

**NEW YORK CITY DEPARTMENT OF DESIGN AND CONSTRUCTION
DIVISION OF PUBLIC BUILDINGS**

REQUEST FOR INFORMATION

**IN CONNECTION WITH
THE PROPOSED NEW YORK CITY
BOROUGH-BASED JAIL SYSTEM DESIGN-BUILD**

1. PURPOSE

New York City plans to build four new high-rise jails (“Facilities”) – one each in the boroughs of Queens, Manhattan, the Bronx, and Brooklyn – through its Borough-Based Jails Program (“BBJ”). The City has enabling legislation to procure this work through Design-Build, either as fixed-price lump sum or Guaranteed Maximum Price (“GMP”), with selection of a Design-Builder for contract award based on best value, a proposer that optimizes quality, cost and efficiency, price, and performance. Estimated contract value for each Facility is \$1.5 to 1.8 billion.

With design and construction work coming back to life as the industry emerges from the slowdown due to the pandemic, the NYC Department of Design and Construction (“DDC”) is seeking industry input to inform the selection of a procurement and project delivery method for each Facility. Specifically, based on feedback to date, DDC is considering shifting from a lump-sum, fixed-price Design-Build structure to Design-Build with GMP project delivery. DDC is requesting input from the Design-Build community as to whether such a shift would better balance the risks and rewards between DDC and the Design-Builder and thus result in attracting multiple responses to the RFI for each Facility.

Information exchanged between DDC and Design-Build practitioners neither commits nor benefits either DDC or potential Design-Build Teams but rather seeks to inform best procurement practices for a potential GMP Procurement consistent with the NYC Public Works Investment Act. By undertaking this outreach to Design-Builders, DDC seeks to attract experienced and responsible practitioners to compete for the design and construction of the BBJ Facilities. In addition to this RFI, DDC may conduct sounding board meetings to get further clarifications from the industry.

2. BACKGROUND

To learn more about the City’s roadmap to closing Rikers and to replace it with the proposed new Facilities, please visit <https://rikers.cityofnewyork.us/>.

3. DDC’s PROCUREMENT APPROACH FOR DESIGN-BUILD WITH GMP PROJECT DELIVERY

For each BBJ Facility, DDC is considering a Design-Build with Guaranteed Maximum Price approach based on the following steps:



The Table below describes each of the steps.

Request for Qualifications (“RFQ”) Stage	Proposers will submit Qualifications in response to an RFQ. DDC will create a short-list of the most highly qualified teams. Shortlist criteria will include: Project Past Performance/Experience, Key Personnel Resumes, Design Philosophy and Management Approach, and Financial Capability.
Request for Proposals (“RFP”) Stage	In response to the RFP information provided by DDC, shortlisted Proposers will develop a Preliminary Design and Technical Proposal, pricing for Phase 1, and a Proposal-Level GMP for the Phase 2 final design and construction as follows: <ul style="list-style-type: none"> ■ A Preliminary Design (20-30% of design for construction) and Technical Proposal that is sufficient to provide a Proposal-Level GMP ■ A lump-sum proposal for Phase 1 services that includes Design Development and Enabling Works sufficient to develop a Final GMP ■ A Proposal-Level GMP for the Phase 2 Design and Construction. This Proposal-Level GMP may be adjusted, if necessary, during Phase 1 based on the results of site investigatory work and design progression which will take place as part of Phase 1.
Selection/ Execute Agreement	<ul style="list-style-type: none"> ■ Best Value Selection of one Proposer ■ Execution of Agreement for Phases 1 and 2 ■ Authorization for Phase 1
Phase 1 Design and Enabling Work	<ul style="list-style-type: none"> ■ The Design-Builder will conduct site investigations and provide Design Development (30-70% of design for construction) to a level necessary to identify risks and develop the Final GMP. ■ The Design-Builder may be required to propose multiple GMPs for subcontract packages in addition to an aggregate Final GMP. ■ The Design-Builder will submit a Final GMP proposal as part of a detailed Technical Proposal based on its Design Development and due diligence.
Finalize GMP	<ul style="list-style-type: none"> ■ DDC and Design-Builder will agree on Final GMP for the Facility ■ If needed, revision of the Proposal-Level GMP to the Final GMP ■ Authorization for Phase 2
Phase 2 Design and Construction	<ul style="list-style-type: none"> ■ The Design-Builder will complete the Phase 2 Design and Construction.

4. DESIGN-BUILDER VIEWS AND FEEDBACK

DDC is seeking responses from design-builders with experience delivering similar facilities or other large-scale public works projects in New York and elsewhere throughout the U.S., addressing the following topics:

Topics	Questions
<p>1 Challenges with DDC’s Prior Procurement Approach</p>	<p>If your firm considered but did not submit on one of the previous fixed-price, lump-sum, best-value design-build solicitations for the Facilities, what were your key reasons for not responding or submitting a proposal?</p>
<p>2 Guaranteed Maximum Price</p>	<p>Would a shift to a best-value selection with a negotiated Final GMP increase your firm’s interest in submitting on a future BBJ Facility RFQ?</p>
<p>3 RFP Stage Indicative Documents</p>	<p>Would Indicative Documents (bridging documents for reference purposes only) provided by DDC at the RFP stage improve your firm’s ability to submit a Proposal-Level GMP? Are such documents necessary or preferred under a GMP procurement structure?</p>
<p>4 RFP Stage Design for Initial GMP</p>	<p>What level of design would your firm need to establish the Proposal-Level GMP? What is the shortest duration you would need to achieve this?</p>
<p>5 RFP Stage</p>	<p>Could the RFP period be shortened with reduced Technical Proposal and design requirements for the submission of a Proposal-Level GMP? If so, what schedule and stipend would be appropriate?</p>
<p>6 Phase 1 Services</p>	<p>What level of design and due diligence/investigations would you need to submit a Final GMP? What duration of Phase 1 would be needed to establish a Final GMP?</p>
<p>7 Other Matters to Consider</p>	<p>What else should DDC consider in refining its procurement and delivery approach for the Facilities? What else would increase your firm’s interest in proposing on a BBJ Facility?</p>

5. SUBMISSION REQUIREMENTS

Response Due Date: July 30, 2021 at 4PM

Technical Submission Requirements:

Responses should be in portable document format (PDF).

The maximum size limit for submissions is 25MB.

Responses should be concise. DDC will not review generic marketing materials.

How to Submit: Submissions should be made in PDF format to the Point of Contact at the link below. The name of the PDF should be “[Company Name] BBJ RFI Response”.

Submission Link: <https://ddcnyc.app.box.com/f/ff3021d6ca7047709cf713dc91a9993b>

POINT OF CONTACT:

All inquiries regarding this Request for Information (“RFI”) are to be directed to the following Point of Contact:

Lisa Rigatti
New York City Department of Design and Construction
30-30 Thomson Avenue
Long Island City, NY 11101
NYCBBJ@ddc.nyc.gov

This RFI is not an offering for the award of any contract. Submission of a response to this RFI is not required for future participation in any solicitation.

6. MISCELLANEOUS

This RFI does not commit DDC to any specific form of procurement or delivery method. This RFI does not initiate a formal procurement or represent a commitment to issue an RFQ or an RFP. This RFI is not intended as a formal offering for the award of a contract and participation by a respondent is not a requirement for participation in any future DB solicitation that DDC may undertake. DDC, the City and their officials, agents and employees make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFI and shall have no liability to the respondents in connection herewith.