

Columbia University -Manhattanville May 20, 2014 Info Session Q & A

1. Q: Explain the distinction between the Declaration and the Community Benefits Agreement. Are there conflicting provisions?

A: The Declaration of Covenants and Restrictions is an agreement between CU and ESD, which includes the obligations described at length in the RFP. The Community Benefits Agreement (“CBA”) is a separate agreement between CU and a community-based organization called West Harlem Development Corporation (“WHDC”). ESD is not a party to the CBA. Pursuant to the CBA, CU provided funding for a number of community benefits, some of which overlap with the community benefits CU is providing to the community to satisfy its obligations under the Declaration. There are no conflicting obligations. However, to be clear, the GPP Monitor to be selected by ESD will monitor CU’s Declaration obligations and not the CBA.

2. Q: How much independent verification of the data CU supplies to ESD in its implementation plan reports (“IPR”) will the monitor be expected to perform. As an example, to verify participation in a summer internship program would the monitor be expected to contact listed participants to verify that they were awarded an internship?

A: The monitor is not to contact listed participants in any program. The monitor will be expected to verify reported information through records and data supplied by CU, some of which may be privileged or confidential and which may require traveling to CU offices to review files or records in confidence. The selected GPP Monitor will confer with ESD as to the need and process to obtain any further required verification.

3. Q: With respect to construction milestones monitoring, does ESD receive copies of the reports of NYC’s construction and environmental impacts monitor (FEIS Monitor)? Is the ESD monitor expected to do construction site visits and review the City monitor reports?

A: ESD’s monitor does not monitor construction means or methods or environmental impact issues. The City monitor is charged with these responsibilities. The ESD monitor may visit the site from time to time, by pre-arranged visits: however the ESD monitor’s responsibilities are to monitor construction milestone obligations described in the Declaration, primarily focused upon verifying permits, and reporting on CU’s performance in meeting progress and scheduling milestones.

4. Q: Explain the type of administrative services assistance the monitor is expected to provide.

A: In addition to reporting on its review of the IPR and other evidence of compliance supplied by CU, the monitor is expected to coordinate the arrangement of meetings it feels are required to properly report on CU compliance, present verifying documentation to ESD, assist ESD in responding to any Freedom of Information Law

requests and prepare any supplemental reports or memoranda ESD may request regarding compliance issues.

5. Q: Explain the MWL obligations? What areas are included in “local”?

A: CU has goals of 35% M, W, or L for construction contracting and 40% M, W or L for workforce hiring. The percentage goal can be met with all or any combination of the three categories. ESD and CU have been working to incorporate within those parameters, Governor Cuomo’s statewide goal of achieving a minimum of 20% of contracting opportunities to NYS Certified M/WBE’s. Local is defined as zip codes within the New York Empowerment Zone, which includes most of upper Manhattan above 96th Street as well as four zip codes in the Bronx.

6. Q: Can ESD offer guidance in how the monitor should estimate the number of hours to include in a proposal?

A: Including an hourly rate for all individuals who will be working on the project is helpful. CU will be issuing its reports semi-annually. It would be assumed that the monitor’s most intense efforts will be required in the weeks immediately following the issuance of CU’s IPR report.

7. Q: Is office space provided to the monitor since overhead cannot be included in a fee proposal?

A: No office space is provided.

8. Q: Where are the required documents for the appendices?

A: Links to the required documents are included on the RFP below the Table of Contents and below for quick reference.

Appendix I

ESD Standard Form Contract

http://www.esd.ny.gov/CorporateInformation/Data/RFPs/ScheduleA_May2012.pdf

Appendix II

MWBE/EEO Policy Statement

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_1MWBEEOPolicyStatement.pdf

Staffing Plan

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_2StaffingPlan.pdf

9. Q: To whom will ESD's GPP Monitor report?

A: The monitor will report solely and directly to ESD.

10. Q: What criteria will ESD use to grant waivers to CU in connection with CU's M/W/L business enterprise obligations? What will ESD consider as good faith effort?

A: ESD does not contemplate waiving CU MWL obligations under the Declaration. CU's 20% MWBE would be voluntary. See the link below for ESD definition of "good faith efforts".

http://esd.ny.gov/CorporateInformation/Data/RFPs/OCSD_4GoodFaithEfforts.pdf

11. Q: Is there a requirement to track and report prevailing wages?

A: No.

12. Q: Will ESD require MWBE reports to be submitted on the NYS contract monitoring system?

A: Not at this time.

13. Q: Is there any documentation required with the proposal, other than the 12 page submission?

A: See terms of RFP. The proposal is limited to 12 pages, excluding required forms and cover page, but including cover letter and resumes.

14. Q: Please provide a synopsis of ESD's payment process on this project.

A: ESD anticipates the GPP Monitor would bill monthly in arrears and be paid within approximately 30 days from ESD's receipt of invoice.