Department of Housing Preservation & Development

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Request Title	MWBE Small Purchase – Neighborhood Internet Installation at HPD Bronx Family Living Center

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AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact person for all matters concerning this Statement of Work is:

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NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

I. INVITATION

The New York City Department of Housing Preservation and Development ("HPD") is hereby soliciting proposals for wireless internet network installation services in New York City.

I. **Background:** The New York City Department of Housing Preservation and Development (HPD) is overseeing the deployment of Neighborhood Internet, a pilot project to establish a hybrid fiber/fixed wireless internet network serving affordable housing developments in the Bronx and Upper Manhattan.

II. SCOPE OF WORK

A. Department Goals and Objectives

The goal is for the vendor to:

- retrofit two neighboring buildings for interior "hotel-style" Wi-Fi service with minimum speeds of 100 Mbps/25 Mbps per user
- install rooftop antennas that will turn one of the two buildings into a wireless "hub" for the rest of the Neighborhood Internet network in the area
- provide three years of 1GB+ fiber backhaul service and any required maintenance to the buildings

B. Description of Properties

Bronx Family Living Center Property 1:

The property at 760 Fox Street, Bronx, NY 10455 is five stories tall, with a total of 32 housing units. Each of the floors is U-shaped. There are administrative offices and a waiting room for clients on the first floor. The remaining floors have housing units on the legs and ends of the U-shaped corridor. There is an elevator in the middle of the building.

Networking equipment is located in a locked basement, but there is no separate networking room. Verizon provides business internet service to the building for the administrative offices. The rooftop has direct line-of-sight to the property at 763 Fox Street across the street.

Bronx Family Living Center Property 2:

The property at 763 Fox Street, Bronx, NY 10455 is six stories tall, with a total of 46 housing units. Each of the floors is I-shaped. There are administrative offices and a multipurpose room for clients on the first floor. The remaining floors have housing units on either side of the I-shaped corridor. There is an elevator in the middle of the building.

Networking equipment is located in a locked basement, but there is no separate networking room. Verizon provides business internet service to the building for the administrative offices. The rooftop has direct line-of-sight to the property at 763 Fox Street across the street.

The rooftop also has line-of-sight to large areas of the Bronx in the East, North, and West. The South direction is largely blocked by a slightly taller building next door.

C. Description of Services Required

- Site Survey

Vendor will coordinate with HPD and building staff to conduct site surveys of the two properties, review locations of other properties participating in the Neighborhood Internet network, and receive quotes for fiber leasing options to determine optimal installation plan.

- Installation Plan

Vendor will share installation plan with HPD for review. The plan should include an itemized budget, RF signal coverage diagrams, and floor plans with the locations of hardware, cable pathways, wireless access points, and rooftop antennas.

- ROE Execution

Vendor will provide a right of entry (ROE) and service agreement for HPD for review and approval, then share the ROE with building owners for execution.

- Project Scheduling

Vendor will provide an installation work plan, coordinate installation scheduling with HPD and building staff, as well as any other subcontractors, and provide weekly updates on installation progress.

- Fiber Microtrenching

Vendor (potentially with a subcontractor) will microtrench fiber from the street to the basement of one building and establish an MDF in the basement. With HPD approval, and if it is within the project budget, the vendor may also microtrench the fiber to the second building as well.

- Interior Installation

Vendor will install wireless access points (serving between one and four residential units each, as well as serving administrative offices and the multipurpose room) throughout each building, as well as all necessary cabling and related network hardware.

- Rooftop Installation

Vendor will install rooftop hardware necessary for sharing the fiber backhaul to the second building (unless the vendor proposes microtrenching fiber to both buildings, as described previously). Additionally, the vendor will install rooftop antennas and related hardware necessary for turning the property into a wireless "hub" for the Neighborhood Internet network and capable of providing 1GB+ backhaul for the overall network.

- User Configuration

Vendor will ensure that the interior residential Wi-Fi network requires a unique profile for each user, while ensuring a simple user onboarding and management process.

- Network Testing

At each location, vendor will test both interior residential Wi-Fi network and the hub capabilities to ensure both are operating within desired parameters.

- User Onboarding

Vendor will collaborate with HPD, the New York Public Library, and building staff to participate in one or multiple events at the properties to onboard residents to the Wi-Fi network.

- Ongoing Maintenance

Vendor will provide ongoing maintenance for three years as it relates to the network operations of all hardware installed.

- Ongoing Reporting

Vendor will provide network usage reports on a monthly basis with statistics and in a format as agreed to with HPD.

D. Network Standards

- User Access
    - Free for all users
    - No time restrictions (including time of day and length of usage) on access
    - No viewing of ads required for access
    - No blocking or filtering of content
    - No throttling or slowing of user connections
    - No paid prioritization for internet services or content by external parties

- Performance
    - Make best attempts to achieve average speeds of at least 100 Mbps download and 25 Mbps upload in units
    - Make best attempts to achieve at least 99% uptime service level agreement (SLA)

- Technical Specifications and Security
    - Users have a unique profile for using network
    - Users have control over whether and how their data is collected, used, shared, and/or disclosed
    - Network must be in compliance with the Citywide Privacy Protection Policies and Protocols
    - Encrypted connections available to all users on all major operating systems
    - Regular updates of Wi-Fi equipment firmware to ensure all security patches are installed
    - Network certified for Wi-Fi 6 (802.11ax) or newer standard
    - Voice calls supported over Wi-Fi

E. Installation Timeline

- All installation work must be completed within six (6) months of the start of the contract.

F. Additional Considerations

- **Floor Plans:** Floor plans are not available.
- **Roof Work:** No major roof work is scheduled for the properties.
- **Installation Guidance:**
    - Three to four sector antennas should be installed such that there are 360

degrees (or as much as possible) of coverage.
    - Corridor access point placement is preferred.
    - HPD does not have a preference for equipment specifications beyond what is described in the scope of work.
    - All equipment will be owned by HPD from installation onwards.
    - Network optimization and speed tests should be conducted after network installation.
- **Installation Scheduling:**
    - Permitted working hours are 9 to 5, Monday through Friday, although start times may be earlier. Vendors will have to check-in with site staff and security at the start of each day and coordinate with staff to open any doors, etc. There are no background-check procedures.
- **Interagency Coordination:** HPD will help coordinate with other agencies, including DOT, and with executing the ROE.
- **MWBE**: Any subcontracted vendor providing fiber backhaul service will not count towards the non-MWBE limits.
- **Prevailing Wage:** Prevailing wage does not apply to any portion of this project.
- **Bonding/Retainage Requirements:** None.
- **Tax-Exempt Certificate:** HPD may be able to provide a tax-exempt certification, depending on the situation.
- **Invoicing:** Vendors will invoice HPD monthly or based on deliverables.
- **Post-Contract Term:** After the end of the contract, HPD may choose to continue any contracts or subcontracts with the vendor, with the fiber backhaul, or may seek other vendors/providers instead.

G. Site Visit for Vendors

Vendors interested in responding to this RFx will have the chance to participate in an optional site visit of the properties.

III. COMPENSATION

The Contract awarded is a result of this RFx for a Total Contract Price that will not exceed $300,000.00.

IV. TERM OF AGREEMENT

The agreement shall be for a period of three years.

V. PASSPORT QUESTIONNAIRE

Proposal Instructions: Please respond to each question in PASSPort, which include the following:

1. Briefly describe, in no more than 250 words, two (2) projects where you

deployed residential wireless networks in a manner similar to this project in the last three (3) years.

2. Briefly describe, in no more than 250 words, two (2) projects where you deployed hybrid fiber/wireless networks covering multiple properties in a manner similar to this project in the last three (3) years.

3. Please list all relevant certifications, including OSHA and fiber optic installation certifications.

4. Briefly describe, in no more than 250 words, whether your firm would bring on any subcontractors to complete any of the deliverables and what expertise and services these subcontractors would bring.

5. Please provide contact information for two (2) references who were previous clients of your firm in the last three (3) years.

6. Iran Divestment Affirmation

7. Macbride Principles Affirmation

8. Tax Affirmation

VI. COST PROPOSAL

In the Item section of PASSPort, please provide a proposed cost for each deliverable.

VII. PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Selection Process: Properly submitted questionnaire responses and pricing proposals will be reviewed by HPD to determine whether they are responsive or non-responsive to the requisites of this Solicitation. Proposals, which are determined by HPD to be incomplete or non-responsive, will be disqualified. HPD will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. HPD reserves the right to request responses to clarification questions, and/or interviews and/or to request that proposers make presentations and/or demonstrations to HPD, as HPD deems applicable and appropriate. HPD will consider both the written and oral presentation/demonstration in evaluating the proposal. Although discussions may be conducted with proposers submitting acceptable proposals, HPD reserves the right to award the contract on the basis of initial proposals received, without discussions; therefore, the proposal should contain its best programmatic and pricing terms.

1. Evaluation of the proposals shall be based on a combination of the responsiveness of the proposal, acceptability of the proposed system, and the qualifications of the proposer as outlined below:

a. A proposal shall be deemed responsive only if all of the requirements of the RFx have been met.

B. Evaluation Criteria: The criteria and the relative weight of each that will be utilized to evaluate proposals are:

1. **Experience, Qualifications and Capacity 75%**

1. Proposer has demonstrated experience with wireless network deployment within a residential building and that experience is directly comparable to the scope of this project.

2. Proposer has demonstrated experience with fiber installation and with deploying hybrid fiber/wireless networks and that experience is directly comparable to the scope of this project.

3. Proposer has the capacity and available staff to complete the work on the proposed schedule.

2. **Pricing 25%**

1. Competitive cost proposal based on the general market for these services and within the project budget.

C. Oral Interviews: After completion of the technical evaluations, HPD may request oral presentations from qualified proposers for further evaluation.

1. As a result of the oral interview, HPD may re-assess its initial technical proposals based on an assessment of:

- How well the total proposal meets the stated requirements; and
- The proposers demonstrated expertise and organizational capabilities.
- Oral and/or Visual presentations shall not include any information that is not included in the written proposal or provided in response to clarification questions. The purpose of the oral/visual presentation should be solely to clarify the information contained in the written proposal.

D. Basis for Contract Award: The Contract will be awarded to the responsible proposer whose proposal is determined to be the highest technically rated and most advantageous to the City, taking into consideration the overall quality and cost of the proposal as measured against the criteria set forth in this RFx. HPD will determine the reasonableness of each cost proposal by taking into consideration

the market rates for similar services. HPD reserves the right to make an award to a Contractor whose proposal is determined to be the most beneficial to the City.

OTHER NOTICES AND REQUIREMENTS

Notice or Requirement	Applies to this Request ("X" indicates applicability)
1. This procurement is being issued in accordance with §3-08(c)(1)(iii) of the City of New York Procurement Policy Board ("PPB") Rules as a "**Small Purchase**." Only responses received from vendors who received this request directly from the designated contact at HPD shall be considered.	
2. This request is being issued in accordance with §3-08(c)(1)(iv) of the City of New York Procurement Policy Board ("PPB") Rules as a "**M/WBE Noncompetitive Small Purchase.**" Only responses received from New York City-Certified M/WBE firms shall be considered.	**X**
3. **General Liability, Professional Liability, Workers Comp, and Disability Insurance requirements:** Please see "Schedule A" for insurance requirements. The selected vendor will be required to provide proof of coverage prior to contract award.	**X**
4. Subcontracting Pre-Approval Required: If any portion of the work will be performed by a subcontractor, use of the subcontractor must be preapproved by HPD. Contractors should indicate their intention to use subcontractor(s) in their Proposal. The Contractor will be required to report all subcontractors, and enter all payments to subcontractors, in the New York City Payment Information Portal (PIP).	X
5. **Subcontracting Limits for M/WBE Non-competitive Small Purchases:** Subcontracting is permitted under this contract with HPD's prior approval. Subcontracting is limited to no more than 40% of the total contract amount; the use of non-MWBE subcontractors is limited to no more than 20% of the total contract amount. If any portion of the work will be performed by a subcontractor, use of the subcontractor must be pre-approved by HPD. Contractors should indicate their intention to use subcontractor(s) in their Proposal. The Contractor will be required to report all subcontractors, and enter all payments to subcontractors, in the New York City Payment Information Portal (PIP).	X
6. **Subcontracting <u>not</u> permitted:** Subcontracting will not be permitted under the resulting contract. The selected vendor is expected to self-perform all work.	
7. **Prevailing Wage**: To the extent that any trades covered by the work stipulated herein involves titles covered by Prevailing Wage or Living Wage Rates pursuant to New York State LABOR LAW ARTICLE 9 REAL PROPERTY TAX LAW §421-A, NYC ADMINISTRATIVE CODE §6-130; LABOR LAW ARTICLE 8 - NYC PUBLIC WORKS; or NYC	

ADMINISTRATIVE CODE § 6-109, 6-130 and 6-134, contractor shall be required to pay not-less-than the prevailing wage or living wage rate in effect at the time work is performed. Current wage rate schedules may be found at the following website: https://comptroller.nyc.gov/services/for-thepublic/nyc-wage-standards/wage-schedules/	
8. **Price Escalator:** the resulting contract will contain a price escalator as follows: Pricing will remain firm during the initial year of the contract term after which prices may be increased annually, beginning 12 months after the start date of the contract. Pricing may be decreased at any time. Price increases may be considered only for those Product(s) for which the contractor has increased both its commercial and government list price. The unit price(s) of Product(s) may be subject to a maximum increase equal to the percent increase in the latest copy of the National Consumer Price Index for All Urban Consumers (CPI-U), as published by the U.S. Department of Labor, Bureau of Labor Statistics on the month of the contract start date. The contractor has the sole responsibility to request a price increase. The contractor must send the request in writing, on company letterhead to the HPD agency contact named in the contract document. The request must substantiate the requested change in price, include the price adjustment calculations, and must be signed by an officer of the company or a duly authorized representative of the company. Acceptable documentation must be provided to substantiate the request, which would include the manufacturer notice of price increase, the contractor's commercial and government price lists, and the changes in the index indicated above. HPD reserves the right to accept or reject the price increase request, or to terminate and re-solicit the contract. Price adjustments may be effective only upon written approval by HPD and may not be applied retroactively. Price change requests, if approved, will affect future orders only. Any order that has already been placed will reflect the then-current price. The Maximum Reimbursable Amount will remain fixed for the term of the agreement.	
9. **Doing Business Data Project:** Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City is required to establish a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. In order for the City to obtain necessary information to establish the required database, vendors responding to this solicitation are required to complete the attached Doing Business Data Form and return it with this proposal, and should do so in a separate envelope. (If the responding vendor is a proposed joint venture, the entities that comprise the proposed joint venture must each complete a Data Form.) If the City determines that a vendor has failed to submit a Data Form or has submitted a Data Form that is not complete, the vendor will be notified by the agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the vendor has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.	

10. **Iran Divestment Act:** Pursuant to State Finance Law Section 165-a and General Municipal Law Section 103-g, the City is prohibited from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Each proposer is required to complete the attached Bidders Certification of Compliance with the Iran Divestment Act, certifying that it is not on a list of entities engaged in investments activities in Iran created by the Commissioner of the NYS Office of General Services. If a proposer appears on that list, the Agency will be able to award a contract to such proposer only in situations where the proposer is takings steps to cease its investments in Iran or where the proposer is a necessary sole source. Please refer to the Iran Divestment Act attachment for information regarding the requirements for this solicitation and instructions on how to complete the required form. Visit http://www.ogs.ny.gov/About/regs/ida.asp for additional information concerning the list of entities.	x
11. **Earned Sick Time Act:** The Earned Sick Time Act, also known as the Paid Sick Leave Law ("PSLL"), requires covered employees in New York City to be provided with paid sick time. Contractors of the City of New York [or of other governmental entities] may be required to provide sick time pursuant to the PSLL codified at Title 20, Chapter 8, of the New York City Administrative Code.	
12. **PASSPort:** PASSPort Enrollment and Disclosure Filing: All organizations intending to do business with the City of New York should complete an online disclosure process to be considered for a contract. This disclosure process was formerly completed using Vendor Information Exchange System (VENDEX) paper-based forms. Paper submissions will not be accepted in lieu of complete online enrollment and disclosure filings.	X
13. **Ancillary Agreements:** Depending upon the project covered herein, HPD may require that the resulting contract contain one or more of the following ancillary agreements to which the parties must agree: a Data Use Agreement; a Business Associate Agreement; a Confidentiality Agreement; or a Non-Disclosure Agreement, each as applicable to the particular project.	
14. **IT Security:** For projects with an information technology ("IT") component, The Contractor would be asked to provide computer system and data security audit/review documents that cover the project domain for the HPD IT Information Security team to review to ensure that the contractor's internal IT infrastructure conforms to NIST SP 800 Computer Security Standards. Any external cloud solutions (e.g., IaaS, SaaS, PaaS and XaaS) planned to be used in the project will be subjected to NYC OTI's (formerly DoITT) security review and approval before usage to ensure optimal levels of contractor security technology are in place to protect city data. Hence, any internet browser-based applications that are planned to be used for this project to access and/or share NYC HPD data, including applications for internal contractor project use, must be reviewed and approved by NYC HPD and NYC OTI prior to HPD data being stored in the contractor's network system.	
15. **Fixed Price:** Unless otherwise specified herein, the unit prices will be fixed for the duration of the resulting agreement.	

16. **Quote Price Assumptions:** Quoted prices shall be deemed to *include* the cost of delivery, F.O.B. Destination, inside delivery, and assembly, unless otherwise specified. Bid Price shall be a net price.	
17. **Material Guarantees:** The vendor guarantees the following: that the equipment offered is standard new material, latest model of regular stock products with all parts regularly used with the type of material offered; that no attachment or part has been substituted or applied contrary to manufacturer's recommendation and standard practice; that where applicable every unit delivered must be guaranteed as to sterility in transit and/or storage; and that every unit delivered must be guaranteed against faulty material and workmanship and if defective, the unit or part affected is to be replaced without cost to the City.	
18. **Applicability of Local Law 63 (Charter Section 312(a)):** The contract that results from this request is estimated to be ≥$200,000 in value and is for professional or standard services. Therefore, Local Law 63 is applicable.	
19. **Federal Funding:** HPD anticipates that this M/WBE Purchase will be partially or fully federally-funded. As a result, HPD must consider at least three responses. If 3 responses are not received, HPD will cancel this procurement.	

INSURANCE REQUIREMENTS SCHEDULE A

The selected vendor will need to supply adequate proof of insurance coverage as follows:

- A **Certificate of Liability Insurance** evidencing liability coverage levels indicated in the second bullet below ("ACORD" certificate). This certificate should include the following language in the description of operations box: "***The City of New York, including its employees and officials, are named as additional insured by written contract***". The Certificate of Liability insurance should also name the following as the Certificate Holder:

    - *The City of New York C/O Housing Preservation & Development*
    - Office of the ACCO
    - *100 Gold Street, 8th Fl,*
      8B07 New York, NY
      10038

- At minimum, liability coverage amounts must be:
    - General Commercial Liability: $1,000,000 per incident
    - Professional Liability: $1,000,000 per incident

- An **additional insured endorsement** (form ISO CG 20 26 or ISO CG 20 10 or equivalent form) with the following named as additional insured: "***The City of New York, including its employees and officials, as an additional insured***."

- Separate proof of **Workers Compensation insurance** (either the form from the NY State Workers Compensation Fund, form U-26.3, or the certificate indicated self-insurance, form C-105.2).

- Separate proof of **insurance coverage under NY State Disability Benefits Law,** form DB-120.1