

FEE PROPOSAL FORM**FMS ID: PW348-91, PW348-92, PW348-93, PW348-94**

PROJECT: Construction Management/ Design/Build for Petroleum Storage Tank Sumps for Boroughs of Manhattan, Staten Island, Brooklyn, Queens and the Bronx

Submission: The proposer must submit this form as its Fee Proposal. The Fee Proposal shall consist of TWO (2) separate proposed multipliers:

- Proposed Multiplier #1, applicable to approved direct salary rates for design personnel, and
- Proposed Multiplier #2, applicable to approved direct salary rates for construction management personnel

The proposer shall submit Backup Material for the multipliers with its Fee Proposal submission.

Negotiation: DDC will attempt to negotiate the items listed below on a fair and reasonable basis with the highest ranked proposer. If negotiations are not successful, DDC will enter into negotiations with the next highest ranked firm.

Direct Salary Rates: Direct salary rates for all required design and construction management personnel shall be determined by the Commissioner in accordance with the terms and conditions set forth in Article 42 of the contract. An Assigned Employee's Direct Salary Rate per hour shall be the LESSER of (1) Assigned Employee's actual annual direct salary, computed on an hourly basis as set forth in Article 42, or (2) Estimated Direct Salary Rate per hour for the Assigned Employee's title set forth in Exhibit B to the contract.

The proposer shall set forth its proposed Multiplier #1 and proposed Multiplier #2 and sign this form in the space provided below.

Proposed Multiplier #1: _____

Proposed Multiplier #2: _____

Backup Material: The proposer shall submit the following as Backup Material:

- (1) actual direct salary rates per hour for individuals identified as Key Personnel, and
- (2) supporting documents for the proposer and its subconsultant for design services.
 - a. If the proposer and/or its subconsultants for design services has an audited overhead rate that has been accepted by a cognizant governmental agency that engages in capital construction work (city, state, or federal), it must submit such audited overhead rate, as well as a letter approving and/or accepting the firm's overhead rate. The

proposer is advised that DDC has **NO OBLIGATION** to accept a submitted overhead rate, even if such overhead rate has been approved by a governmental agency.

- b. If the proposer and/or its subconsultants for design services does not have an audited overhead rate that has been accepted by a governmental agency, it must submit General Purpose Financial Statements for the three (3) most recent years. Each Financial Statement (Balance Sheet and Income Statement) must be audited, reviewed, or compiled by an independent public accountant or certified public accountant (CPA). If the proposer provides audited Final Statements, each audited Financial Statement must have been audited by an independent auditor licensed to practice as a CPA and it must include the auditor's standard report.
- c. If the proposer and/or its subconsultants for design services does not have audited financial statements, it must submit an affidavit attesting to the fact that the proposer does not have such statements. In addition, the proposer must submit either reviewed or compiled financial statements for the last three (3) years, which statements must be accompanied by either an "Independent Accountant's Review Report" signed by a CPA or an "Independent's Accountant's Compilation Report" signed by a CPA.

In addition, DDC reserves the right to require the proposer to submit any records, documentation or accounting data in connection with its Direct Salary Rate Rates and Multiplier calculation. Such records may include, without limitation, the "CONR 385 Package". For a description of the "CONR 385 Package", the proposer is directed to the following website: <https://www.dot.ny.gov/main/business-center/audit/conr-385-388?nd=nysdot>

Name of Proposer (Company's full business name)

By: _____
(Signature of partner or corporate officer)

Print name: _____

Title: _____

Date: _____

E-Mail: _____

Telephone: _____

Company's Address: _____

EIN: _____