



Request for Proposal General Contracting Services

Battery Dance Company seeks proposals to provide general contracting services related to capital improvements to its facility at 380 Broadway 5th Floor, New York, New York, 10013.

Battery Dance Company
Jonathan Hollander, Artistic & Executive Director
Peggy Coleman, Managing Director

**Deadline for Responses:
November 1, 2006
Contact: Peggy Coleman, Managing Director**

Battery Dance Company is a New York State 501 (c) (3) not for profit institution

I. GENERAL INFORMATION

A. Mission of Battery Dance Company

Battery Dance Company (BDC) is dedicated to the pursuit of artistic excellence and the availability of the Arts to everyone. An integral part of the fabric of New York City for 30 years, BDC supports the creative process; educates children in the New York City schools; enriches the general public through local programs and performances, national and international tours, and international arts exchange programs.

In its Lower Manhattan home-base, equipped with two large studios, the Company provides subsidized rehearsal space for over 200 choreographers and dance companies each year in space-starved Manhattan.

B. Overview of Services Requested and the Submission Process

Battery Dance Company established its 5th floor loft studio space at 380 Broadway in Tribeca to provide performance and rehearsal facilities to dancers and dance organizations at a discounted rate in 1985. With intensive use over the past 21 years, deterioration has taken a major toll on the dance company's spaces requiring major renovation.

Battery Dance Company is seeking a contractor to perform general contracting services for interior renovations of the Company's 5th Floor rehearsal facility at 380 Broadway. Facility improvements will be made to the front office space, dressing rooms, and restrooms.

Battery Dance has available a fixed sum that can not exceed \$128,000 for the work done under this contract.

Funding for the renovation work is being provided by a grant from the Lower Manhattan Development Corporation (LMDC) which is funded by Community Development Block Grants from the U.S Department of Housing and Urban Development (HUD).

Firms submitting a proposal in response to this RFP may be required to give an oral presentation of their proposal to Battery Dance Company. This oral presentation may provide an opportunity for the firms to clarify or elaborate on the proposal but will in no way change the original submission. Battery Dance Company's request for an oral presentation shall not constitute acceptance of a proposal.

Proposals must be received no later than 5:00 PM EST, November 1, 2006. Work will be scheduled to begin on November 20, 2006 and be completed by January 31, 2007. In order to expedite the RFP process the GENERAL ADMINISTRATIVE REQUIREMENTS and the OUTLINE SCOPE OF WORK is made part of this document. The detailed construction PLANS AND AGREEMENT will be made available at the Battery Dance Company office on October 16, 2006. An inspection of the premises may be made at anytime convenient to the contractor by making an appointment with the Battery Dance Company.

All informational contacts and delivery of proposals are to be made with and to:

Battery Dance Company
380 Broadway
5th Floor
New York, NY. 10013
Attn: *Peggy Coleman*/ RFP
(212) 219-3910

Battery Dance Company reserves the right to reject any proposals submitted if such election is deemed to be in the best interest of Battery Dance Company. Battery Dance Company assumes no obligation, no responsibility and no liability for costs incurred by the responding firms prior to the issuance of a contract.

The current schedule for this effort is as follows:

October 4, 2006	RFP issued with administrative and outline construction information
October 16, 2006	RFP addenda with detail plans and specifications made available at the Battery Dance Company office
November 1, 2006	Responses Due
November 5, 2006	Contractor selected and agreement executed
November 20, 2006	Work begins
January 31, 2007	Work is completed

II. ANTICIPATED SCOPE OF SERVICES

Battery Dance Company is seeking one or more firms to supply general contracting services to assist in its 5th Floor Renovation project. Battery Dance requests proposals for firms to provide services including but not limited to the scope of work described generally below.

A. Scope of Project

The scope of work upon which your firm is invited to submit proposals includes general construction contracting services. Work will include but not be limited to interior trades such as flooring installation, security door installation, electrical work, plumbing, and wall and ceiling repairs to the facility including 1,300 sq foot front administrative office space, dressing rooms, toilets and storage. The work segments will include:

- Public and building protection
- Demountings and removals
- Cutting and patching
- Rough and finish carpentry
- Drywall construction
- Waterproofing and damp proofing
- Acoustic improvements
- Doors and hardware
- Toilet accessories

- Vinyl flooring
- Painting
- General plumbing, toilet fixtures
- General electrical work, lighting, switches power panels

III. SUBMISSION REQUIREMENTS

THE REQUEST FOR PROPOSALS

Proposals should provide a straightforward, complete and concise description of the firm’s capabilities to satisfy the requirements of the RFP. The interested candidates must submit their responses by mail only in sealed envelopes clearly marked on the outside with the words “contractor qualification”. Proposals must be received no later than 5:00 PM EST, Nov. 1, 2006. Deliver all proposals to:

Battery Dance Company
 380 Broadway,
 5th Floor
 New York, NY., 10013
 Attn: *Peggy Coleman*/ RFP
 (212) 219-3910

IV. SUBMISSION REQUIREMENTS

Please letter your responses exactly as the questions are presented herein. Please limit your submission to (20) one-sided pages, not including work samples, which must be included in a separate, bound, appendix. Interested firms are invited to submit proposals that contain the following information:

- A. *Experience, Structure, and Personnel*
 1. A history of the firm’s experience providing General Contracting Services to economic development organizations, municipalities, other governmental entities, private developers, not-for-profits and civic organizations.
 2. A description of the firm’s organizational structure, including resumes of the principals, project manager(s) and professional staff who would work directly with Battery Dance Company.
 3. Samples of up to five (4) major projects that the firm has completed in the areas of General Contracting Services. Include the client, the name of a contact person who is able to provide a reference, a description of the nature of the work, the size and complexity of the project, and the amount and the agreed fee arrangements.
 4. Any other information that you believe would make the firm’s work on behalf of Battery Dance Company superior to that of other firms or information about your firm’s specialty or particular skill to perform a specific requested service.
- B. *Fee*
 1. Total estimated firm fee for completion of the project, and whether the firm would be willing to agree to a cap.
 2. The normal hourly rate of each principal and staff member whose resume is provided or whose job category may be required, and the rate used in the proposal.
 3. A list of anticipated reimbursable expenses and the rate charged for each.

4. Any reduced fees offered to other municipalities, governmental entities, economic development or nonprofit organizations, and civic organizations.
5. Any other fees or charges.

NOTE: The fee proposal must be submitted in a separate, clearly marked, sealed envelope. The fees will not be opened until all proposals have been initially evaluated. Although proposed fees will be taken into account, Battery Dance Company reserves the right to negotiate a lower or different fee structure with any firm that is selected.

V. CRITERIA FOR SELECTION

In evaluating proposals submitted pursuant to this request, Battery Dance Company places high value on the following factors, not necessarily in order of importance:

- Approaches in methodology with respect to the anticipated scope of services that demonstrate maximum comprehension of and ability to provide such services to Battery Dance Company.
- Quality of work product as demonstrated in submitted work samples.
- Experience of the firm with comparable projects.
- Number, complexity, and nature of General Contracting handled by the firm.
- Conformity with or exceeding of applicable Battery Dance Company and LMDC policies as noted herein, including specific policies relating to nondiscrimination and affirmative subcontracting goals.
- Projected cost of services.

VI. INSURANCE REQUIREMENTS

Insurance and Bonds that the Contractor is required to provide. All Contractors' insurance policies shall name the Owner and the Architect and the Lower Manhattan Development Corporation as additionally insured.

- Workers' Compensation: to limits required by New York State Law
- General Liability: \$2,000,000
- Personal injury: \$1,000,000.
- Property damage: \$1,000,000

VII. CONTRACT TERMS AND REQUIREMENTS

The contents of the proposal prepared by the successful firms, with any amendments approved by Battery Dance Company, will become a part of the contract that is signed as a result of this RFP Process. The selected firms will be required to:

- Maintain accurate accounting records and other evidence pertaining to costs incurred in providing services, and on Battery Dance Company and LMDC request, to make such records available to Battery Dance and LMDC at all reasonable times during the contract period and for six (6) years after the date of the final payment to the firms under the contract.
- Assume sole responsibility for the complete effort as required by this RFP, and be the sole point of contact with regard to contractual matters.
- Refrain from assigning, transferring, conveying, subletting or otherwise disposing of the contract or its rights, titles or interest therein or its power to execute such agreement to any other person, firm, partnership, company, or corporation without the prior consent and approval in writing of Battery Dance Company.
- Comply with applicable law governing projects initiated or supported by LMDC, including all applicable HUD requirements and regulations.

Battery Dance Company reserves the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given to the firm at least thirty (30) days prior to such proposed termination date.

VIII. MISCELLANEOUS CONDITIONS

A. Obligation Only on Formal Contract

The issuance of this RFP, the submission of a response by any firm, and the acceptance of such response by Battery Dance Company do not obligate Battery Dance Company in any manner. Legal obligations will only arise on the execution of a formal contract by Battery Dance Company and the firm(s) selected by Battery Dance Company. Battery Dance Company’s formal contract will consist of more than one schedule and attachment, including one substantially in the form of the accompanying:

Attachment 1	“Schedule A”
Attachment 2	“LMDC Standard Business Back Ground Search Request”
Attachment 3	“Workforce Utilization Report”
Attachment 4	“MWBE Compliance Report”
Attachment 5	“Federal Labor Standards Provisions”
Attachment 6	“General Wage Decisions NY20030003”
Attachment 7	“U.S. Department of Labor Certified Payroll”

Battery Dance provides this form for informational purposes only and may amend its schedules from time to time. Responses to this RFP will be prepared at the sole cost and expense of the proposing firms. No materials submitted in response to this RFP will be returned.

B. Battery Dance Reservation of Rights

Battery Dance Company may (i) amend, modify, or withdraw this RFP, (ii) revise requirements of this RFP, (iii) require supplemental statements or information from any firm, (iv) accept or reject any or all responses hereto, (v) extend the deadline for submission of responses thereto, (vi) negotiate or hold discussions with any respondent and to waive defects and allow corrections of deficient responses which do not completely conform to the instructions contained herein, and (vii) cancel this RFP, in whole or in part, if Battery Dance Company deems it in its best interest to do so. Battery Dance Company may exercise the foregoing rights at any time without notice and without liability to any proposing firm or any other party for their expenses incurred in the preparation of the responses hereto or otherwise.

C. Nondiscrimination and Affirmative Action Policies

It is the policy of the State of New York, LMDC and as such Battery Dance Company to comply with all federal, state and local laws, policies, orders, rules and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability or marital status, and to take affirmative action in working with contracting parties to ensure that Minority and Women-owned Business Enterprises (“M/WBEs”), Minority Group Members and women share in the economic opportunities generated by LMDC’s participation in projects or initiatives, and/or the use of LMDC funds. As a subsidiary of ESDC, LMDC and its grantees follows ESDC’s non-discrimination and affirmative action policy will apply to any contract entered into as a result of this RFP. LMDC has established a 20% M/WBE participation goal for its entire redevelopment project. The selected firm(s) shall be required to use best efforts to provide for the meaningful participation of United States M/WBEs, Minority Group Members and women in the execution of this contract. A copy of each responding firm’s equal employment opportunity policy statement, Attachment 1 relating to the anticipated workforce to be utilized on the contract and Attachment 2 relating to the anticipated participation by M/WBEs as subcontractors, shall be included as part of the response to the RFP. The ESDC Affirmative Action Unit (“AAU”) is available to assist you in identifying M/WBEs certified by the State of New York that can provide goods and services in connection with the contract anticipated by this RFP. If you require M/WBE listings, please call the AAU at (212) 803-3224.

AFFIRMATION:

The respondent contractor to execute the following notarized statement:

I, _____
print name

as _____
print full legal title

of the _____
print full legal name of company

located at

print legal address

am familiar with and intend to comply with the letter and intent of this request for proposal.

signature

date

Corporate seal