management Services team have support from the Hospital System's Accounting and Purchasing Departments?

RESPONSE: The OBHS financial leadership will provide the Program Manager/Auditor with required information on existing operating procedures, reviews, approvals and segregation of duties and staffing for accounting, budgeting and purchasing functions. The Program Manager is expected to review current processes in place as they relate to the Program Management and Financial Control functions and advise on resources by OBHS and/or by contract required to develop and implement standard operating procedures and establish a strong internal control environment that support the key functions and responsibilities for program management, financial control and accounts payable functions.

18. If there is Hospital System Accounting and Purchasing support, will it be across the system (divided responsibility) or centralized as we realize the transformation is at its infancy?

RESPONSE: *The system financial leadership is aware of the financial control key functions and responsibilities for effective program management and are currently reviewing central versus local management of these functions.*

19. Can you provide access to OBHS response to the NYS DOH and DASNY issued a Request for Applications (RFA) for healthcare projects that aligned with the facility investments and transformation strategies outlined in the Northwell report and details of DSRIp award?

RESPONSE: *We are willing to provide that information to the final awardee.*

20. How the projects were initially budgeted?

RESPONSE: *We used standard architectural and contractual estimates to develop each project's budget.*

21. What is the current expectation of timeline for each of the projects?

RESPONSE: *See Q&A-Appendix A*

22. Can you share the priority of each of the projects?

RESPONSE: *See Q&A-Appendix A*

23. Is there a DSRIp deadline for the projects?

RESPONSE: *No. DSRIp is a separate, non-capital NYS DOH initiative. Although the programs are aligned in purpose, the program timelines are distinct to each program.*

24. Is there advance funding from DSRIp for the program?

RESPONSE: *As stated above, DSRIp is a distinct program, independent of the Kings County Health Care Facility Transformation Program. There is no funding from DSRIp for this program.*

25. Will OBHS, WSA Strategy Advisors or another entity be assisting with M/WBLE compliance or is it desired that the Capital Construction Projects Program Management Services team provide these services?

RESPONSE: *OBHS and WSA Strategy Advisors will work closely with the Program Management services team to ensure adherence to the MWLBE regulatory policies. WSA will support MWLBE utilization via input on strategy, outreach, communication, complimentary services, execution and trouble-shooting. For this work, the selected Program Manager will be required to interface its bid management and outreach system with that of WSA's technology partner.*

26. Please advise what accounting and procurement software system(s) OBHS utilizes.

RESPONSE: *Both Brookdale and Kingsbrook Jewish use Lawson for General Ledger and materials management and GHX as their procurement software system. Interfaith uses Meditech for both functions.*

27. Are all construction jobs expected to be executed with union labor?

RESPONSE: *The projects will be completed as prevailing wage projects under NYS law.*

28. Is there an in house regulatory unit or retained external consultant to assist with Article 28 NYS DOH and OMH filings or will Capital Construction Projects Program Management Services team be responsible for the entire process with support from the design teams and OBHS?

RESPONSE: *OBHS has external consultants with specialization in Certificate of Need development.*

29. What are the insurance requirements for the successful firm?

RESPONSE: *Highlighted below, are the proposed Project Manager's insurance requirements required for the construction of One Brooklyn Health System's capital improvement projects:*

Professional Liability Coverage - This insurance provides coverage to a consultant for liability arising out of professional services performed. Specifically, it protects against liability for bodily injury, property damage, and economic loss (including repairs, increased project costs, overruns and delays) caused by the consultant's negligence.

Notably, it protects a prime for their "vicarious liability" arising from a sub-consultant's

negligence. The minimum insurance requirements are \$25 million per occurrence and \$25 million in the aggregate.

Workers' Compensation and Employer's Liability - Required of employers within every state, workers' compensation provides state-mandated benefits for workers who sustain job-related injuries or illnesses. Assuring benefit availability to injured workers reduces the likelihood of a suit against the Project Manager. Employer's Liability responds to any possible lawsuits against an employer by an injured worker. **The minimum insurance requirements will need to be in accordance with New York State statutory requirements.**

General Liability Coverage - Provides coverage for bodily injury and property damage claims arising out of the Project Manager's operations. It is important to note that the general liability policy for most Project Managers contains a professional services exclusion, thereby, creating the need for professional liability insurance. **The minimum insurance requirements are \$1 million per occurrence and \$3 million in the aggregate.**

Umbrella Liability - Applies coverage above the general liability and employer's liability coverage (under the workers' compensation policy), providing additional limits to pay for claims. **The minimum insurance requirements are \$10 million per occurrence and \$10 million in the aggregate.**

Project Management Protective Liability Insurance - This is protective insurance and does not have a standard form, and the project management liability limit applies separately to each project. The policy offers the Project Manager liability protection for any incidents that are caused by the contractor's work. **The minimum insurance requirements are \$5 million per occurrence and \$5 million in the aggregate.**

One Brooklyn Health System's (OBHS) is to be named as an additional insured on the Project Manager's liability policies and certificates of insurance will need to be evidenced to ensure coverage is in place. Thirty days written notice will be provided to OBHS prior to any change in coverage or policy cancellation.

All insurance coverage shall be underwritten by a New York State licensed carrier or have an A.M. Best Rating of A (excellent) or better.

30. Will onsite office space be provided at each facility for Capital Construction Projects Program Management Services team? Telephone? Internet access?

RESPONSE: No. It is expected that most work led by the Project Management Services team will be completed at the team's home office space, which will include any telephone or internet access services. Once the program plan and the meeting schedule is established, OBHS may have limited space to accommodate staff to facilitate carrying out of particular functions to ensure timely achievement of the schedule. However, the expectation is the Program Management Services team will have its own technology (i.e., mobile devices, laptops, Wi-Fi access).

31. Do you have a list of open violations that require resolution for each of the facilities?

RESPONSE: *A list of open violations that require resolution for each facility will be shared with the selected vendor.*

32. Has the facility been in communications with ConEd regarding the power interruptions?

RESPONSE: *All three facilities have a long-standing relationship with ConED and are in communications when there have been power interruptions.*

33. Some projects require a project management specialist, such as in IT. Does OBHS support bringing in the occasional subcontracted specialist to assist the Capital Construction Projects Program Management Services team in these types of efforts or does OBHS prefer that the specialist be directly employed by the team?

RESPONSE: *In regards to the specific example that was raised in this question, OBHS has engaged an IT specialist who will manage the IT statement of work. There is still the expectation that the Program Management Services vendor will collect and manage reporting to NYS DOH and OBHS regarding IT or other subcontractors' work.*

34. If you are a sub-consultant to the lead Capital Program Manager firm, would you be precluded from participation in, or the performance of, any of the individual projects to be completed under this program? Or does the preclusion only apply to the lead Capital Program Manager firm?

RESPONSE: *Sub-consultants of the Program Manager may participate in providing or performing professional services on individual projects, subject to the prior approval of OBHS.*

35. Can you please further define the required services for the “Facilitation of Certificate of Need Process” as per page 14 of the Bidders Conference Slides?

RESPONSE: *The Program Management Services team as detailed in the response to Question 29 would facilitate the Certificate of Need process by collecting and ordering requested architectural and construction data and plans. The team would ensure that plans have been confirmed by OBHS Finance and Facility Management leads.*

36. Can you please further define the required services for the “Furnishings/Signage/Artwork Coordination” as per page 14 of the Bidders Conference Slides?

RESPONSE: *The selected vendor will work with the internal subject matter experts and/or vendors to ensure that this work is completed in a timely and satisfactory manner, meeting the owner's requirements.*

37. Please confirm that it is the intention of OBHS to work with the selected Project Management firm to subsequently select a Construction Management firm(s) and Architectural firm(s).

RESPONSE: *Correct. It is anticipated that, subject to advice from the Project Manager, one or more Construction Managers and Architects for the project will be selected pursuant to Request(s) for Proposals.*

38. Would the selected Project Management firm be allowed to also be the Construction Manager?

RESPONSE: *No. The selected Project Management firm will not be allowed to also be a Construction Manager.*

39. On page 18 of the RFP, Section 6 indicates: 6.1 Fee structure including hourly rates of proposed staff.

On page 20 of the RFP in regard to fee it states: Your firm is required to submit a copy of its fee proposal and staffing plan with your electronic submittal. The fee proposals will be considered equivalent to thirty (30) percent of the selection criteria score. The fee proposal shall be as follows:

- **Provide a lump sum fee with a monthly schedule of payments. Include a schedule of hourly rates for each member of the proposed project management positions including administrative staff.**
- **Reimbursable Expenses – these expenses shall be reimbursed at cost. See Attachment A for allowable reimbursable expenses.**

On page 17 of the Bidders' Conference it states:

- **Stated fee structure including satisfactory evidence of your firm's insurance coverage for statutory worker's compensation, comprehensive general liability insurance and professional liability insurance (15 points out of 100)**
- **What is the required fee structure? Is it the all-in hourly rates of staff (Per Section 6), or should it be a total lump sum fee for the entire scope of services... pro-rated on a monthly basis over the duration of the contract? If**

so, what duration should we utilize? Can you provide information on what is and what is not considered reimbursable?

RESPONSE: *The fee proposal will be considered equivalent to 15% of the selection criteria (15 points out of a total of 100 points).*

The fee structure should delineate the hourly fees of the staff while providing the lump sum fee of the proposal. The project duration start and end dates are include in Appendix A. The draft guide for reimbursable expenditures can be found on the OBHS website as Attachment A.

40. Can you share what percentage of the total \$664M is ‘brick & mortar’ vs. ‘equipment’?

RESPONSE: *Approximately 15% to 25% of the total \$664M award is for FFE and major equipment projects.*

41. What does the Planning and Construction Division Organization look like staffing, structure and positions?

RESPONSE: *Please review the Project Delivery Structure slide within the Bidders' Conference slide deck, which delineates how the staffing is structured.*

42. Has the steering committee been determined and can you please tell us who is on it and if there are any outside stakeholders involved?

RESPONSE: *The Steering Committee is known as the Joint Operating Committee. This Committee is comprised of OBHS leadership, True North Consulting, and other key advisors.*

43. Provide a specific listing of the projects that need to be managed by the PM firm, or suggest a solution we can all use that creates a level playing field (specific timeline, specific resources). Cost per SF or percentage of construction cost is not appropriate.

RESPONSE: *Please review Q&A- Appendix A.*

44. Do you have a budget and schedule for the program that indicates the construction phasing (priorities) and estimated cost by facility?

RESPONSE: *Please review Q&A- Appendix A.*

45. How long (duration) do you want the Cost proposal for?

RESPONSE: *Please see the response to Question #8.*

46. Does OBHS have its own physical space?

RESPONSE: *OBHS as the governing parent of the three hospitals does not have its own physical space.*

47. Regarding a web-based program management system, do you want us to propose a PM System that will be licensed to OBHS or assist you in developing one?

RESPONSE: *Please provide options as part of your proposal. It is preferred that the Project Manager propose a PM System that will be licensed to OBHS.*

48. Will the PM team specify or recommend project delivery for each project?

RESPONSE: *It is expectation that the Program Manager will recommend project delivery.*

49. Regarding budget, are all the projects in the program funded by the \$664 million state grant? Is that amount correct? If the project costs exceed the grant amount, will additional funding be provided (after all appropriate value engineering is performed)?

RESPONSE: *Yes. No additional funding will be provided if any of the projects exceeds the grant amount.*

50. Regarding the OBHS Planning and Construction Staff, please clarify the following: What is the role of the OBHS Planning and Construction staff in the execution of these projects? Will the PM firm report to the Planning and Construction Staff, or will the staff report to the PM?

RESPONSE: *Please review the Project Delivery Structure slide within the Bidders' Conference slide deck, which delineates the reporting structure. The Program Manager will report to the OBHS Project Management Lead.*

51. How is the Planning and Construction Staff held accountable for performance during the project?

RESPONSE: *OBHS and the selected Program Manager will held accountable by the terms of the awarded contract which includes successfully meeting the project deadlines at budget.*

52. Please elaborate on the following services in your RFP:

- "Assist in Strategic/Financial Assessments". What are you looking for?

RESPONSE: *The Program Manager firm will be asked for its expertise in development of financial projections and other related projects to ensure projects are completed on budget and on time.*

- "Master Site Facility Plan and Strategy Development". There is not enough information provided here. Will the PM firm be required to perform the Master Plan?

RESPONSE: *Please see the response to question #12.*

- "Review design development documents, construction documents and interior design concepts prepared by the Architect'. There is not enough information here. Are you looking for peer review services?

RESPONSE: *The Program Manager firm will be asked for its expertise in development financial projects and other related projects to ensure projects are completed on budget and on time.*

53. On page 16 of the RFP, please clarify proposal page count, is it 15 or 20?

RESPONSE: *The proposal page count limit is 20 pages.*

54. Confirm that appendices are not in page count.

RESPONSE: *Yes, appendices are not part of the page count.*

55. Confirm that the Issues and MWLBE paperwork are part of Appendix, not page count.

RESPONSE: *These documents are not part of the proposal page count.*

56. Has an architect, general contractor or MEP engineer been selected for any projects?

RESPONSE: *A few projects do have an architect or contractor already assigned.*

57. The RFP indicated that the following items will be handed out at the pre-proposal conference, but they were not. Will we be receiving them?

- Attachment A-Reimbursable Expenses

RESPONSE: *This attachment will be uploaded with this Questions and Answers document on the obhs.org and NYS Contract Reporter websites.*

- Attachment B-Copy of Agreement

RESPONSE: *A draft agreement will be uploaded to both the Contract Reporter and the obhs.org websites no later than Friday, June 15, 2018.*

58. Regarding Diversity practices questionnaire- attachment D. Are copies OK, or is an original wet seal required?

RESPONSE: *Copies are adequate.*

59. Please clarify if a firm participates in the PM solicitation and are not awarded the solicitation, is the firm precluded from pursuing other services (design, engineering, etc.)?

RESPONSE: *If a firm participates in the PM solicitation and is not awarded the solicitation, the firm is not precluded from pursuing other services (design, engineering, etc.)*

60. Please clarify if our proposed sub-consultants are required provide their information for section 2 (Firm description), and section 3 (program management experience), or if it is required only by the prime as part of the team's submission. RESPONSE: Yes, any subcontractors named in an applicant's proposal should have their program management experience and profile included in the proposal.

61. Can you please provide the list of project the PM will NOT oversee? We understand that the PM is responsible for the financial oversite of all projects. RESPONSE: Please review Appendix A.

62. Is a grant consultant on board and if so, in what capacity?

RESPONSE: *The question is unclear. OBHS has existing grant support staff at its member facilities. Please review the Project Delivery Structure slide for staffing to support the Program Management activities. You will note that there are two consultants on board, M/WBLE Consultant and Architect Advisor.*

63. Has the grant been officially awarded? If so, can we have a copy of the award letter?

RESPONSE: *The grant was officially awarded on January 31, 2018 and the award letter can be provided on request.*

64. What is the award/grant number?

RESPONSE: *Not applicable; the number assigned to the application is DOH01-HCFTKC-2017-00018.*

65. What is the official start date?

RESPONSE: *August 1, 2018*

66. Will the cost of managing MWBEs count against the 30% requirement?

RESPONSE: *No. The cost of managing MWBEs will not count against the MWBE requirement. The selected Program Manager will count MWBE credit for bona fide payments made to MWBEs.*