

Clinton Market Collective Project - Request for Proposals

Frequently Asked Questions (updated 2.20.2020)

Are investors in Capitalize Albany eligible to participate?

Yes, any qualified firm is eligible to submit a proposal. Additionally, no preference in scoring will be given to investors as part of the proposal evaluation process.

Do you require an engineer to be the prime consultant?

The Respondent, combined with any subcontractors, must have the relevant knowledge, experience and capacity to perform the scope of work within the designated project timeline.

Who will own and maintain the park upon completion?

Capitalize Albany Corporation will retain ownership of the park. The selected Respondent will develop a business plan/operating model for the Clinton Market Collective. This work will include, but not be limited to, development of a preferred market/programming concept, market operator(s), estimates of ongoing operational costs, estimates for sources of revenue from the preferred programming concept, and the estimated economic impacts of the Clinton Market Collective. The plan should identify options to advance redevelopment; close financial gaps, minimize risk and subsidy; and suggest operating models and partners.

Is there an anticipated construction budget for the park?

Developing a cost estimate for the full redesign is a critical component of the current scope of work.

What is the funding source for this project?

This phase of the project is funded through the New York State Department of State.

What is your MWBE participation goal?

In keeping with requirements for funding from the New York State Department of State, Capitalize Albany Corporation shall be responsible for carrying out or causing to be carried out a program for providing for Equal Employment Opportunity (EEO) and Minority and Women-Owned Business Enterprise (M/WBE) participation in this project based on the requirements of the New York State Department of State. Capitalize Albany Corporation seeks to meet or exceed the goal of 30% total MWBE, and as such MWBE Respondents are encouraged to submit proposals.



Will there be an opportunity for approved firms admitted to the information session/webinar on February 13, 2020 to submit additional questions – in writing – after the meeting?

Yes, we will respond only to questions submitted to development@capitalizealbany.com, as possible, through February 26, 2020. Responses will be added to this “Frequently Asked Questions” document and added to our website at www.capitalizealbany.com.

How do I register and receive log-in information for the webinar?

Please respond directly to development@capitalizealbany.com before 12 pm EST February 12, 2020 to indicate interest in attending the webinar. Instructions and log-in details for the information session will be provided by 5 pm EST on February 12th, 2020 to all firms that have registered.

Will Capitalize Albany Corporation be providing a list of interested vendors or those that participate in the information session?

Based on multiple inquiries related to distribution of an interested parties list, the Corporation has decided to initiate a voluntary opt-in process for Consultants to request to be included on a list of interested vendors and/or opt in to receive the list of interested vendors that have consented to provide their information. The Corporation will not disclose information regarding any firm that has not previously opted into this at the time of distribution. This list will be distributed the week of February 17th.

What is the budget for the planning project?

The project as proposed for the NYS Downtown Revitalization Initiative was a \$1.9 million total project cost, inclusive of planning, design, and construction. \$1 million in funding was awarded by the State. The planning, design, and engineering project will need to be completed within a budget that is both financially prudent and fiscally responsible, given this information. See the response immediately following for additional information.

How much capital funding has been allocated for the construction of the project from DRI and other sources?

There is currently \$1 million in funding from the NYS Downtown Revitalization Initiative. Capitalize Albany intends to use the final design developed through this contract to provide a competitive proposal in the State’s Consolidated Funding Application (CFA) process in the early summer of 2020 to seek the additional resources necessary for the full buildout. As part of the scope of the contract, consultants may be requested to develop either a phased construction implementation or provide concepts for two buildout scenarios, one based off of current resources and one based off of current and anticipated resources.

Under Section 8, Item G of the RFP, are sub consultants required to maintain the insurance levels listed in the RFP?

The entity with whom Capitalize Albany Corporation executes a contract with is required to procure the insurance and indemnify Capitalize Albany Corporation, and that entity's insurance has to also cover the actions of its agents e.g. sub consultants.

Under Task H: Permits, can Capitalize Albany indicate the known permits that will be required for the project?

A building permit is needed before any general construction, repair, rehab, gutting, or other work may be done. Additional permits are required for specialized work such as electric or plumbing work which requires a license. At a minimum, a general building permit and a sign permit will be required for any construction on the site. Depending on the specific project elements proposed as part of the selected Respondent's design, other permits may be necessary and will be required as part of the scope. Please refer to the City of Albany Department of Buildings and Regulatory Compliance website or inquire with departmental staff if you have any questions about what permits may be required:

<https://www.albanyny.gov/Government/Departments/DivisionOfBuildingsAndRegulatoryCompliance/Forms.aspx>.

Could you please clarify the last sentence in Section 7 - Paragraph C on Page 5: *"The Respondent should provide detailed examples of each of the Respondent's proposed to be submitted under the proposed contract."*

Examples and/or description of the proposed deliverables addressing each of the required components in the Scope of Work must be included within the response.

Is it a goal of the Corporation that the project is cash flow positive on its own?

The Corporation does not anticipate debt service to complete construction. For the ongoing operations of the market on-site, it is absolutely the goal of the Corporation to be as efficient as possible. The Corporation has reviewed market concepts similar in nature, both within New York State and elsewhere in the nation, that have generated a larger economic impact to the community, beyond the cash flow to the project itself. However, as a small nonprofit planning to operate this new endeavor, getting as close to sustainable with the operating model is absolutely essential.

What time are the proposals due?

Proposals are due by 5 p.m. EST on February 28th, 2020.

From the date of contract execution, what is the total length of time allotted to complete design and construction documents?

Respondents are advised that Final Design is anticipated to be substantially complete three (3) months from contract execution. Construction Documents are anticipated to be completed within six (6) months from contract execution.

Is there room for schedule slide if the selected scope demands work that cannot be done within the proposed timeline? For instance, if a proposed design suggests some kind of excavation and buildout that requires a land survey and environmental testing or soil borings.

The timeline set forth within the RFP is intentionally aggressive. Capitalize Albany plans to submit an application for additional funding through New York State's Regional Economic Development Council Consolidated Funding Application (CFA) in the early summer; this funding round is highly competitive, and the Corporation will need sufficient detail regarding the design, operations, and budget of this project in order to submit a competitive application. All Respondents are encouraged to fully demonstrate their ability to complete the scope of work within the timeframe identified in the response above, to the best of their abilities.

However, Capitalize Albany would prefer any interested, qualified respondent teams to submit a proposal with a suggested revised timeline, rather than not submit a proposal at all. Please note that all proposed timelines will need to be considered reasonable, and timeliness may factor into the proposal evaluation process at the discretion of Capitalize Albany. Construction of this project must comply with timelines established by the Clinton Square Downtown Revitalization Initiative.

Given this site is the original Clinton Street roadbed, is there an expectation regarding historic significance and archeological impacts?

A thorough assessment of the site to identify potential environmental or other relevant impacts will need to be completed as part of the current scope of work, in accordance with the State Environmental Quality Review Act (SEQRA) and any applicable local, state, or federal laws, rules or regulations.

Where can the MWBE forms, referenced in Section F of the RFP, be found?

<https://www.dos.ny.gov/funding/mwbe/index.html>

Where can I find Schedule D Non-Collusive Bidding Certification?

Please review the document posted on our website. The Schedule D is included and required for submission: <https://capitalizealbany.com/news-events/2020/01/rfp-11-clinton-ave-park/>.

Does the Clinton Market Collective Project have a construction manager on board, or does Capitalize Albany intend on hiring one to oversee the project?

Please see page 3 of the RFP, the Respondent may propose additional services as a bid alternate to their proposal to assist with the construction phase of the project.

The survey provided is dated 2005 and labeled as “Preliminary”, title search and abstracts are recommended in the survey notes. Has the survey been finalized including the title search and abstract?

No, the survey provided from 2005 was completed to obtain a preliminary estimate of the cost for utility relocations necessary to build on the site. This survey has not been finalized, including the title search and abstract. This work, as well as any additional work required to inform the development scenario and make this project shovel ready, would need to be completed as part of the current scope of work.

Is there a potential that on-site utilities may be located within easements that have restrictions on improvements?

Yes, on-site utilities may be located within easements that have restrictions on improvements. In the prior preliminary evaluation of utilities, the following utilities were identified: the trunk sewer, identified as an elliptical 4-foot by 2-foot, 8-inch brick conduit, collects storm and sanitary flows along Clinton Avenue and immediately adjacent areas from as far west as Quail Street; the water transmission mains include large diameter pipes that provide significant flows to the downtown distribution systems; a 30-inch feeder main between the now dismantled Quackenbush Pump Station and the up-town Bleecker Reservoir is critical to maintaining adequate water service; and Verizon Communications reports that the underground facilities that they maintain through the site contain major facilities for multiple communication systems serving a regional area.

As part of the current scope of work, the Consultant team will need to complete fieldwork and additional work as necessary to identify all current on-site utilities, whether or not any restrictions exist on-site, and if so, the parameters of such restrictions. The selected Consultant team will need to use this information to creatively formulate potential design and operational solutions for the market concept.

Are proposed improvements expected/allowed to encroach into the public right-of-way?

This site should be designed, to the greatest extent possible, to accommodate the natural walking path of users and encourage pedestrians to utilize either the sidewalk adjacent or the park paths, depending on their destination. It is not our intention at this time to develop a design with encroachment into the public right of way. Some of the renderings provided in the webinar and RFP were provided as part of the NYS Downtown Revitalization Initiative and show artistic crosswalk treatments, gateway structures, and other design elements that are not included within the scope of this project. These improvements may be completed concurrently under a separate City of Albany DRI project.



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Are proposed plans for the adjacent Skyway available for coordination with this project?

Within the RFP and webinar, there are two renderings of various aspects of the Skyway completed as part of the preliminary design. Additionally, the preliminary design process involved public workshops that were documented extensively in the press. As such, there are additional renderings currently available online publicly. The Skyway preliminary design brief will be made available to the selected Consultant team.

Are there any constraints on the future project related to potential security concerns along the property line with the Federal Building? If so, is there information available from about those concerns and how they can be addressed?

Capitalize Albany recognizes the sensitivity of the proximity of the Clinton Market Collective project to the Federal Building and seeks to work cooperatively with our federal partners. Therefore, the scope of the current project may include, but not be limited to, coordination with building management and/or specific divisions/agencies contained in the building to address any potential security concerns, while also ensuring that the project continues to meet the goals of Capitalize Albany, the City of Albany, and the NYS Department of State.

A small portion of the lands listed NYSDOT as the owner (tax map 76.26-4-16). Is this still correct? If so, will NYSDOT have restrictions or require review/approval?

Staff is currently investigating this issue and will update this document if a response can be provided in a timely manner. If not, the current scope of work would include, but may not be limited to, further research and inquiries into this matter to identify all ownership interests and any current restrictions, as well as potentially coordinating with any involved entities as required to design and develop the market concept.

One of the notes in the bottom left of the survey seems to describe vehicular restriction to the project site, has this restriction been lifted?

Staff is investigating this issue and will update this document if a response can be provided in a timely manner. If not, the current scope of work would include, but may not be limited to, further research and inquiries into this matter to identify any current restrictions, as well as potentially coordinating with any involved entities as required to design and develop the market concept.

Is there an existing current survey and/or Geotech report ready to go once the project is authorized? If no, how do you want to procure such services, and how will it impact the schedule?

No, there is not a current survey and/or Geotechnical report available. This work must be included in the current scope of work as noted in Task A of Section 5: Scope of Work in the RFP. There will not be a separate procurement for such services; the Respondent team must be qualified and experienced in performing all of the required services as described in the RFP.



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Please clarify Task E: Environmental and Economic Impact Analysis in the Clinton Market Collective RFP under Section 5: Scope of Work, Phase 2 - Final Design, “the selected Respondent team must provide the Corporation with the necessary elements for assessing the environmental and economic impacts of the Project.”

The selected Respondent team (which may be comprised of a lead consultant and one or more sub consultants as needed) must include a firm(s) that is qualified and experienced in performing environmental and economic impact analysis.

Given the often challenging finances to maintain the ongoing operations of similar projects, the economic impact analysis is a particularly critical component of the current scope of work. The economic impact analysis will analyze the anticipated economic and fiscal impacts of the project on the City of Albany, Albany County, and New York State. This analysis should pay particular attention to quantifiable economic impacts, which may include but not be limited to, premiums to existing real estate value; resulting property tax revenues; tourism and retail sales benefits from increased downtown visitation; and/or enhanced local business and job creation and retention resulting from the project. This analysis should utilize market research, industry trends, and absorption rates/projections, as well as other relevant information, to analyze and interpret the data achieved through economic impact modelling software. This analysis will also describe and qualify other non-monetary benefit opportunities such as neighborhood connectivity and mobility, public health, and environmental benefits. The selected Respondent team will need to communicate the findings of the economic impact analysis in a format that is easily understood by various audiences.

Could you clarify whether both a Phase I and Phase II environmental site assessment (ESA) are part of the scope?

As the RFP states, survey of hazardous materials in the ground or on structures may include a Phase I and a Phase II assessment of the entire property, as required by applicable laws and regulations. Please note: the final project design must meet State environmental standards and satisfy the requirements of the State environmental Quality Review Act (SEQRA). The selected Respondent team shall prepare, or cause to be prepared, all documents necessary to comply with SEQRA through determination of significance. Within their responses to the current RFP, Respondents should prepare a scope of work and project budget that includes all assessments necessary for the project to satisfy all regulatory requirements and be shovel ready. The final scope of work will be determined as part of the contract negotiation process after contract award.

Will the entity awarded the contract have an opportunity to negotiate changes to the indemnification language in the RFP?

This will be determined as part of the contract negotiation process after contract award.