

Nassau County Department of Public Works

Silver Lake Park Drainage and Flood Protection Study

Pre-Proposal Conference and
Networking Session



Welcome

Introductions

- Dr. Phillip Elliot, Deputy County Executive, Nassau County of Minority Affairs
- Sean Sallie, Planning Division Supervisor, Nassau County DPW
- Eric Boehning, Deputy Program Manager, 3PL Consulting

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

Dr. Phillip Elliot
Deputy County Executive
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.

Silver Lake Park Drainage and Flood Protection Study

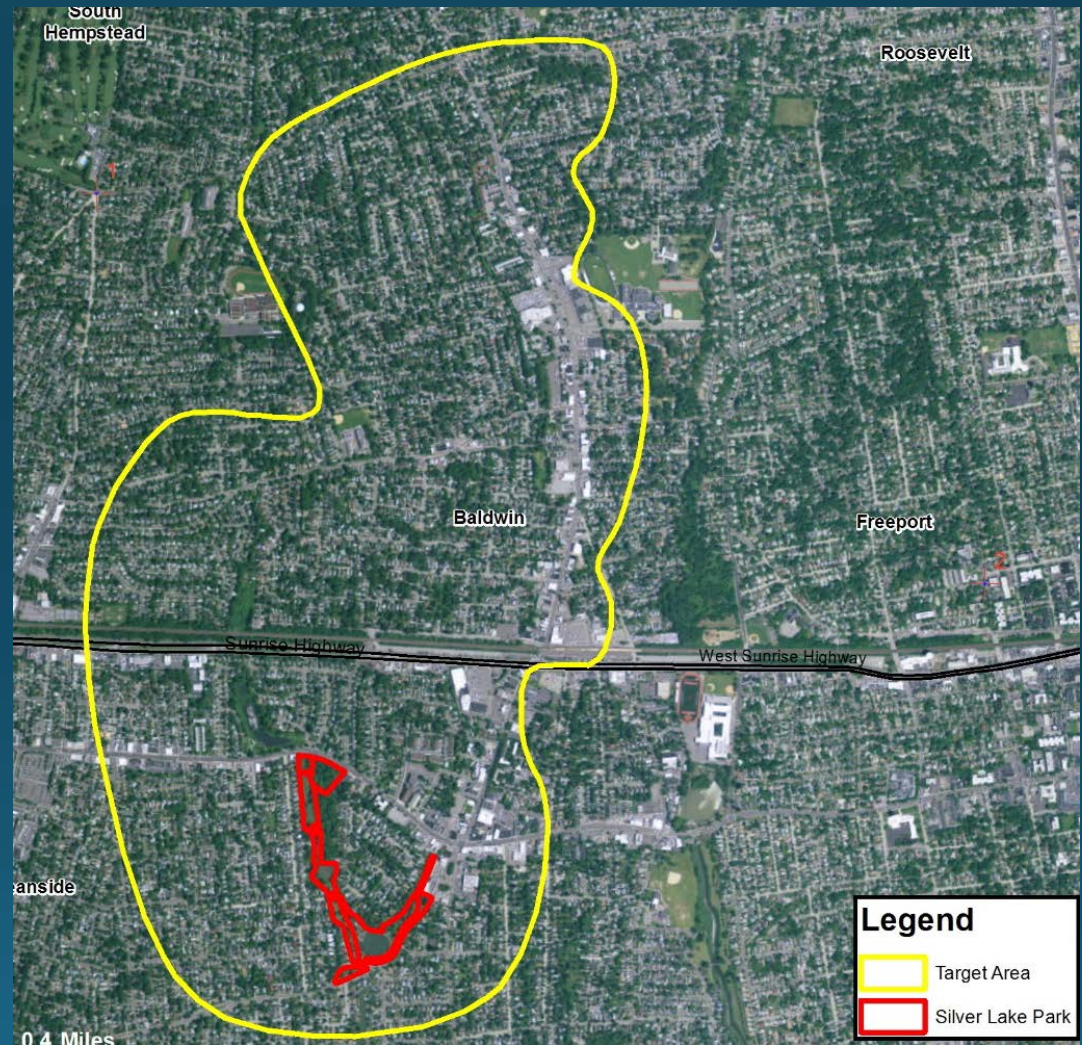
- RFP was released September 23, 2016; response due October 21, 2016
- Public outreach and agency coordination
- Study Analysis and Recommendations
- Develop 30% Design Drawings
 - Environmental Requirements and Guidance

Study Area Limits

Study Area =

- Silver Lake Park (in the hamlet of Baldwin)
- Silver Lake Watershed - which includes parts of the hamlet of Oceanside
- the Village of Rockville Centre

Also includes the Parsonage Creek/Canal



Project Area Limits

The Project Area limits are the same as those for Silver Lake Park

The study is the tributary watershed but the improvements are limited to the park and immediate surroundings.



Study & Design Services

- Based on the mitigation recommendations and solutions identified as part of the Silver Lake Drainage Improvement and Flood Protection Study, the County will select certain projects identified during the planning process to advance to preliminary [30%] design.
- The firm shall prepare thirty [30] percent design documents (plans and specifications) suitable for advancing into final design. During the preparation of these documents the firm will be expected to:

Study & Design Services (cont.)

- 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.

Eric Boehning
Deputy Program Manager

CDBG-DR Funding Requirements



CDBG-DR Funding Requirements

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

CDBG-DR Funding Requirements (cont.)

Supplementary Conditions for Contracts – Exhibit E

- M/WBE
- Section 3
 - Subrecipient Section 3 Plan
- SDVOB
- EEO
- Davis Bacon
- Additional Civil Rights Obligations

Supplementary Conditions for Contracts

- Supplementary Conditions for Contracts
 - Sub-Recipient Agreement between GOSR and Nassau County
 - MWBE
 - Section 3
 - EEO
 - Davis Bacon
 - is mentioned, but 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 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 using an Excel workbook
 - Is separate and outside of Elation System 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)
 - Utilize GOSR’s M/WBE list
 - MWBE list will be included in Addenda 01

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

- 10% of the total dollar amount of all construction contracts should be awarded to Section 3 businesses 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:
 - Revised to include Uncapped Income Limits FY 2016
 - Current version is available electronically on the DPW's website at: (<https://nassaucountyny.gov/DocumentCenter/View/16912>)
 - 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.
 - or individual who resides in the metro area or non-metropolitan county in which the Section 3 assistance is expended and who is considered to be a low to very-low income person or family house income

Uncapped Low Income Limits for Nassau and Suffolk Counties (FY-2016)

- Individual Low Income

- 1 \$59,500

OR

- Family Size Low Income

- 1 \$59,500
- 2 \$68,000
- 3 \$76,500
- 4 \$84,950
- 5 \$91,750
- 6 \$98,550
- 7 \$105,350
- 8 \$112,150

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 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 of a family of one; or household.
-
- Use the Section 3 Resident Self Certification Form
 - Included as part of Nassau County's GOSR-Approved Section 3 Plan

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 MWBEs regarding Section 3 Certification
 - Free of charge
 - No waiting period

Section 3 Outreach

- To be done by the selected contractor or lead firm
- Construction Projects
 - Outreach done in coordination with the unions (PLA) and/or the Subrecipient
 - Nassau County
- Professional Services Projects
 - Outreach primarily for administrative staff

Section 3 Outreach Strategies

The selected contractor or lead firm will 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

- Grantee and Subrecipient Report Quarterly from Elation Systems:
 - Section 3 Workforce (aka Section 3 New Hire Report)
 - Section 3 Subcontracting (aka Section 3 Project Summary)
- Contractors/Lead Firms and Subcontractors will be required to input information into Elation Systems on a monthly or quarterly basis as determined by each required form
- GOSR prefers use of Section 3 Greatest Extent Feasible (GEF) log
 - Submitted quarterly with Section 3 Exhibits from County's Section 3 Plan

Service-Disabled-Veteran Owned Business (SDVOB) Utilization

- NYS Service-Disabled Veteran-Owned Business Act
 - Signed into law by Gov. Andrew M. Cuomo 05-12-14
- Purpose: “to support eligible veteran business owners who want to participate in NYS contracting opportunities, and thus play a greater role in the economy of the Empire State”.

SDVOB Utilization (cont.)

- New York State Office of General Services (OGS)
 - Certifies SDVOB free of charge
 - Must be a small business
 - Additional qualifications are available at:
<http://www.ogs.ny.gov/Core/SDVAppFAQ.asp>
- In accordance with the SDVOB Act, GOSR has established a 6% utilization goal
 - Document Good Faith Efforts (GFE) to achieve significant SDVOB participation

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
 - EEO Workforce Employment Utilization (PROC-5)
 - Completed quarterly

The Davis-Bacon Thresholds

- Contract Value
 - > \$2,000
- Requirements
 - Wage Determination
 - **Prevailing Wage***
 - Davis-Bacon <http://www.wdol.gov/dba.aspx>
 - NYS <http://www.labor.ny.gov>

The Davis-Bacon Thresholds (cont.)

- Maintain records for 3 years
- Every employer performing work covered by the labor standard of The Davis-Bacon and related Acts shall post a notice (including any applicable wage determination) at the site of work in a prominent and accessible place where it may be easily seen by employees.
 - The Davis-Bacon poster (WH-1321) is form/poster is available at: <http://www.dol.gov/whd/regs/compliance/posters/fedprojc.pdf>
- Weekly uploading into Elation Systems

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

- Elations 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 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
 - Quarterly Reports
 - MWBE GFE Log
 - Section 3 GEF Logs
 - SDVOB GFE Log (?)
 - Nassau County
 - Section 3 Exhibits

Reporting Requirements (cont.)

- Contract Allowances

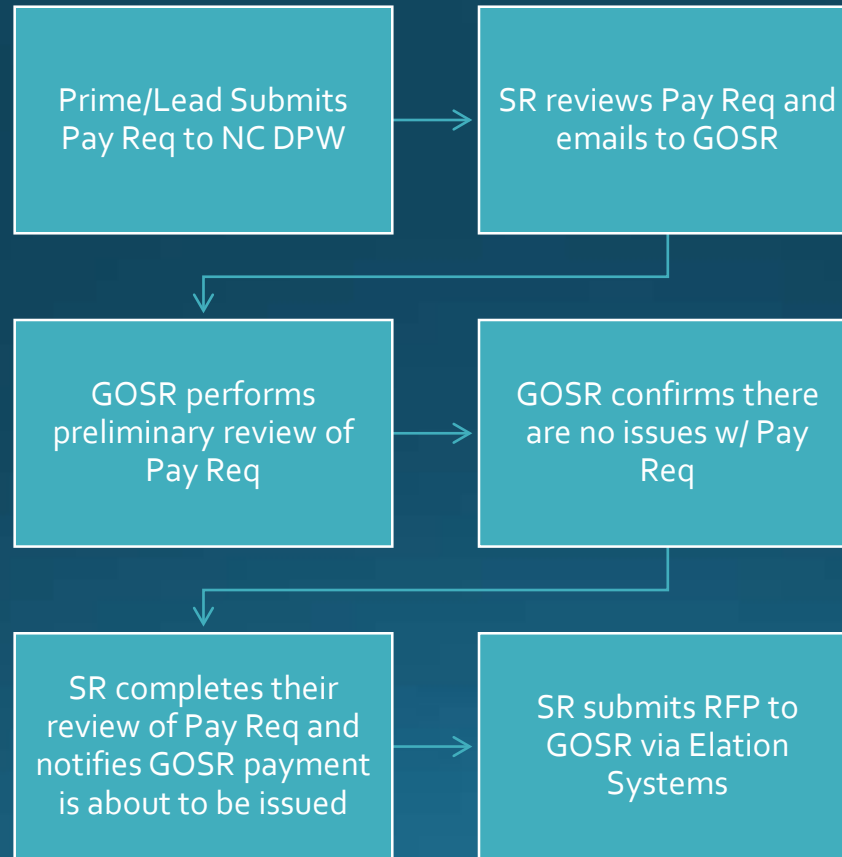
- Converted to change orders in construction contracts

- 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



SBA Farmingdale Small Business Development Center (SBDC)



Farmingdale Small Business Development Center

- **Our Mission**

- The mission of the SBDC is to provide professional business advisement, education, network resources and to advocate for small business and entrepreneurs.

- **SBDC Overview**

- The SBDC at Farmingdale State College plays a key role in economic development by providing free, high-quality, technical and management assistance to start-up and existing small businesses. Talented, certified SBDC business advisors are ready to counsel and train you to make your business succeed.
- Through direct, one-on-one counseling, the SBDC provides a range of management and technical assistance services and information, including:
 - Small Business
 - Start-Up
 - Business Plan Development
 - Organizational Structures
 - Financial Planning
 - Cost Analysis
 - Loan Information
 - Marketing Assistance

Eric Boehning Deputy Program Manager Closing Remarks



Questions and Answers



Networking

