



Office of
General Services

Emergency Contracting Opportunities

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Managing Construction Emergencies



- **What we can do**
 - **What we have done**
 - **We are here to help!**
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- **Defining a Construction Emergency**
- **Establishing OGS's authority for Emergency Contracting**
- **Emergency Management: Process and progress**

What is an Emergency?

- Emergency Contract Law Article 2 Public Buildings Law, Paragraph 9 defines Construction Emergencies:

A “construction emergency” is damage to or a malfunction in buildings or property of the State of New York caused by an unanticipated, sudden and unexpected occurrence that involves a pressing necessity for immediate repair, reconstruction, or maintenance in order to permit the safe continuation of a necessary public use or function, or to protect the property of the State of New York, or the life, health and safety of any person.

How State Agencies Participate in the Emergency Program

- **23 State Agencies participate in the Emergency Program**
- **Letter of interest from the Agency Head to our OGS Commissioner RoAnn M. Destito**
- **Agency Head will provide a listing of individuals authorized to Declare an Emergency for their agency (or division).**

Three Phases of an Emergency Contract

- 1. Acceptance and verification of an emergency**
- 2. Soliciting and receiving bids**
- 3. Managing the contract work to alleviate the emergency**

Phase 1: Declaration of an Emergency

- **OGS personnel are on standby 24 hours a day, 7 days a week to review and start the process on emergency declarations**
- **Agency's authorized user submits a Declaration of an Emergency form to OGS D&C describing the construction emergency**

Phase 2: Soliciting and Receipt of Bids

- **Public Buildings Law waives formal competitive bidding requirements, however, OGS is required to solicit and receive at least 3 oral bids**
- **OGS D&C maintains rotational bidders lists throughout the state by region and construction trade.**
- **7 Regions and 14 top level construction trades**
- **A 'Notice to Proceed' to the low bidder. The contract is subsequently subject to the Office of the State Comptroller's review and approval.**

Phase 3: Managing the Contract Work to Alleviate the Emergency

- **Ongoing oversight of the contractor**
- **Contractor performs the work and then invoices OGS for reimbursement**



How to Become a Qualified Emergency Bidder

- Currently, 264 Qualified Emergency Bidders
- Requirements are outlined on our website at <http://ogs.ny.gov/BU/DC/esb/EmergencyDefault.asp>
- Potential bidders undergo a review of their capability and Vendor Responsibility
- Capable of being on-site within four hours of a 'notice-to-proceed'.
- Actively engaged and capable in the work within the construction trades they have indicated
- Must be capable to self perform the majority of the work, have the necessary equipment to complete the work and satisfy supervision/project management requirements

- C – Construction** – General Building Construction – Masonry/Carpentry including associated Excavation, etc., Concrete and Steel, and Interior/Renovation, etc. (does not include Mechanical/Electrical)
- H – HVAC** – Installation/Repair of all Heating, Ventilating, Air Conditioning, Refrigeration, Temperature Controls, Boilers, Chillers, Air Handlers, Pumps.
- E – Electrical** – Installation/Repair of Electrical Systems under 600 volts including Exterior Lighting – CCTV.
- P – Plumbing** – Installation/Repair of Interior Roof Leaders, Plumbing Repairs including Water, Waste and Vent.
- T – Roofing** – Installation/Repair - Accessories. Certification required in specified system.
- V – High Voltage** – Installation/Repair of Electrical Systems over 600 volts including Generators, Transformers, Switchgear, Feeders, Overhead Pole LINE Work.
- U – Elevator** – Repair/Installation/Modernization of Elevators, Escalators and Dumbwaiters.
- N – Fire Protection/Sprinkler** – Installation/Repair of Fire Protection/Sprinkler Systems including Standpipes, Fire Pumps and Fire Suppression.
- G– Water/Sewer/Storm/Site work** – Installation/Repair of Exterior Water/Sewer/Storm including associated Excavation and site work.
- B – Hazardous Materials** – Remediation/Removal/Disposal of hazardous materials, i.e., PCB's, Petroleum, Chemical, Biohazard and excluding Asbestos and Lead.
- A – Asbestos/Lead** – Remediation/Removal/Abatement/Disposal of Asbestos and Lead. Must hold all certifications required by law.
- F – Fire Alarm/Security** – Installation/Repair/Modernization of Fire Alarm and Security Systems. Must be licensed.
- I – Refractory/Chimney** – Installation/Rehabilitation of Boiler Refractory, Chimney Rehabilitation.
- L – Fencing** – Installation/Rehabilitation of Fencing.

List of Trades, with Definitions



Certified MWBE Firms by Region and Specialty

	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7
Construction	445	168	24	40	29	57	83
HVAC	83	23	1	4	6	12	17
Electric	99	39	3	9	6	9	12
Plumbing	42	17	2	1	1	6	14
Roofing	114	29	1	5	4	6	17
High Voltage	2						
Elevator	2	3					2
Fire Protection	14	8	1	2	1		3
Water-Sewer-Storm-Site work	56	35	9	16	12	20	19
Hazardous Materials	6	3			2	2	6
Asbestos - Lead	38	14	3	11	5	7	23
Fire Alarm - Security	34	14	2	2	1	3	6
Refractory - Chimney							
Fencing	14	11	2	1	2	3	1

Statistics for the Emergency Contract Program

- **October, 2014 – September, 2015**
- **257 Emergency Contracts awarded**
- **Total Value: \$55.5 Million**



Superstorm SANDY (2012)

- 103 Contracts Awarded; \$100M in payments to contractors
- 19% of awards to MWBE's; 20% of expenditures to MWBE's
- Services provided include: restore electrical, boiler, emergency generator systems, repair/replace roofs, flood remediation, restore flood damage, restore fencing, replace collapsed sidewalks, cleanup interior/exterior bldg. structures, restore drainage systems, restore Seawalls, clean up and tree removal

Statistics for Snowvember 2014 Extreme Winter: Erie County

- 9 Contracts awarded
- \$800,000 in payments to contractors
- plowing and snow removal on ground level and roof areas
- facility access
- heavy equipment to affected areas;
Residential homes owned by OPWDD
and Correctional Facilities owned by
DOCCS



Conclusion / Q&A

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