

Nassau County Department of Public Works

Bay Park / East Rockaway Drainage Improvement Full Design

Pre-Proposal Conference and
Networking Session



Welcome

Introductions

- Sean Sallie, Planning Division Supervisor, Nassau County DPW
- Shelley Brazley, Acting Executive Director, Nassau County Office of Minority Affairs
- Alexander Meeks, Project Manager, Armand Corporation

Meeting Overview

- Sign-in sheets
- Background Information and Funding Source
- Technical Scope of Work
- CDBG-DR Funding Requirements
- Closing Remarks
- Questions and Answers
- Networking session for MWBE and Section 3 Businesses

Shelley Brazley Acting Executive Director Nassau County Office of Minority Affairs



Sean Sallie

Planning Division Supervisor

Nassau County

Department of Public Works



Background Information and Funding Source

NY Rising Community Reconstruction Program: CDBG-DR

- Nassau County has entered into a Community Development Block Grant - Disaster Recovery (CDBG-DR) Sub-Recipient Agreement (SRA) with the New York State Governor's Office of Storm Recovery (NYS GOSR).
- The SRA allows for the dispersal of CDBG-DR funds to the County for undertaking certain disaster recovery projects.
- One such set of projects is the Community Reconstruction (CR) Projects. CR projects were developed in collaboration with local communities to provide rebuilding and resiliency assistance.

Bay Park / East Rockaway Drainage 100% Design Services

- RFP was released 6/26; response due 7/26.
- Advance 30% Design Drawings to 100% Completion
 - Various Check Valve and Stormwater Treatment Device Installation
 - Lawson Avenue Drainage Improvement



Project Area Limits

Study Area

- Village of Bay Park
- Hamlet of East Rockaway (Town of Hempstead)



Scope of Work

- Based on the mitigation recommendations and solutions identified as part of the Bay Park / East Rockaway Drainage Improvement and Flood Protection Study, and as part of a subsequent Hydraulic / Hydrological Study and Drainage Report, Nassau County advanced certain projects to thirty (30) percent design. Plans and specifications for these projects are included in the RFP as Exhibit A.
- The County seeks a firm to advance existing thirty (30) percent design plans for these projects to complete, one hundred (100) percent design.
- The firm shall submit all permitting applications.
- The firm shall also provide construction administration services, alongside a separate construction management firm.

Scope of Work:

Various Check Valve and Stormwater Treatment Device Installation

- Currently, outfalls permit tidal surcharge to enter existing drainage system and flood adjacent roadways.
- To mitigate flooding, 30% design plans exist for the installation of eighteen (18) check valves at priority locations. Some installations shall include stormwater treatment devices.



Scope of Work: Lawson Avenue Drainage Improvement

- Due to lack of drainage capacity, frequent flooding occurs at low points along Lawson Avenue due to high tides, moon tides.
- To mitigate flooding, 30% design plans call for reconstruction of Lawson Avenue and perpendicular streets' drainage systems:
 - Increased pipe size
 - Greater number of drainage structures
 - Elimination of back-pitched pipes
 - Installation of new in-line check valve
 - Installation of pre-treatment system to mitigate debris
 - Installation of drainage grates
 - Repair and enhancement of bulkheads on two perpendicular streets



Scope of Work

- Identify all agencies having permitting jurisdiction over the project(s).
Typical permitting agencies consist of the following:
 - US Army Corps of Engineers
 - US EPA
 - NYS Department of Environmental Conservation
 - Federal State and Local Transportation permits, road opening permits, easement maps, etc.
 - Nassau County Fire Marshall
 - Nassau County Health Department
- Submit written responses to all County review comments.
- Make periodic site visits as necessary for a complete understanding of the system operation, as well as site visits as necessary during project execution.

Alexander Meeks Project Manager

CDBG-DR Funding Requirements



CDBG-DR Funding Requirements

- What is CDBG-DR?
 - Housing and Urban Development (HUD)
 - Community Development Block-Grant Disaster Recovery (CDBG-DR)
 - Governor's Office of Storm Recovery (GOSR)
- Subrecipient Agreement (SRA)
 - GOSR/Nassau County

Supplementary Conditions for Contracts

Supplementary Conditions for Contracts

Sub-Recipient Agreement between GOSR and Nassau County

- MWBE
- Section 3
- EEO
- Davis Bacon
 - only applies to construction projects
- Additional Civil Rights Obligations

Minority and Women Business Enterprises (M/WBE) Thresholds

- Contract value
 - >\$25,000 - Labor, services, equipment, materials, or any combination of the foregoing; OR
 - >\$100,000 - Real property renovations and construction
- GOSR MWBE Participation Goal
 - 30% (combined M/WBE) of the contract value
 - 15% MBE and 15% WBE
- MWBE Utilization Plan (UP)
 - submitted with bid or proposal
 - MWBEs must be NYS ESD Certified
 - Submit revised UPs each quarter

Minority and Women Business Enterprises (M/WBE) Thresholds

- Good Faith Effort (GFE) Log
 - If the MWBE percentages do not equal 15% MBE and 15% WBE the firm shall maintain a GFE log that is submitted quarterly.
- GFE Guidelines established by GOSR
 - Ensure that the GFE log includes detailed information on 17 steps that can be taken to demonstrate GFE
 - Documented in a log (Excel workbook)
 - Retain all back-up documentation (outreach, etc.) for entries noted in log
 - Is separate and outside of Elation Systems reporting

MWBE Outreach Strategies

- Outreach to MWBE subs can be accomplished by:
 - Complete a search and solicit MWBE firms on ESD's website
 - (<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp?TN=ny&XID=6478>)
 - Post procurement opportunities on Architectural and Engineering (A and E) or Planning Firm's website(s)
 - Advertise on the NYS Contract Reporter
<https://www.nyscr.ny.gov/>
 - MWBE's pending certification are also encouraged to bid

MWBE Outreach Strategies (cont.)

- Host “Meet the Prime” vendor outreach forums
- Nassau County Office of Minority Affairs
 - Shelley Brazley
 - dsbrazley@nassaucountyny.gov
 - 1 West Street, Room 325, Mineola, NY 11501
 - 516-572-2240
- Reach out to local MWBE or professional organizations (LIACC, PWC, WEDLI)

Section 3 Thresholds

Applies to Contracts and Subcontracts greater than \$100,000:

- At least 30% of total new hires should be Section 3 residents;

AND

- At least 10% of the total dollar amount of all Section 3 covered contracts for housing rehabilitation, construction, and other public construction should be granted to eligible Section 3 businesses;

AND

- At least 3% of the total dollar amount of all non-construction (e.g., professional services) contracts should be awarded to Section 3 businesses

Section 3 Certification (cont.)

Nassau County's Section 3 Plan

Approved by GOSR in January 2015

Available for review:

(<http://www.nassaucountyny.gov/1865/Public-Works>)

(<https://www.nassaucountyny.gov/DocumentCenter/View/12673>)

Hard Copy at the Office of Minority Affairs

- 1 West Street, Room 325, Mineola, NY 11501
- 516 572 2240

Section 3 Definitions

Section 3 Resident:

- A public housing resident, and low and very-low income persons who live in the metropolitan area or non-metropolitan county where a **HUD-assisted project** for housing or community development is located.

Section 3 Certification

Section 3 Residents

- Copy of lease
- Copy of receipt of public assistance
- Copy of evidence of participation in a public assistance program
- Or meet the income thresholds for family size

- Use the Section 3 Resident Self Certification Form
 - Included as part of Nassau County's GOSR-Approved Section 3 Plan

Section 3 Definitions (cont.)

Section 3 Business:

- At least 51 percent or more owned by Section 3 residents,
OR
- Whose permanent, full-time employees include persons, at least 30 percent of whom, are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents,
OR
- Provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts awarded to a Section 3 business concern.
- A section 3 business concern should have the ability and capacity to perform the scope of work.

Section 3 Certification

Section 3 Businesses

- If you qualify as a Section 3 Business you can self-certify on HUD's website at:

(<https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness.action>)

- It is recommended that users perform due diligence before awarding contracts to firms that have self-certified on this registry by ensuring that they meet the definition of a Section 3 business concern as defined by the Department's regulations at 24 CFR 135.5
- Approach subcontractors regarding Section 3 Certification
 - Free of charge, No waiting period
- Self-Certification as Section 3 Business (using GOSR form)

Section 3 Outreach Strategies

The selected contractor or lead firm may collaborate with state and local organizations to identify Section 3 Residents and Section 3 Businesses

- New York State
 - NYS Division of Employment and Workforce Solutions (<http://labor.ny.gov/dews-index.shtm>)
 - GOSR's Local Workforce Opportunities portal (<https://www.nystormrecoveryopps.com/>)
 - NY Department of Labor (<http://www.labor.ny.gov/home/businesses.php>)

Section 3 Outreach Strategies (cont.)

Nassau County

- Nassau County Job Development Center
- Nassau County Community College
- Nassau County Office Of Minority Affairs
 - Section 3 Business Education Presentations
- Nassau County Housing Authorities

Section 3 Outreach Strategies (cont.)

Post notices of available positions at venues near the job site where workers are likely to gather

- Train Stations
- Laundromats
- Libraries
- Grocery Markets

Section 3 Reporting

Contractors/Lead Firms and Subcontractors will be required to input information into Elation Systems on a quarterly basis.

- Section 3 Workforce (aka Section 3 New Hire Report)
- Section 3 Subcontracting (aka Section 3 Project Summary)
- Greatest Extent Feasible (GEF) Log
 - If the Section 3 Hiring and Subcontracting numbers do not meet minimum thresholds, the firm shall maintain a GEF log submitted quarterly.
 - GEF Guidelines established by GOSR
 - Documented in a log (e.g. Excel workbook)
 - Retain all back-up documentation (outreach, etc.) for entries noted in log
 - Is separate and outside of Elation Systems reporting

Equal Employment Opportunity (EEO) Thresholds

Required for all Contracts

Equal Employment Opportunity

Exhibit E of the GOSR/NC SRA contains EEO forms:

- Submitted with bid
 - EEO Staffing Plan - PROC-1
 - EEOC Statement - PROC-8
- Completed in Elation Systems
 - EEO Workforce Employment Utilization (PROC-5)
 - Completed quarterly

Additional Civil Rights Obligations

- Federal Fair Housing Act
- Title VI of the Civil Rights Act of 1964
- The Americans with Disabilities Act
- The Pregnancy Discrimination Act
- The Equal Pay Act of 1963
- The Age Discrimination in Employment Act of 1967
- The Genetic Information Nondiscrimination Act of 2008

Reporting Requirements

- M/WBE Utilization Plan
 - Required to be submitted with proposal
- Elation Systems, Inc.
 - GOSR-adopted web-based compliance management System for MWBE, Davis Bacon and Section 3 reporting requirements
 - GOSR requires all parties receiving federal funds through GOSR programs to use the Elation Systems application to make reporting requirements easier, faster and simpler to complete
 - All Firms and their subcontractors involved in these projects must register with Elation Systems and attend an online training session on the use of this tool.
 - Elation Systems reporting is due quarterly, by the 5th (fifth) day of the month following the end of a quarter.

Elation Required Reporting Matrix

Elation Required Reporting - Subrecipients / EFC Recipients, Prime Contractors, and Subcontractors (Rev. 04/13/16)									
Report Name	Reporting Requirements	Subrecipient	Location in Elation	Prime Contractor	Prime Contractor: Professional Services Contract	Prime Contractor: Construction Contract	Subcontractor	Subcontractor: Professional Services Contract	Subcontractor: Construction Contract
Proc-5 EEO Workforce Employment Utilization	Quarterly (ending 3/31, 6/30, 9/30 and 12/31) 1st Quarter (04/01 - 06/30) 2nd Quarter (07/01 - 09/30) 3rd Quarter (10/01 - 12/31) 4th Quarter (01/01 - 03/31)	Quarterly	SR Tab Click on SRA Amendment, then funding source	Quarterly	Payment Tab	Payroll Tab	Quarterly	Payment Tab	Payroll Tab
Proc-6 MWBE Quarterly Report	Quarterly (ending 3/31, 6/30, 9/30 and 12/31) 1st Quarter (04/01 - 06/30) 2nd Quarter (07/01 - 09/30) 3rd Quarter (10/01 - 12/31) 4th Quarter (01/01 - 03/31)			Quarterly	Payment Tab	Payment Tab			
ADM-136 Monthly Employment Utilization Report (Cumulative Payment Statement)	Monthly reports to be submitted quarterly (ending 3/31, 6/30, 9/30 and 12/31).			Monthly Reports Submitted Quarterly	Payment Tab	Payroll Tab	Monthly Reports Submitted Quarterly	Payment Tab	Payroll Tab
ADM-145 Affirmation of Income Payments to MBE/WBE	Quarterly (ending 3/31, 6/30, 9/30 and 12/31) (Not required for Primes who are MWBE) 1st Quarter (04/01 - 06/30) 2nd Quarter (07/01 - 09/30) 3rd Quarter (10/01 - 12/31) 4th Quarter (01/01 - 03/31)			Quarterly Prime signs after subcontractor submits	Payment Tab	Payment Tab	Quarterly for MWBEs	Payment Tab	Payment Tab
ADM-123 Cumulative Payment Statement	Quarterly (ending 3/31, 6/30, 9/30 and 12/31) 1st Quarter (04/01 - 06/30) 2nd Quarter (07/01 - 09/30) 3rd Quarter (10/01 - 12/31) 4th Quarter (01/01 - 03/31)			Quarterly	Payment Tab	Payment Tab			
HUD 2516 Contract and Subcontract Activity	Quarterly (ending 3/31, 6/30, 9/30 and 12/31) 1st Quarter (04/01 - 06/30) 2nd Quarter (07/01 - 09/30) 3rd Quarter (10/01 - 12/31) 4th Quarter (01/01 - 03/31)	Quarterly	Payment Tab Click on Project Name	Quarterly	Payment Tab	Payment Tab			
Section 3 Reporting									
HUD 60002 (Annually)									
Section 3 Summary Report (Economic Opportunities for Low- and Very Low-Income Persons)	Report should be submitted annually, at year end.	Annually	Section 3 Tab (click on Section 3 sub tab)						
Section 3 Utilization	Quarterly (ending 3/31, 6/30, 9/30 and 12/31) 1st Quarter (01/01 - 03/31) 2nd Quarter (04/01 - 06/30) 3rd Quarter (07/01 - 09/30) 4th Quarter (10/01 - 12/31)	Quarterly	Section 3 Tab (click on Section 3 sub tab)						
Section 3 Workforce (Section 3 New Hire Report)	Quarterly (ending 3/31, 6/30, 9/30 and 12/31)			Quarterly (for contract amounts greater than \$100,000)	Section 3 Tab	Section 3 Tab	Quarterly (for contract amounts greater than \$100,000)	Section 3 Tab	Section 3 Tab
Section 3 Subcontracting (Section 3 Project Summary)	Quarterly (ending 3/31, 6/30, 9/30 and 12/31)			Quarterly (for contract amounts greater than \$100,000)	Section 3 Tab	Section 3 Tab			

Reporting Requirements (cont.)

- There may be reporting requirements separate from and outside of Elation Systems from GOSR and/or the Sub-recipient
 - GOSR
 - Monthly Status Reporting
 - MWBE GFE Log
 - Section 3 GEF Logs
 - Nassau County
 - Section 3 Exhibits G, H, I

Reporting Requirements (cont.)

- Contract Allowances

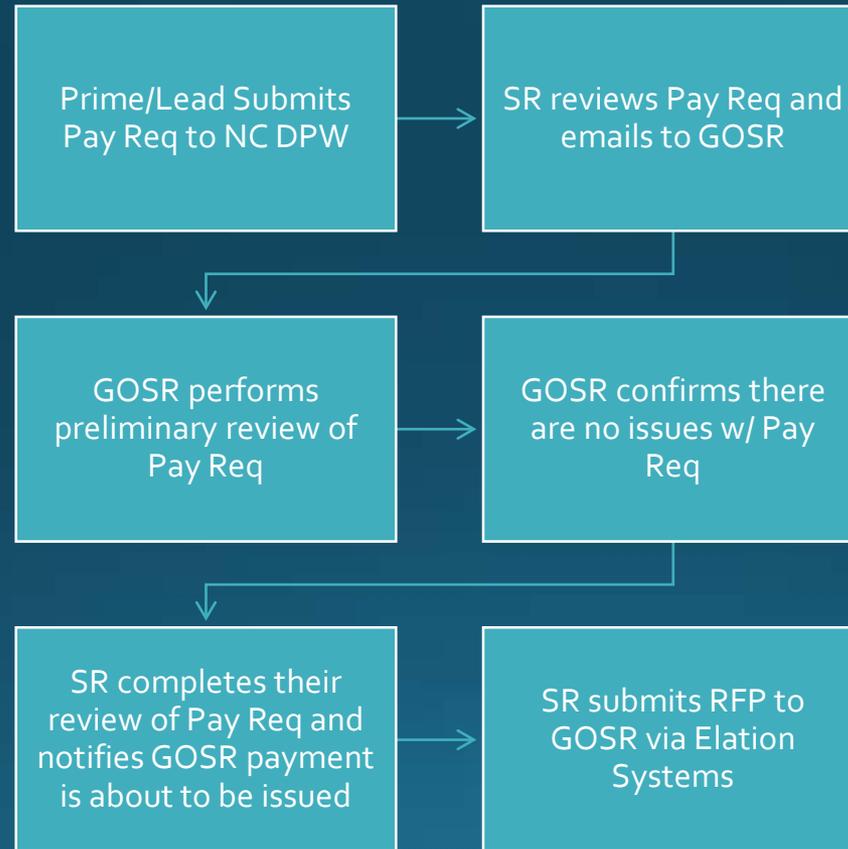
- Converted to change orders in construction contracts

- Handled as “not to exceed” tasks in professional services contracts

- credit amendment done for unused monies at end of contract

Payment Requisitions/ Invoices

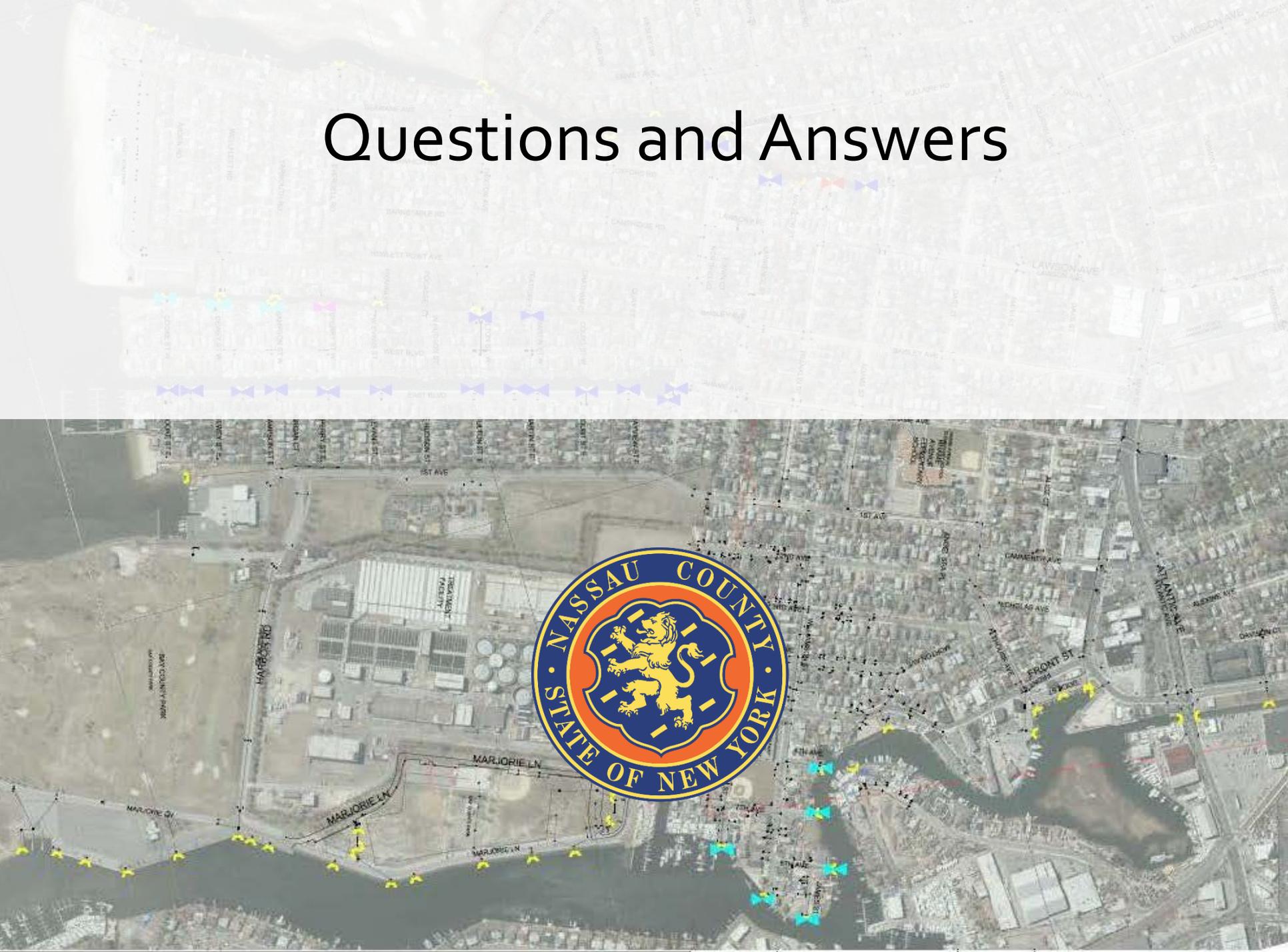
Review Process



Sean Sallie Planning Division Supervisor Closing Remarks



Questions and Answers



Networking

