



## Open procedure

# Provisions on the procurement procedure for planner services

### 0.1 Project title and project description

Project title: (b21013) New York, CG, RE - repair and spatial optimization / BCC 558

Project description:

The Swiss Consul General's Residence is located at a prime address on Park Avenue in New York, on the top floor of the 12-story Pre-War Apartment Building. The building was constructed in 1911. The facade facing Park Avenue is landmarked. The property was converted to a cooperative (co-op) in the 1940s.

A condition analysis of the residence demonstrated significant maintenance and indicated a need for repair. This total renovation is to be accompanied by a spatial optimization that will meet the current operational requirements of the Federal Department of Foreign Affairs (FDFA) and adequately represents Switzerland at this major location.

A project manager is sought for the implementation of this demanding task. He represents the interests of the client and ensures the execution in the desired quality as well as the required deadline and cost framework.

### 0.2 Type of contract

Service.

Common procurement vocabulary (CPV):	71248000
Building cost classification number (BCC):	558

### 0.3 Type of procedure

Open procedure.

### 0.4 According to WTO/GATT agreement or treaty

Yes.

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## 1 Contracting authority

### 1.1 Official name and address of the contracting authority

Name: Federal Office for Buildings and Logistics  
Project management - Constructions abroad  
Address: Fellerstrasse 21  
Postcode, city/town: 3003 Bern  
Country: CH

### 1.2 Tenders are to be sent to the following address

Name: Federal Office for Buildings and Logistics  
Attn.: Public Tenders  
(b21013) New York, CG, RE - repair and spatial optimization / BCC 558  
Address: Fellerstrasse 21 Email: beschaffung.wto@bbl.admin.ch  
Postcode, city/town: 3003 Bern  
Country: CH

### 1.3 Desired deadline for questions in writing

24.06.2021

Up to the deadline specified above, questions on this invitation to tender can be asked anonymously in the question forum for the tender ([www.simap.ch](http://www.simap.ch)). Any questions submitted after this deadline cannot be answered. Tenderers will be notified by email as soon as the answers have been posted on [www.simap.ch](http://www.simap.ch).

Comments:

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### 1.4 Deadline for submitting tenders

Date: 16.07.2021

Submission conditions:

- The complete tender is to be submitted in **duplicate (one hard copy and one copy in unencrypted electronic format on a flash drive). The paper copy will be decisive for determining whether or not the deadline has been met or in the event of contradictory content.**
- If delivered in person to the FOBL's goods acceptance unit at Fellerstrasse 21, 3003 Bern (by the tenderer or a courier): the tender must be submitted no later than the above-mentioned submission deadline during the acceptance unit's opening hours (08:00-12:00 and 13:00-16:00) in order for a confirmation of receipt to be issued by the FOBL.
- When submitting by post: the date used to determine the timeliness of submission is the postmark date or trackable barcode issued by a Swiss post office or a state-recognised postal operator in another country (corporate postmarks are not accepted as official postmarks). In the case of dispatch using WebStamp franking, the burden of proof for timely submission lies with the tenderer.
- When submitting the tender to a Swiss diplomatic or consular mission abroad: tenderers based in another country may also submit their tender, before the above submission deadline and during opening hours, to a Swiss diplomatic or consular mission in their own country; confirmation of receipt will be issued by the mission. The tenderer must then email the confirmation of receipt from the respective mission to the contracting authority (email as specified in section 1.2) by the submission deadline.

The project name, BCC and category of planner must be indicated on the envelope.

In all cases, the tenderer must ensure that it receives proof that the tender was submitted on time. The tender, including all of the required evidence, will be included in the evaluation only if it has been submitted in full, signed and on time.



## 1.5 Date of tender opening

Date: 26.07.2021

The opening of tenders will not take place publicly.

## 2 Subject of procurement

### 2.1 Division into lots

A breakdown of the announced contract into various lots is

☒ not envisaged.

☐ planned as follows:

– Lot 1 .....



### 2.2 Subject and scope of contract



#### 2.2.1 Building Summary

The Swiss Consul General's residence at the prime address on Park Avenue in New York, is located on the top floor of the 12-story Pre-War Apartment Building (Co-op). The property was built in 1914 by architect James E. R. Carpenter. Architecture critic Carter Horsley describes Carpenter as "the city's leading architect of luxury apartment houses of his generation." Pre-War architecture in New York is characterized by an eclectic mix of styles. For example, the building is reminiscent of an Italian palazzo with a sandstone façade and alternating rectangular- and arcaded-style windows, but supplemented with Neo-Gothic, Greek Revival, and Beaux-Art style elements. What is remarkable is not necessarily the exterior appearance, but the fact that Each apartment occupies a single storey. This is a rarity in New York and guarantees exceptional privacy and space with tremendous open views and an abundance of natural light. In the 1940s, the property was converted into a co-op. In 1981, the building was landmarked and added to the Upper East Side Historic District register. Thus, any alteration to the street-facing façades are subject to landmarks (LPC) approval.

The very generously sized, light-flooded rooms are coherently arranged and adequately reflect the historical character of Park Avenue. This generosity allows for a very flexible use of the rooms, in which the user concept can be implemented without any problems and the requirements for representative purposes can be perfectly achieved. The residence thus forms an ideal working tool for the Swiss representation in New York. Against this background, but also from the point of view of historic preservation, this concept and uniqueness should be respected and floor plan optimizations should be oriented to it.

The basis for the work to be carried out is the condition analysis with the corresponding catalog of measures. These were recorded and described in the Scope of Work document and supplemented with photo documentation. All documents can be viewed (enclosure 7) and are to be understood as orientational and not conclusive.

The total refurbishment and optimization will focus on the following measures:

Windows	Replacement of all vertical sliding and casement windows Installation of interior blinds
Electrical	Replacement of entire electrical installation (incl. lighting concept), higher protection/performance for apartment, lighting concept
Plumbing	Complete replacement of all bathroom units incl. piping, appliances, built-in furniture, revision of layout.
A/C	Replacement of window/wall units with centralized system
Heating	Vent pipes, install thermostatic valves, revision, motorized valves in combination with new, central A/C
Floor/Floor Finishing	Replacement of all floor coverings (incl. new substructure/underlay)
Walls/Ceilings	wallpaper/paint
Built-ins	New shelves/dividers in all closets, new closet concept (esp. dressing room master bedroom).
Layout	Better separation between private and representative areas (corridor area).  Reorganization storage (furniture, wine, etc.)  Rearrangement/Redesign Master Bedroom (dressing room, bathroom)  Redesign of bathrooms  Integration new A/C central (central unit)  Adaptations to corridor area (separation private/representative, optimization of storage space)  New kitchenette (conversion of existing 'laundry room')  New laundry room (conversion Staff-Room 2)  Sliding door (instead of hinged door) as separation Dining/Living
Furnishing Concept	Furniture concept for the representative rooms/areas
Security	Implementation of security plan (security door Master-BR, scissor gate lift, new locking system)
Safety	Check/ensure functionality of escape doors/escape stairs, upgrade/retrofit smoke detectors (according to current codes), escape route markings/exit signs
Contaminated Materials	Disposal of any contaminated materials (insulation with asbestos is expected)

### 2.2.2 Budget

Based on the feasibility study, the project is assumed to have a construction cost of USD 4.88 million (excluding professional fees, incidental costs, fees, etc.).

### 2.2.3 Milestones

The realization for the government requires a somewhat longer instance path on the part of the building owner. In addition, the location in Manhattan as well as the form of ownership (Co-op) can have a decisive effect on the scheduling. The following milestones were assumed (informative):

11/01/2021	Award Design Team/PM
03/01/2022	Submission of preliminary design (project documentation incl. cost estimate +/-15%)
10/01/2022	Co-op approval
10/01/2022	Final design (project documentation incl. cost estimate +/-10%)
12/01/2022	Submission of a building application (DOB/LPC)
03/01/2023	DOB/LPC approval
04/01/2023	Tender general contractor
04/01/2024	Start construction
04/01/2026	Commissioning/move in (incl. reserve)

Will be optimized in the process of the project.

The draft of the overall schedule can be found in enclosure 3.

### 2.2.4 Project Team

The client plans to hire the following project team (with separate contracts):

- Client representative (architect based in Switzerland)
- Architect/Interior designer
- Project manager (local client representative)
- Cost consultant
- Mechanical-, Electrical- & Plumbing Consultants
- Structural/Civil engineer
- Expeditor
- Lawyer (advisory only if required)

### 2.2.5 Scope of Project Manager's Services

The Project Manager's expected services are based on the American Institutes of Architects (AIA) designated contract document C132-2019 and break down as follows:

#### GENERAL REQUIREMENT

The project manager coordinates and leads all project participants with the aim of ensuring the realization of the project in the desired quality and within the required budget.

He represents the interests of the client and ensures communication within the entire project team as well as towards authorities and third parties.

#### ADMINISTRATION

- Identify project team, roles and communication channels including set up of regular meetings.
- Establish procedures for decisions and approvals with Owner including draw procedures.
- Document meetings and communication. Responsibility for design meeting minutes will reside with Architect or Engineer.
- Establish and document meetings and communication with Co-op (Board, Management, Architect, Engineer)
- Maintain project files.
- Communicate with Owner on a regular basis including providing monthly written reports.
- Define, establish and manage quality assurance tool

#### BUDGET MANAGEMENT

- Develop and maintain Project Budget including a cash flow of actuals and projections. Inform Owner on variances to budget and obtain necessary consent.
- Provide and maintain a project proforma if requested by Owner otherwise provide necessary inputs and feedback to Owner on internal proforma.
- Review and recommend approval of invoices. Manage disputed payments.
- Submit monthly draw request.
- Monitor insurance compliance of design professionals and contractors. Submit to Owner's risk manager for final evaluation as necessary.

#### SCHEDULE MANAGEMENT

- Prepare Master Project Schedule including an outline of responsibilities of team members. Contractor will maintain more detailed construction schedule during pre-construction.
- Notify Owner of variances and recommendations for correction.
- Monitor the timely submission of project documents including pricing sets, estimates, permit applications, and other documentation.

#### ENTITLEMENTS

- Manage Architect and communicate with Owner on when decisions need to be made and content of response.
- Present or assist Architect in presentation to Planning Commission (DOB, LPC), Co-op and Board of Supervisors as necessary to achieve entitlements.
- Manage the CO-OP application/approval process and liaise owner, design team, user and Co-op Board.

#### DESIGN MANAGEMENT

- Solicit proposals and negotiate agreements with design professionals and pre-construction contractors not yet contracted.
- Organize kick-off that will include a partnering session to ensure alignment of goals and a cross-collaborative approach between all design and construction consultants.
- Manage design, constructability, and cost meetings with Owner, design team, and contractor.
- Provide design and value engineering recommendations to Owner.
- Reconcile hard cost estimates with design. PM will evaluate options and work with Owner in making important design and value engineering decisions.
- Manage compliance to conditions of approval.
- Manage the timely preparation and submission of design and permit documents.
- Assist Architect and Contractor in obtaining building permits.
- Coordinate the interface of tenant (user) requirements with design and construction.

#### BID AND CONSTRUCTION PROJECT MANAGEMENT

- Oversee production of bid documents, bidding, award and negotiation of contracts.
- Assist Architect and Contractor in acquisition of DOB/LPC permits if required. If use of a permit consultant is recommended, PM will notify Owner.
- Assist Architect and Contractor in acquisition of CO-OP permits and approvals if required.
- Oversee General Contractor in the construction of the project to stay on-schedule and on-budget including attending OAC meetings and other on-site issues meetings.
- Manage the timely processing of RFIs, submittals, and mock-ups.
- Review applications for payment, change order requests, change orders, testing & inspection reports, etc.
- Collect and track all certificates of occupancy, lien releases, and Notice of Completions.
- Manage close-out including ensuring a complete package of O&M manuals and as-built drawings.
- Prepare and maintain list of defects during defects & liability period. Organize/oversee correction of defects.

#### QUALIFICATIONS AND EXCLUSIONS

- Owner will appoint one primary point of contact for PM who is authorized to make financial and time-sensitive decisions.
- All consultants and contractors shall have a direct contract with Owner unless otherwise noted.
- The schedule may be affected by forces outside PM's control but Owner will be notified immediately if a delay situation is encountered.
- PM provides development and project management only and does not act as a General Contractor, Architect or other design consultant.

## 2.3 Place of service provision or place of performance

640 Park Avenue, New York , NY 10065

## 2.4 Term of contract or framework agreement, performance timetable

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Start: 01.11.2021 and end: 01.11.2026.

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## 2.5 Options

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☒ No.

☐ Yes. Description of options:

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## 2.6 Are variants permitted?

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No.

Comments:

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## 2.7 Are partial tenders permitted?

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No.

Comments:

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## 3 Conditions

### 3.1 General conditions of participation

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The Federal Act on Public Procurement (PPA; SR 172.056.1) and the accompanying ordinance (PPO; SR 172.056.11) as well as these provisions on the procurement procedure for planner services apply to this procurement procedure.

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### 3.2 Deposit/security

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None.

For any advance payments (see under 3.3), a corresponding bank guarantee is required.

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### 3.3 Terms of payment

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1. In general, services rendered can be invoiced as a down payment.
2. The client shall deduct a 10 % guarantee retention on all payments until the contract has been entirely fulfilled.
3. The client shall settle payments due within 30 days.
4. Advance payments up to 20'000.- USD of the order volume are possible but not desired. Higher advance payments are possible but negotiable and to be secured with an appropriate bank guarantee. Advance payments are to be explicitly mentioned or shown by the bidder in the offer.



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### 3.4 Costs to be included

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Fully completed offer (form 7).

Additional/ancillary costs: Flat rate 1.5 % of the fee (includes all additional costs and travel expenses).

Insurances (are the responsibility of the bidder).

Fee is fixed price (no adjustment for inflation).

### 3.5 Bidding consortia

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☒ Not permitted.

☐ Permitted.

Multiple bids by bidding consortium members belonging to more than one bidding consortium are not permitted.....

### 3.6 Subcontractors

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☒ Not permitted.

☐ Permitted.

Multiple bids by subcontractors are permitted.....

### 3.7 Eligibility criteria

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Evidence to be provided by the tenderer **when submitting the tender**:

#### **EC 1 Specialist and technical capacity:**

##### **EC 1.1 Tenderer's reference:**

Reference of the bidder (project manager) about the execution of a project comparable in complexity to the intended task (in particular with regard to conversion/renovation, preservation of historical monuments, co-op, representation) in the last approx. 10 years.

Please use **form 3** to provide the details.

##### **EC 1.2 Reference Key Person:**

Reference of the key person to be assigned on the execution of a project of comparable complexity to the intended task (in particular with regard to conversion/renovation, preservation of historical monuments, co-op, public building owner) in the last approx. 10 years. It is also possible to provide a reference project which was significantly worked on by the key person at a previous employer or which is already listed in the reference of the bidder.

Please use **form 4** to provide the details.

The tenderer's references will be used to evaluate **award criterion AC 2**.

The contracting authority reserves the right to contact the reference people specified in **form 3** and **form 4**, in order to check the details of the references provided.

##### **EC 1.3 Sufficient and suitable human resources:**

The tenderer shall have sufficient and suitable human resources (at least 200% (FTEs)) to execute the construction project on schedule.

Evidence is to be provided using **form 2**.

## EC 2 Economic and financial capacity:

Tenderer Evidence to be provided by the tenderer following submission of the tender and prior to the award:

- Current extract from the commercial register or, in the cases of overseas tenderers, comparable and current official document from the foreign country (original or copy, no older than three months) when requested by the contracting authority).
- Current extract from the debt collection register (original or copy, no older than three months at the time of the request by the contracting authority). In the case of overseas tenderers, comparable and current official document from the foreign country.
- Valid proof of insurance or declaration of intent from the intended insurance company to provide professional indemnity insurance to the company or work group/bidding consortium upon contract conclusion.

The contracting authority reserves the right to request further supporting documentation following tender submission:

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### 3.8 Award criteria and required evidence

Criteria	Weighting in % (W)	Sub-criteria in %	Grade (G)	G x W = P max. points
AC 1 Price (excl. VAT)	40		1 - 5	200
AC 1.1 Proposed fee excl. VAT		40		
AC 2 Reference for bidder	35		0 - 5	175
AC 2.1 Reference Project Manager		25		
AC 2.2 Reference Key Person		10		
AC 3 Sustainability	10		0 – 5	50
AC 4 Presentation/Interview	15		0 - 5	75
<b>Total</b>	<b>100 %</b>			<b>500</b>

AC 1 Price (excl. VAT) Total fee incl. any additional work and ancillary costs **excl.** VAT as established in the details in **form 7**.

AC 2.1 Reference for bidder (Architect/Interior Designer) Reference from the bidder (architect/interior architect) on the execution of a project comparable to the intended task (in particular with regard to conversion/renovation, preservation of historical monuments, co-op, representation) in the last approx. 10 years.  
Please use **form 3** to provide the details.

The architectural implementation of a renovation task in a comparable context or of comparable complexity will be evaluated based on the submitted documentation.

AC 2.2 Reference Key Person Reference of the key person to be assigned on the execution of a realized project comparable to the intended task (in particular with regard to conversion/renovation, monument protection, co-op, public building owner) in the last approx. 10 years.  
Please use **form 4** to provide the details.

The implementation of a renovation task in a comparable context or of comparable complexity will be evaluated based on the submitted documentation.

AC 3 Sustainability	<p>Sustainability: The bidder writes a statement on the handling of resources in relation to the contract to be performed, with special consideration of the topics of sustainability, material cycles, gray energy and handling of existing building fabric/substance.</p> <p>To be submitted as specified in <b>form 8</b>.</p>
AC 4 Presentation/Interview	<p>Bidders who have a chance of being awarded the contract after reviewing the other criteria will be invited for an interview (at least three). Invitation will be issued by August 9, 2021. Appointments for interviews are August 16/17/18, 2021 Skype session or if the Covid situation allows, 8:30 a.m. or 1:30 p.m. at the Consulate General 633 Third Avenue, 29th/30th Floor, New York, NY 10017.</p> <p>The presentation should provide answers to the architectural approach to the task as well as the bidder's process and organization (as per Questionnaire <b>Enclosure 5</b>).</p>

The tenderer must ensure that all referees listed for the fulfilment of the award criteria (or a representative with sufficient knowledge of the reference project) are available during normal office hours at the specified telephone numbers.

The contracting authority reserves the right to request further evidence following tender submission:

– .....

### Evaluation of price

The price evaluation (AC 1.1/AC 1.2) is performed according to the following evaluation method:  
The tender with the lowest valid price is awarded grade 5, the maximum grade. Tenders that deviate from the lowest tender by at least 100% are awarded a grade 1. For tenders in between this range, the grades (rounded to one decimal place) are awarded linearly.

### Evaluation of quality criteria

#### Evaluation of references and sustainability criteria

**Grades 5 to 1:** based on average grade from referees (arithmetical mean of grades, rounded to a half-grade).

#### Grade      Related to the fulfillment of the criteria (completeness and quality):

5	Very good fulfillment
4	Good fulfillment
3	Sufficient fulfillment
2	Insufficient fulfillment
1	Very poor fulfillment
0	Not assessable

#### Evaluation of Presentation/Interview

The awarding authority intends to invite the bidder to a presentation. The invitation will be issued after evaluation of the other award criteria for all bidders who still have a chance of being awarded the contract after examination of these other award criteria (but at least the three best-placed).

The presentation will be evaluated according to the following scale, which will be evaluated in steps of 0.5 points.

#### Grade      Based on the fulfilment of the criteria (completeness and quality):

5	Very good
4	Good

3	Satisfactory
2	Unsatisfactory
1	Very poor
0	Not assessable

■

#### Award

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For each criterion, the grades (G) are multiplied by the weightings (W). The tender with the highest number of points overall (P) is awarded the contract. In the event of tenderers receiving an equal number of points, the lower-priced tender will be ranked ahead of the higher-priced tender.

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### 3.9 Conditions for receiving tender documentation

None.

### 3.10 Languages

#### Language of tenders

☒ English      ☒ German      ☐ French      ☐ Italian      ☐ .....

#### Language of the procedure

☒ English      ☒ German      ☐ French      ☐ Italian      ☐ .....

#### Language of the tender documentation:

☒ English      ☒ German      ☐ French      ☐ Italian      ☐ .....

Comments:

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The tender documents are available in German and English. In the event of contradictions between the versions, the German version shall prevail.

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### 3.11 Validity of tenders

6 months after the deadline for submission of tenders.

### 3.12 Source for obtaining tender documentation

www.simap.ch.

Further information on obtaining tender documentation:

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### 3.13 Dialogue to take place?

No.

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## 4 Additional information

### 4.1 Prerequisites for countries not party to the WTO Agreement

None.

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## 4.2 Terms and conditions

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In accordance with the General Conditions of Contract AIA:

- C132-2019 (Standard Form of Agreement Between Owner and Construction Manager as Adviser)
- A232-2019 (General Conditions of the Contract for Construction).

## 4.3 Official site visit

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- ☒ An official site visit is not envisaged.
- ☐ An official site visit will take place on .....

Additional information:

## 4.4 Fundamental requirements

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According to Art. 12 of the PPA. The relevant self-declaration in **form 1 (tender form) of the annex must be signed** and submitted.

## 4.5 Already involved tenderers permitted to take part in the procedure

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The architectural office of CH Create, 315 W 39th ST, New York, NY 10018 was used as local consultant in the preparation of the 2020 Feasibility Study.

## 4.6 Other information

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1. There is no compensation for the preparation and submission of tenders.
2. The procedure is subject to the procurement maturity of the project and the availability of credit.
3. Type of fee:  
Fee as a fixed price, in accordance with § 11 of the intended contract document for planner services AIA C132-2019. Details concerning the fee are to be given in **form 7**.  
Project design and corresponding fees are authorized in phases.
4. No adjustment of fees due to inflation.
5. **The** contracting authority and the tenderer must keep confidential all information which is not generally known or in the public domain.
6. The awarding office reserves the right to perform a plausibility check on the bids submitted by the tenderer.

## 4.7 Official publication

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[www.simap.ch](http://www.simap.ch)

## 4.8 Statement of rights of redress

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In accordance with Article 53 et seq. of the PPA, a written appeal against the simap publication can be lodged with the Federal Administrative Court, P.O. Box, 9023 St. Gallen, Switzerland, within 20 days. Any appeal is to be submitted in duplicate and must include what is being sought, the grounds for appeal, evidence and the

signature of the person lodging the appeal or his or her representative. The complaint must be accompanied by a copy of the present publication and by the available evidence.

## 5 Tender documentation to be submitted and its structure

The following tender documentation is to be submitted in accordance with the **Tender and supporting documentation for planner services tender procedures** (if there is a checkbox: only if this is checked), completed in full, in duplicate and, where required, duly signed. The prescribed forms are to be used:

- ☒ Self-declaration (forms 1a, 1b, 1c).
- ☒ Tenderer's details (form 2).
- ☒ References for tenderer (architect/interior designer, form 3).
- ☒ References for light designer (form 4).
- ☐ Contract analysis (form 5).
- ☐ Organisation (form 6).
- ☒ Proposed fee (form 7).
- ☒ Other documents:
  - Statement sustainability (form 8)

Modifications to the documents submitted by the tenderer are not permitted; such tenders may be excluded from the tender procedure. ....

## 6 Tender documentation

- Tender with forms for completion.
- Form **Reference with evaluation** (enclosure 1).
- Draft of the overall schedule, indicative (enclosure 3)
- Organizational chart project organization, indicative (enclosure 4)
- Questionnaire Presentation/Interview AC 4 (enclosure 5)
- Drawings, indicative (enclosure 6)
- Feasibility study, indicative (enclosure 7)
- Anti-Corruption declaration (enclosure 8)
- Link AIA (Contract and Standards)  
<https://www.aiacontracts.org>
- Link Constructions Abroad  
[https://www.bbl.admin.ch/bbl/de/home/bauten/projekte\\_ausland/architektur.html](https://www.bbl.admin.ch/bbl/de/home/bauten/projekte_ausland/architektur.html)
- Sustainable construction: KBOB terms and conditions for planner services (construction) of July 2017  
<https://www.kbob.admin.ch/kbob/de/home/themen-leistungen/nachhaltiges-bauen.html> (available in German, French, Italian).
- FOBL directives on CAD data  
<https://www.bbl.admin.ch/bbl/de/home/dokumentation/publikationen/projektmanagement/planung.html> (available in German, French, Italian).
- Factsheet on personnel security screening for third parties  
<https://www.vbs.admin.ch/de/dokumente/suche.detail.document.html/vbs-internet/de/documents/ios/personensicherheitspruefung/Merkblatt-PSP-Dritte-d.pdf.html>.