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Mayor

The City of New York
Department of Transportation

Ydanis Rodriguez
Commissioner



REQUEST FOR PROPOSALS

FOR

OPERATIONS AND MANAGEMENT SERVICES
FOR NYC DOT PUBLIC SPACES

AGENCY PIN: 84122MBTP539

E-PIN: 84122P0017

RELEASE DATE: May 2, 2023

ANTICIPATED CONTRACT TERM: 1,095 Consecutive Calendar Days (3 years)
with an option to renew for 1,095 Consecutive Calendar Days (3 years)

AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact Person for all matters concerning this RFP is:

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SECTION I – SUMMARY OF THE REQUEST FOR PROPOSALS

A. Goals and Objectives

The purpose of this Solicitation is to select a proposer for an anticipated contract (the “contractor”) to provide management and operations services to public spaces and public space partner organizations including but not exclusively limited to NYC DOT Plazas, Shared Streets, Slow Streets, Open Streets, and other public spaces on NYC DOT property. Public spaces receiving services by way of this contract are Plazas, Open Streets, Shared Streets, or other public spaces that are in an area with an insufficient amount of open space, that fall within a Streets Plan Priority Investment Area, and that endure a significant amount of pedestrian and bicycle traffic. Some locations may have partner organizations that may be formal or informal community entities that manage or program a public space and have limited organizational capacity, are all volunteer or have a small staff size, and/or a small board of directors.

B. Anticipated Contract Term

The initial term of the contract awarded through this Request for Proposals (RFP)¹ (the “Contract”) shall commence upon the date indicated in NYC DOT’s Notice to Proceed to the Contractor. The initial proposed Contract term shall be for a 1,095 consecutive calendar day period and may be renewed, at NYC DOT’s sole discretion, for one additional 1,095 consecutive calendar day period.

C. Anticipated Payment Structure

It is anticipated that the payment structure for the Contract will be based on an hourly rate per employee inclusive of overhead and profit, direct costs paid at cost and subject to an overall “not-to-exceed” amount and agreed upon deliverables. However, NYCDOT will consider proposals to structure payment in a different manner and reserves the right to select any alternative payment structure that is in the City’s best interest.

The anticipated maximum available funding will be \$27.00 million over the initial three years of the Contract. Under no circumstances shall the Contractor construe the maximum contract amount as an expectation of future business. NYC DOT reserves the right to increase or decrease available funding at any time.

D. Public Spaces

Open Streets

New York City’s Open Streets program transforms streets into public space open to all. These transformations allow for a range of activities that promote economic development, support schools, and provide new ways for New Yorkers to enjoy cultural programming and build community. Open Streets may operate as limited local access streets or full closures, disallowing any non-emergency vehicle access during operating hours. Access is limited and slow speeds are encouraged on limited local access streets using traffic control devices and/or calming measures, (e.g., signage, and markings, use of distinctive materials, furnishings, plantings, and other visual cues) in the roadway. NYC DOT works with community-based organizations, schools, and groups of businesses to execute Open Streets citywide. Sites can vary widely in size and scale, as well as operating hours and schedule.

Slow Streets

¹ A note about terminology: In PASSPort, the City’s online procurement platform, an RFX is synonymous with the solicitation released to vendors. An RFX can be a Request for Proposals (RFP, as in this instance), an Invitation for Bids, a Request for Information, Request for Quotes, etc. Every RFP is an RFX, but not every RFX is an RFP. Strictly speaking, RFX is a more comprehensive, inclusive term than RFP, in that it refers to the electronic location of the RFP document and all exhibits, attachments and appendices thereto. The RFP and its attachments are located in the “Documents” section of the RFX. Other tabs of the RFX (e.g., the “Questionnaire” tab) display the questions to which the vendor must respond, information it must provide and affirmations it must make.

A Slow Street is a type of street that is designed as a pedestrian and cyclist priority street where motor vehicles are encouraged to drive five miles per hour. Slow speeds are encouraged through traffic control devices and/or calming measures, (e.g., signage, and markings, use of distinctive materials, furnishings, plantings, and other visual cues) in the roadway,) expanded pedestrian space for walking and gathering, and enhanced bicycle facilities and amenities. Examples of a slow street may include a Bike Boulevard or a Limited Local Access Open Street.

Shared Streets

A Shared Street is a type of street that is designed for slow travel speeds where pedestrians, cyclists, and motorists all share the right of way. Shared streets are typically implemented on low vehicle volume and/or high pedestrian volume streets where drivers of vehicles are encouraged to drive five miles per hour and the roadway portion of the street may be flush from building line to building line (i.e., no curb), separated by bollards or pedestrian amenities rather than the typical curb line grade separation. Slow speeds are encouraged through traffic control devices and/or calming measures, (e.g., signage, and markings, use of distinctive materials, furnishings, plantings, and other visual cues) in the roadway.

Pedestrian Plazas

A pedestrian plaza is a car-free area designated by NYC DOT for pedestrian circulation, use and enjoyment on property under the jurisdiction of NYC DOT including, but not limited to, property mapped as a public place or property within the bed of a roadway, and which may contain amenities such as tables, seating, trees, plants, lighting, bike racks, or public art. Access is restricted using a combination of operational materials (e.g., signage, and markings, use of distinctive materials) or through capital improvements raising the roadway to sidewalk level. Furnishings, plantings, and other amenities may also be present to enhance the space. NYC DOT works with selected organizations, plaza partners, to create neighborhood plazas throughout the city to transform underused streets into vibrant, social public spaces.

Other Public Spaces

Other types of public spaces include but are not limited to bike corrals, Street Seats, sidewalk extensions, and other pedestrian spaces that fall within NYC DOT's property. They may feature as part of any of the above-mentioned public spaces or function as stand-alone public spaces.

E. Services for Public Spaces

For the purposes of this contract "services" shall include both public space operations and public space management.

Public Space Operations includes but is not limited to:

- General maintenance - sweeping, cleaning, bagging trash, set up, breakdown, moving and adjusting planters, barricades, and gateways, and maintenance of public space amenities
- Basic repair and adjustments of public space amenities including locksmith services, plumbing and electrical services, and general make-safe services.
- Horticultural care including installation of initial plantings, seasonal replacements, weeding, watering, and ongoing care.
- Pest control including acute needs and prevention.
- Coordination with city and community stakeholders along with other operational services required to keep a public space in a state of good repair.

Public Space Management includes but is not limited to:

- Technical assistance provided to partner organizations or performed on behalf of public spaces where a partner is not present.

- Direct support to pursue grant opportunities from foundations and other private and public entities to enhance the operations and management of public spaces. Direct support includes seeking, writing, and submitting grant opportunities.
- Support for programming and related permitting
- Partner education and advocacy for public space overall, including working with NYC DOT on community planning and outreach initiatives for agency projects.

At its sole discretion, NYC DOT hereby retains the right modify the number and location of Open Streets, slow streets, shared streets, pedestrian plazas and other public spaces that receive services throughout the term of the contract.

SECTION II – SCOPE OF SERVICES AND MWBE REQUIREMENTS

A. Agency’s Assumptions Regarding Contractor’s Qualifications and Experience

The Contractor must demonstrate that it possesses the following successful experience:

1. In operation for a minimum of two full years;
2. Providing daily management and operational services including maintenance and horticultural care to public spaces in an urban environment;
3. Experience in facilitating workforce development programs including training, tracking, and successfully placing participants in gainful, full-time, employment preferred;
4. Delivering technical assistance to a wide variety of community based, non-profit, organizations on a broad range of topics in a variety of ways; and

B. Agency’s Assumptions Regarding Contractor’s Organizational Capability

The Contractor must demonstrate the following organizational capabilities:

1. Employ and manage an experienced staff that sufficiently understands the priorities, principles, and integrity of the NYC DOT’s Public Space programs as well as maintenance of public spaces, fundraising, and non-profit administration;
2. Consistently able to provide high-quality professional services;
3. Provide at least one but preferably more experienced Account Representatives as main points of contact throughout the term of the contract;
4. Execute some tasks under tight timelines, with the understanding that NYC DOT is not capable of making prepayments or rush payments; and
5. Employ administrative and financial management staff capable of submitting detailed billing packages for the contract and account with accuracy and efficiency, conforming to City requirements, and keeping careful track of receipts, expenses, and staff time.

C. Agency’s Assumptions Regarding Contractor’s Approach and Scope of Services

The agency’s assumptions regarding an approach that will best achieve the goals and objectives stated above are reflected in the following Scope of Services.

The following services will be provided by the Contractor – on an agreed upon deliverable basis – including, but not limited to:

1. Public Space Operations

i) Public Space Operations Managers

- (a) Provide Public Space Operations Managers sufficient in number that will have full-time managerial oversight, community relations, maintenance and repair responsibilities, and on-site presence to specific public spaces (Open Streets, Slow Streets, Shared Streets, Pedestrian Plazas, and other public spaces). Managers may have oversight of more than one public space and can be assigned to spaces based on borough or other geographic efficiencies. However, some of the largest size spaces will require a dedicated, full-time, manager with appropriate management staff to support. Managers will perform but not be limited to the following tasks:
- (i) Oversee and conduct set up, breakdown, adjustment, and ongoing management of public space amenities that may include barricades, gateways, moveable furniture, umbrellas, planters, and other amenities;
 - (ii) Direct scheduled maintenance crews, NYC DOT contractors, and other staff in provision of daily maintenance and operational services, repair services and emergency services as needed;
 - (iii) Direct service providers on basic repairs and adjustments of public space amenities including locksmith services, plumbing and electrical services, and general make-safe services;
 - (iv) Provide sweeping, cleaning, power washing, and other incidental maintenance tasks as needed;
 - (v) Assist with set up, maintenance, breakdown, and coordination of events;
 - (vi) Monitor public spaces and immediately document and report emergencies or extraordinary issues to The Contractor, Public Space Partners, and NYC DOT;
 - (vii) Daily documentation of conditions, operations, and community feedback via 24/7 on-line accessible database and must include:
 - Daily photos and brief report on all activities filed with local partner and NYC DOT on key tasks completed, issues/concerns, successes/challenges;
 - Confirmation of NYC DOT contractor services provided as directed by NYC DOT;
 - Documentation of ADA Access requests and response for locations determined by NYC DOT;
 - Managers and other field employees must have access to mobile technology (tablets, cell phone, etc.) with a reliable, high-speed internet connection to complete above tasks in the field;
 - Documentation must include frequent, high-quality photos and videos of all conditions;
 - (viii) Liaise with Public Space Partners, Contractor, City Agencies, State Authorities, and NYC DOT keeping all relevant parties informed of public space operations and issues;
 - (ix) Assist in the facilitation of surveys and other public outreach;
 - (x) Attend meetings which may sometimes occur outside of regular working hours with DOT and other stakeholders to discuss management issues and opportunities;
 - (xi) Provide community outreach support and notifications to the general public and stakeholders about basic project goals, operations and special events and other activities.

ii) ADA Access Management

- (i) Manage and maintain a call center and online request form or email address to facilitate requests for ADA Access on Limited Local Access Open Streets as determined by NYC DOT;
- (ii) Call center staff will screen callers and communicate with field crews to move barricades in a reasonable time frame;
- (iii) Access requests may be both scheduled in advance or solicited in real time;
- (iv) Deployed field crews must document response time, details to be determined by NYC DOT.

iii) Properly Equipped Cleaning Crews

- (a) Crews must employ enough staff to provide all listed services on a regular and predictable schedule or on an ad-hoc basis, and in a timely fashion;

- (b) Crews must be equipped with standard set of equipment on-hand, including, brooms, dust pans, hoses, trash bags and other cleaning supplies;
- (c) Crews must also have access to heavy duty cleaning equipment including but not limited to mechanical brooms, power washers, leaf blowers, etc.;
- (d) Use of cargo bikes, bikes, and other maintenance vehicles scaled to pedestrian and bike facilities are strongly encouraged and may be required for some locations.

iv) Regular Scheduling and Reporting

- (a) For each public space, a specific schedule for all services provided and procedures for securing all Amenities, will be established in coordination with NYC DOT and Public Space Partners. Please reference section 1 for descriptions of Public Spaces;
- (b) Report any theft, loss of Amenities and significant damage to public spaces to NYC DOT in writing with appropriate high-quality documentation (photos, video, etc.) immediately;
- (c) Provide a maintenance crew of at least two employees to manage moveable Amenities as well cleaning before, during, and after NYC DOT and partner sponsored events;
- (d) Create and maintain computerized records of daily maintenance activities. Records should include but not be limited to:
 - (i) Daily shifts, number of employees on site, activities conducted, overall maintenance conditions, extraordinary circumstances encountered, and steps taken to resolve those circumstances;
 - (ii) Reports should be available in a secure, password protected, on-line application so they can be accessed and viewed by NYC DOT as needed and downloadable in a .csv or equivalent file;
 - (iii) Reports must include multiple high-quality photos and videos of public space conditions;
 - (iv) Upon NYC DOT's request, the Contractor must provide electronic summaries based on a variety of parameters. These reports may include but will not be limited to information on specific services provided across a variety of public spaces, quantities of trash removed from a given space or spaces, quantity and number of plantings, etc.

v) Site Setup/Breakdown, Daily Cleaning and Event Support

- (a) Provide a properly sized and well-equipped maintenance crew that will conduct the following services:
 - (i) Setup, monitoring, and adjustment of movable barricades and/or other street closure treatments (gateways), moveable furniture (including assembly), planters, umbrellas, and other plaza amenities (together the "Amenities");
 - (ii) Daily sweeping;
 - (iii) Bagging of trash and placement for pick up;
 - (iv) Wiping down amenities daily using a soft cloth with mild detergent and clean water;
 - (v) Securing amenities at the end of the day;
 - (vi) Making basic repairs to amenities;
 - (vii) Keeping planters, tree pits, storm drains, etc. free of debris;
 - (viii) Surface level maintenance of artwork and other design amenities;
 - (ix) And other typical maintenance tasks as needed;
- (b) Provide maintenance services in support of NYC DOT or Community Partner sponsored events including, but not limited to:
 - (i) Sweeping, cleaning, and managing trash before, during, and after events;
 - (ii) Set up, breakdown, and securing seating and other event amenities including adjustment and restoration of planters and other amenities Monitoring event set ups to preserve pedestrian circulation and safety;
 - (iii) High quality photo and video documentation with photos and videos made available to NYC DOT within 12 hours following any event;
 - (iv) Event support services may be required on nights, weekends, and holidays.

vi) Emergency, Holiday, and Incidental Cleaning Services

- (a) A maintenance crew must also be available for unpredictable/emergency maintenance issues that may arise over the course of the contract due to weather events, significant vandalism, and other circumstances. Crews must be available to respond to emergency situations within 4 hours' notice;
- (b) A maintenance crew must also be available 365 days a year, including these holidays: New Year's Day (observed), Martin Luther King Jr.'s Day, President's Day, Memorial Day, Juneteenth (observed), Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas Day (observed). On these holidays, only a small subset of sites will be active and need operations services;
- (c) Such additional maintenance crews shall be available on short notice to secure hazardous situations, resolve maintenance issues, and repair and/or restore public spaces to a state of good repair expeditiously;
- (d) Crews must have the ability to board up broken glass, cut and/or replace locks, turn on/off water and power supplies on an as needed basis;
- (e) Crews must have the ability to manage biohazardous waste removal including but not limited to the removal of needles, blood, urine, feces on an as needed basis;
- (f) When not responding to emergency calls or supporting events, these crews may be used to provide supplemental maintenance services to all spaces in this contract on a rotating schedule;
- (g) On an as needed basis in emergency scenarios vendor may be responsible the following services at the direction of DOT:
 - (i) Snow and ice removal
 - (i) NYC DOT will provide specific timelines for snow and ice removal and direct vendor to utilize equipment that will not damage public space surface;
 - (ii) Waste Hauling
 - (i) On an as needed basis, the contractor may be required to schedule trash pick up at predetermined locations as directed by NYC DOT.

vii) Horticultural Care

- (a) On an annual basis for each public space, provide an assessment and plan for the initial replacement of existing plantings, seasonal plantings, weekly care and replacement;
- (b) Initial replacement plantings for Public Space planters shall include:
 - (i) Sufficient base gravel inert material for up to six (6) inches at the bottom of the planters;
 - (ii) Landscape material, then a mixture of soil that is one (1) part loam one (1) part compost (organic matter);
 - (iii) Planted with four (4) plants that are mostly hardy and not maintenance intensive;
 - (iv) Plants shall be a variety of types and size with at least one larger, minimum two (2) to three (3) foot, plant and in some cases trees; and
- (c) The Contractor will be responsible for placement, movement and maintaining planters in their approved locations;
- (d) On a quarterly (4) basis for each location, each planter shall receive new seasonal plants and top soil;
- (e) On a regular and as needed basis for each public space, each planter shall receive the following care:
 - (i) Weeding
 - (ii) Pruning
 - (iii) Watering (as appropriate)
 - (iv) Tree Pit and Planting Strip Maintenance
- (f) A list of native and hardy plantings can be found in NYC DOT Street Design Manual Plant Finder and NYC DPR Native Plan Guide, however alternate plants may be proposed;
- (g) Upon notice from NYC DOT or the public space partner for each public space of dead, stolen or damaged plants, the Consultant shall within two (2) days provide temporary replacement plantings or decorative solutions and within ten (10) days, from such notice, provide equivalent full replacement plantings as appropriate based on time of year;
- (h) Plant maintenance plans must include a composting option for discarded plant materials.

i) Pest Control

- (a) Develop and execute a rat mitigation plan for locations with significant rat infestations
 - (i) Such a plan will include, but not be limited to, baiting, burrow disturbance, and other preventative measures;
- (b) On an as needed basis, provide a plan and services for pest control including but not limited to, mice, insects, and other pests.

ii) Power Washing

- (a) For plazas, at least two times a month in the warm weather season, each plaza shall be power washed. Pressure and cleaning agents should be appropriate to specific plaza surface, albeit pavers, asphalt, concrete, epoxy gravel, etc.;
- (b) Power washing services must be available for urgent/emergency issues, project site preparation, and other needs in all public spaces on an as needed basis.

iii) Work Force Development Option

- (a) Where possible, leverage a workforce development model that provides pathways to meaningful employment for vulnerable populations;
 - (i) Collaborate with City agencies and non-government organizations to source labor for a variety of positions;
 - (ii) Provide adequate supplies and sufficient work force training to assist individuals with finding long-term gainful employment;
 - (iii) Track participant progress through the program and report annually.

2. Public Space Management

i) Dedicated Grant Writing and Support Services

- (a) Provide a team of dedicated development staff with proven experience in grant writing and fundraising for public spaces in an urban environment that will
 - (i) Consult and advise Partners on best practices in fundraising for their public spaces including but not limited to:
 - (i) Crowd sourcing options
 - (ii) Community level grants
 - (iii) Foundation and private entity support, and
 - (iv) Sponsorships
 - (ii) Assist with and in some cases write grants on behalf of Community Partners;
- (b) Identify and support efforts to leverage Workforce Development Opportunities for the operations and management of public spaces;
 - (i) Accessing funding related to workforce development opportunities that increases and enhances trainee participation, support services, trainings, and future job placement;
- (c) Regularly attend meetings with partners, agency officials, funders, and others to update on and promote fundraising activity.

ii) Public Space Advocacy, Partner Recruitment, and Technical Assistance

- (a) A dedicated technical assistance staff sufficient in number to provide consistent service to partners to assist and train them in:
 - (i) Navigating city permitting systems;
 - (ii) Supporting maintenance, programming, and event planning/scheduling;

- (iii) In coordination with NYC DOT, work with partners to develop community outreach strategies that encourage community involvement in transportation and public realm project development;
- (b) Host at least four partner events a year, convening all public space partners in an accessible forum to share best practices, address issues related to public space management, and learn about other resources;
- (c) Provide guidance and support for survey creation and facilitation, including working with field staff to facilitate surveys, in collaboration with NYC DOT and Partners;
- (d) Promotion of NYC DOT public spaces:
 - (i) Develop digital and social media outreach strategies and content to promote NYC DOT public spaces and program development;
 - (ii) Devise strategies for press and publicity of public spaces on the local level and on a city-wide scale;
 - (iii) Maintain a database of high-quality, publication ready, photographs that showcase various aspects of all the spaces managed through this contract;
- (e) Introduce public space partners to NYC DOT and other City programs that can enhance and activate public spaces;
- (f) Promote job opportunities to partner organizations and at public space events;
- (g) Track program metrics and partner organization performance, and create quarterly progress reports shared with Grant Writing and Support Services Specialists, NYC DOT, and partner organizations.

D. Modification

NYC DOT reserves the right to make minor modifications to the Scope of Services for the Contract resulting from this RFP. Such modifications may include, but are not limited to, assignment to the Contractor of programmatic tasks not previously specified but within general parameters of the RFP. Payment for completion of these tasks will be made at the hourly rate per employee basis specified in Attachment C-1.

E. M/WBE Participation

If the contract resulting from this Request for Proposals will be subject to M/WBE participation requirements under Section 6-129 of the Administrative Code of the City of New York, as indicated by the inclusion of Schedule B – M/WBE Utilization Plan (Attachment B) and the Participation Goals indicated in Part I thereof, proposers must complete the Schedule B – M/WBE Utilization Plan and submit it with their proposal. Please refer to the Schedule B – M/WBE Utilization Plan and the Notice to All Prospective Contractors (Attachment B) for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms. If the proposer intends to seek a full or partial waiver of the Participation Goals on the grounds described in Section 10 of the Notice to All Prospective Contractors, including but not limited to, proposer’s intention to use its own forces to perform any or all of the required contract work would result in a failure to attain the Participation Goals, the proposer must request and obtain from the Agency a full or partial waiver of the Participation Goals (M/WBE Utilization Plan, Part III) in advance of proposal submission and submit the waiver determination with the proposal. Please note that if a partial waiver is obtained, the proposer is required to submit a completed Schedule B-M/WBE Utilization Plan based on the revised Participation Goals in order to be found responsive.

F. Compliance with Local Law 34 of 2007

(Doing Business Data Form)

Pursuant to Local Law 34 of 2007, amending the City’s Campaign Finance Law, the City is required to establish a computerized database containing the names of any “person” that has “business dealings with the city” as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, vendors responding to this solicitation are required to complete the Doing Business Data Form in PASSPort with when they are submitting their proposal. Organizations which hold 10% or more ownership of the entity must now be reported. Beginning in January 2018, an entity must submit a DBDF that certifies whether one or more organizations own or control 10% or more of the entity. Until such a DBDF has been received by

Doing Business Accountability, a DBDF submitted with a filing status of No Change will not be accepted. To determine if Doing Business Accountability has received such a certification from your entity, contact doingbusiness@mocs.nyc.gov or at 212-788-8104.

G. Compliance with the Iran Divestment Act (Questionnaire Section)

Pursuant to State Finance Law Section 165-a and General Municipal Law Section 103-g, the City is prohibited from entering contracts with persons engaged in investment activities in the energy sector of Iran. Each proposer is required to complete the attached Bidders Certification of Compliance with the Iran Divestment Act, certifying that it is not on a list of entities engaged in investments activities in Iran created by the Commissioner of the NYS Office of General Services. If a proposer appears on that list, the Agency/Department will be able to award a contract to such proposer only in situations where the proposer is taking steps to cease its investments in Iran or where the proposer is a necessary sole source. Please refer to Attachment for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <http://www.ogs.ny.gov/About/regs/ida.asp> for additional information concerning the list of entities.

H. Compliance with HireNYC Reporting Requirements (Documents Section)

The Hiring and Employment Rider shall apply to contracts valued at \$1 million or more for all goods, services and construction except human services contracts that are subject to the Public Assistance Hiring Commitment Rider. The Rider describes the Hire NYC process and obligations, including reporting requirements throughout the life of the contract. The Hire NYC process requires contractors to enroll with the Hire NYC system within thirty days after the registration of the contract subject to this solicitation, to provide information regarding all entry to mid-level job opportunities arising from this contract and located in New York City, and to agree to interview qualified candidates from HireNYC for those opportunities. The Rider also incorporates reporting requirements unrelated to HireNYC

I. Prevailing Wage Requirements (Documents Section)

Any work within the scope of services of this contract involving construction trades will require compliance with NYS Labor Law 220 as to the construction trade work. Any work within the scope of services of this contract involving building service occupations will require compliance with NYS Labor Law 230 as to the building services work. The provisions of the NYC Living Wage Law [Admin Code 6-109] will apply to any work within the scope of services of this contract in any of the applicable areas of employment: day care services, food services, Head Start services, homecare services, services to persons with Cerebral Palsy, building services and temporary services. When federal funding is utilized for this contract any work involving construction trades would also be subject to the requirements of the US Davis- Bacon Act. When federal funding is utilized for this contract any work involving service occupations may be subject to the US McNamara-O'Hara Service Contract Act.

J. Procurement and Sourcing Solutions Portal (PASSPort) Disclosure Filing (formerly known as Vendor Information Exchange System (VENDEX) Forms or Certificate of No Change)

All organizations intending to do business with the City of New York should complete an online disclosure process to be considered for a contract. This disclosure process was formerly completed using Vendor Information Exchange System (VENDEX) paper-based forms. In anticipation of awards, respondents to this RFP must create online accounts in the new Procurement and Sourcing Solutions Portal (PASSPort) and file all disclosure information. Paper submissions, including certifications of no changes to existing VENDEX packages will not be accepted in lieu of complete online filings. For more information about PASSPort, please visit <https://www1.nyc.gov/site/mocs/systems/about-go-to-passport.page>

K. Responding to the Request for Proposals

This RFP is released through PASSPort, New York City’s online procurement portal. Responses to this RFP must be submitted via PASSPort. To access the RFP, vendors should visit the PASSPort public Portal https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public To quickly locate the RFP, insert the EPIN, 84122P0017, into the Keyword search field. In order to respond to the RFP, vendors must create an account within the PASSPort system if they have not already done so. Vendors are strongly encouraged to review the materials under the category “Finding and Responding to RFx (Solicitations)” at the following Mayor’s Office of Contract Services (MOCS) weblink: <https://www1.nyc.gov/site/mocs/systems/passport-user-materials.page>

Any inquiries concerning this RFP should be directed by email, under the subject line “ Public Space Management RFP” to the email address of the Authorized Agency Contact, David Maco, at dmaco@dot.nyc.gov or through the PASSPort communication function. Questions/inquiries must be submitted by 5:00 PM (E.S.T) on the “questions due date” indicated on the View RFx tab.

SECTION III – PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. EVALUATION PROCEDURES

All proposals accepted by DOT will be reviewed to determine whether they are responsive or non-responsive to the requirements of this RFP. Proposals that are determined by the Agency to be non-responsive eliminated from further consideration. An Evaluation Committee (EC) consisting of five members will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below.

1. Proposal Response to the Questionnaire) Evaluation Criteria

Proposal (Response to the Questionnaire) Evaluation Criteria		Maximum Available Percentage
1.	Demonstrated Quantity and Quality of Successful Relevant Experience	15%
2.	Demonstrated Level of Organizational Capability	25%
3.	Quality of Proposed Approach	40%
4	Price	20%

- a) In order to establish the evaluation ranking, the ratings by the evaluation committee members of the Questionnaire portion of the response to this RFx will be added and averaged for each proposing firm. If a proposal from a New York City or State Certified M/WBE meets or exceeds the minimum threshold such proposal shall receive a quantitative preference of 10% of the total technical points earned by that M/WBE in the evaluation of its proposal. Upon completion of the evaluation of the proposals, proposers will be ranked in descending order of scores of proposers’ response to the Questionnaire of this RFx.

- b) Based on these rankings, a “short-list” will be established of only those proposers who submitted highly relevant and technically viable proposals with relevant and adequate qualifications, experience, overall project understanding, approach and demonstrated level of organizational capability in all project areas. A “short-list” of only those proposers who submit proposals which have scored 70% or higher (that is, a

minimum of 3.50 out of 5.00), will be established. Proposers not included on the “short-list” will not be further considered. DOT reserves the right to limit the number of firms shortlisted.

- c) DOT reserves the right to conduct site visits and/or interviews and/or to request that proposers make oral or visual presentations in support of their proposals or to exhibit or otherwise demonstrate or clarify the information contained in their proposals. Subsequent to any such presentations, the Evaluation Committee will have the opportunity to revise their scoring in accordance with the above-noted criteria.
- d) In the event that DOT has chosen to negotiate a fair and reasonable price with the highest ranked proposer, if such a fee is not successfully negotiated, DOT may conclude such negotiations, and enter into negotiations with the next ranked proposer(s), as necessary.
- e) Although discussions may be conducted with proposers submitting acceptable proposals, DOT reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the proposer’s initial proposal should contain its best programmatic and Price terms.

2. Evaluation of Price/Fee Proposal

- a. A price/fee proposal is included of the Questionnaire tab of this RfX, which includes a detailed explanation of how it will be scored.

L. BASIS FOR CONTRACT AWARD

Subject to successful negotiation of contract terms, the Contract will be awarded to the responsive and responsible Short-listed Proposer scoring the highest final technical score and whose proposal is determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria which are set forth in this RFP.

In the event that DOT has chosen to negotiate a fair and reasonable price with the highest ranked Short-listed Proposer, if such fees are not successfully negotiated, DOT may conclude such negotiations, and enter into negotiations with the next ranked Short-listed Proposer(s), as necessary.

SECTION IV – GENERAL INFORMATION TO PROPOSERS

- L. **Complaints.** The New York City Comptroller is charged with the audit of contracts in New York City. Any proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 1005, New York, NY 10007; contract@comptroller.nyc.gov, or at (212) 669-2323. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.
 - L. **Applicable Laws.** This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-0010 or at <https://www1.nyc.gov/site/mocs/legal-forms/procurement-policy-board-ppb-rules.page>
 - L. **General Contract Provisions.** Contracts shall be subject to New York City's general contract provisions, in substantially the form that they appear in "Appendix A—General Provisions Governing Contracts for Consultants, Professional and Technical Services" or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency's general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.
 - L. **Contract Award.** Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.
 - L. **Proposer Appeal Rights.** Pursuant to New York City's Procurement Policy Board Rules, proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency's determination regarding the solicitation or award of a contract.
 - L. **Multi-Year Contracts.** Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the contractor's performance is not satisfactory. The Agency will notify the contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the contractor will be reimbursed for those costs, if any, which are so provided for in the contract.
 - L. **Prompt Payment Policy.** Pursuant to the New York City's Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.
- H. Prices Irrevocable.** Prices proposed by the proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.
- L. **Confidential, Proprietary Information or Trade Secrets.** Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.
 - L. **RFP Postponement/Cancellation.** The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.
 - L. **Proposer Costs.** Proposers will not be reimbursed for any costs incurred to prepare proposals.
- L. PassPort Fees.** Pursuant to PPB Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the PassPort system, including the Vendor Name Check Process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The contractor shall also be required to pay the applicable fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350. The estimated value for each contract resulting from this RFP is estimated to be (above \$1million).

M. Charter Section 312(a) Certification. [IF APPLICABLE]

X The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not result in the displacement of any New York City employee within this Agency. See attached Displacement Determination Form.

_____ The Agency has determined that the contract(s) to be awarded through this Request for Proposals will result in the displacement of New York City employee(s) within this Agency. See attached Displacement Determination Form.

_____ The contract to be awarded through this Request for Proposals is a task order contract that does not simultaneously result in the award of a first task order; a displacement determination will be made in conjunction with the issuance of each task order pursuant to such task order contract. Determinations for any subsequent task orders will be made in conjunction with such subsequent task orders.

Message from the New York City Vendor Enrollment Center
Get on mailing lists for New York City contract opportunities!
Submit a NYC-FMS Vendor Application – Call 212/857-1680

Message from New York City's Department of Small Business Services

The Department of Small Business Services (SBS) offers One-on-One Technical Assistance to businesses that are interested in bidding on City contracts for the following goods and services: construction, construction related, standardized and architectural and engineering. If you plan on bidding on this or any other City contract, contact SBS to schedule an appointment. The Department of Small Business Services will meet with you to review your particular proposal or submission, and provide feedback and guidance to help you submit the best proposal possible.

To schedule One-on-One Technical Assistance, email techassist@sbs.nyc.gov and an SBS representative will contact you.

Appendix

The appendix includes photos and descriptions of various DOT public spaces. These are for reference only and do not represent the totality of public spaces and amenities that will require services - NYC DOT will work with the Contractor to determine the specific operations and management services provided to each location.

Sharon Street Bike Corral, BK



Approx Area Range: 200 – 800 ft²
2 planters

Sharon Street Open Street Traffic Calming “Hugs”, BK



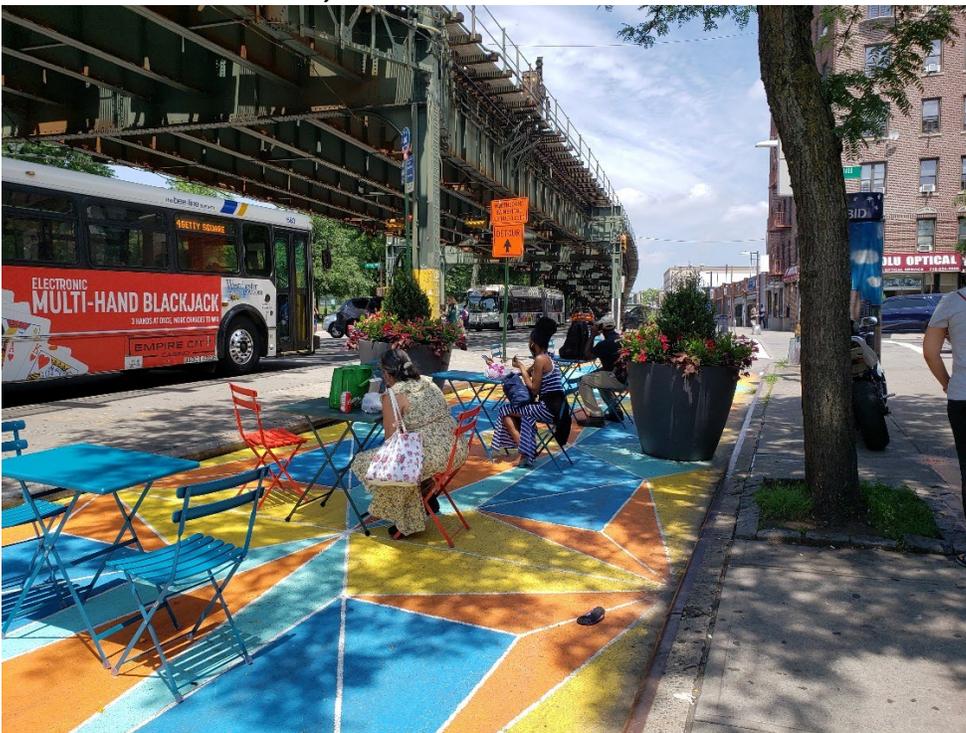
Area: Varies – clusters typically found in corridors
2 planters
1 Granite Block, 5 flex delineators

Patchen Street Seat, BK



Area: 2,200 ft²
10 planters
5 tables, 15 chairs

Jerome Avenue Street Seat, BX



Area: 1,100 ft²
8 planters
6 tables, 18 chairs
Painted mural surface

31st Avenue Open Street, QN



- 2 blocks in length
- 16 planters
- 16 metal barriers w/ signage
- 5 tables, 15 chairs

34th Avenue Open Street w/ Plazas and Shared Streets, QN



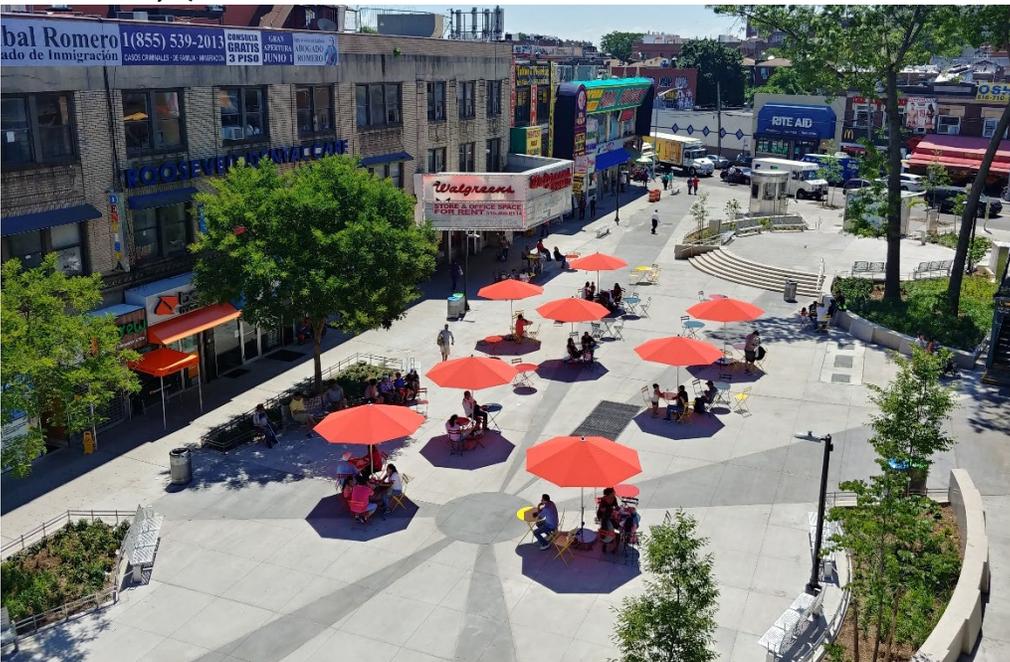
- 26 blocks, 1.3 miles in length
- 5 plaza blocks (area: 65,200 ft²), 21 Open Street blocks
- 223 movable planters
- Granite blocks
- DOT standard light poles and bike racks
- 32 tables, 96 chairs
- 50 metal barriers

Hillel Plaza, BK



- Area: 7,000 ft²
- 22 planters
- 20 tables, 60 chairs
- Granite blocks
- DOT standard light poles and bike racks

Corona Plaza, QN



- Area: 27,200 feet²
- 6 in ground planters w/ metal planter rails
- Granite seat walls and steps
- 26 tables, 72 chairs, 8 umbrellas
- Waste and recycling receptacles
- DOT standard benches, light poles, and bike racks
- 1 fixed metal storage column