

**Project: South Battery Park City Resiliency Project:
Special Inspections and Laboratory Testing
Services Request for Proposals (“RFP”)**

Date: March 9, 2023

RE: Addendum #1

of Pages: 5

A) REVISIONS TO RFP:

The following revised RFP section is hereby formally incorporated into the RFP, and replaces/supersedes the prior version of such section originally issued with the RFP. The added content, compared to the content included in the original version of the RFP, is yellow-highlighted in the enclosed attachment:

- Section V. D. – Submission of Proposals, first bullet item – Attachment #1. (Email address added.)

B) BPCA’S RESPONSE TO SUBSTANTIVE QUESTIONS:

The following responses (the “Responses”) are provided to questions (“Questions”) received by Battery Park City Authority (“BPCA”) by 5:00 p.m. Eastern Standard Time on March 3, 2023, in connection with this RFP for the South Battery Park City Resiliency Project – Special Inspections and Laboratory Testing Services (the “Project”). The Responses are provided in bold, italicized print immediately following the Questions. Please note that all capitalized terms shall have the same definitions as provided in the RFP.

- 1) Section V General Requirements, paragraph 7 states that Proposer must demonstrate a minimum staffing level of thirty (30) full-time special inspectors. If we have a sub-consultant, can we combine both firms full-time inspectors to satisfy this minimum requirement?

Yes, this is acceptable.

- 2) Exhibit D-3 lists down various inspections and asks for the unit prices per Tests. Can you please further clarify the intent of this Exhibit? Exhibit D-2 already has listed various inspectors performing same inspections.

Exhibits D-2 through D-4 serve different purposes, which, together, enable BPCA to identify and aggregate cost components associated with various types of required or potentially-required inspections and tests. The total aggregated price proposed for each type of inspection/test currently expected to be required for the Services are then reflected in Exhibit D-1.

In completing the table included in Exhibit D-3, the Proposer is expected to provide a fixed unit price for each of the listed testing and/or laboratory services. The price provided is to include all of the specific cost elements enumerated in Exhibit D-3. Excluded from these costs are any personnel or equipment expenses which are not integral to the testing or laboratory processes and which by necessity would be calculated and incurred on a daily or half-daily rate basis in accordance with Exhibit D-2 and/or D-4. Exhibits D-2 and D-4 are to include daily and half-daily rates for any associated and potentially required personnel and/or equipment not otherwise covered by Exhibit D-3.

It should be noted that Exhibits D-2 through D-4 will contain pricing applicable to certain types of inspections and tests that are not included in the line-item and aggregated costs reflected in Exhibit D-1. As noted in the RFP, BPCA recognizes that there may be additional types and numbers of tests required in addition to those specified in Exhibit D-1. Consequently, unit and rate pricing for all potentially required inspections/tests is required to be included in Exhibits D-2 through D-4.

[NO FURTHER TEXT ON THIS PAGE]

- 3) Exhibit D-1 Estimated Quantities for Special Inspections Required by Bid Package – are the quantities shown Half Days, Full Days or a combination of both?

It is expected that each Proposer will formulate its own projected total cost (including all applicable components from Exhibits D-2 through D-4) for each type of inspection/test specified in Exhibit D-1, which should be multiplied by BPCA's estimated number of inspections per category and per package. The total of these line items are to be added together, along with the fixed \$100,000 allowance, to constitute the Proposer's Cost Proposal. BPCA will be relying upon the judgment of the Proposer to determine the appropriate units and rates to be included.

- 4) Section IV.4.A, second bullet – Requiring NVLAP, CCRL and AMRL seems a little stringent. Most Labs have either NVLAP or CCRL & AMRL, not both. Also many labs have A2LA which is also recognized by NYC DOB. Is it possible to make the requirement “or” rather than “and”?

No; this requirement will not be modified.

- 5) Exhibit D-1 lists items for rates that don't appear in D-2 and D-3. Are we just pricing the Cost Proposal Form D-1? Or are we to price D-2 and D-3 Schedule form too?

See responses to Questions 2 and 3 above. The Proposer should complete Exhibits D-1 through D-4 in their entirety.

- 6) The RFP mentions a minimum of 30 full time special inspectors. Does that include the participation of sub-consultants? For example if a firm has 20 inspectors and the sub-consultant has 10 inspectors – is this acceptable?

See response to Question #1, above.

- 7) Regarding the minimum qualifications requirements on page 3, item 3 states that “Proposer shall submit documentation demonstrating that it is lawfully registered with DOB as a “Special Inspection Agency” for all special inspection categories and classes.” Our question is, if a proposer who is registered with DOB in all categories and classes except class 1, but has a key sub-consultant who is registered in all classes and categories, does this make the team a qualified team?

No; this will not meet the qualification requirements of the RFP. The Proposer firm must be a DOB-registered Class 1 Special Inspection Agency.

- 8) Would you consider eliminating the all classes requirement on page 3, item 3 so that more firms especially MBE firms can participate?

No; this requirement will not be modified.

- 9) Does an MBE proposer firm self-certify the 15% MBE goals?

Yes, this is acceptable.

- 10) The last date for client answers to questions is 3/9/23; the due date is 3/17/23. That leaves very little time between the answers and the submission. Is it possible to extend the due date of submission by a week or two?

No, the Proposals Due Date is not changing.

- 11) Item A-2, page 3 of the bid document states; “Proposer must Obtain a “Certificate of Authorization...etc.”. Can this be modified to allow testing firms that have qualified PEs on board but not a Certificate of Authorization to propose on this project as a Prime?

No; this requirement will not be modified.

[NO FURTHER TEXT ON THIS PAGE]

- 12) On page 4 of the RFP, Item D. Submission Requirements, instructions state: “Each Proposer must e-mail their Technical Proposal to the following e-mail address:” However, no email address is provided. Can you please provide the email address for submission of the Technical Proposal?
The email address is: technicalproposals@bpca.ny.gov. As noted in Section A – REVISIONS TO RFP (above), a revised version of the RFP’s Section V. D is provided as Attachment #1.
- 13) Can a proposer who is an MBE firm self-satisfy the MBE goals?
See response to Question #9, above.
- 14) We are requesting you to extend the due date of submission to have enough time to prepare for the proposal.
See response to Question #10, above.
- 15) We are not a class 1 special inspection agency but intend to submit the proposal in response to this RFP with a sub-consultant who is registered with DOB in all classes and categories. This sub-consultant will perform a substantial amount of work. Will this be acceptable to your agency?
See response to Question #7, above.
- 16) Section IV.4.A, second bullet – Most Labs have either NVLAP or CCRL & AMRL, not both. Also, many labs have A2LA which is also recognized by NYC DOB. Is it possible to make the requirement “or” rather than “and”?
See response to Question #4, above.
- 17) Exhibit D-3 Unit Pricing for Testing and or laboratory services sheet is more related to field inspection rather than lab testing. Can you please clarify how to include unit pricing for concrete cylinders, sieve analysis, etc.
The testing and/or laboratory services unit pricing requested by Exhibit D-3 refers to all costs projected to be incurred by the selected Proposer for completion of the Services that are not already accounted for in either the proposed personnel rates provided as part of Exhibit D-2 or in the proposed special testing equipment unit pricing provided as part of Exhibit D-4. If the Proposer does not anticipate to incur any additional costs (apart from the proposed costs provided as part of Exhibit D-2 and Exhibit D-4), the Proposer must indicate that on its completed Exhibit D-3 – Unit Pricing Form.

By signing the line below, I am acknowledging that all pages of this Addendum #1 have been received, reviewed and understood, and will be incorporated into the Proposal submitted. This document must be attached to the Proposal for consideration.

 Print Name

 Signature

 Date

Number of pages received: _____ <fill in>

Distributed to: All prospective Proposers

ATTACHMENT #1
REVISED VERSION OF RFP'S
SECTION V. D. – SUBMISSION OF PROPOSALS
(FIRST BULLET ITEM)

[ATTACHED]

communication was intended to influence BPCA's conduct or decision with respect to a procurement) relating to this RFP with anyone other than the Designated Contact, as specified in Section IV.A., or MBE/WBE/SDVOB Designated Contact, as specified in Section V.B., from the time of Proposer's receipt of notice of this RFP through the date of the Final Award as defined in BPCA's Procurement Guidelines (the "Restricted Period"). BPCA employees must record certain contacts during the Restricted Period, including, but not limited to, any oral or written communications that could reasonably be seen as intended to influence BPCA's conduct or award of this RFP. Upon notice of an improper contact, BPCA shall make a determination regarding the Proposer's eligibility to continue participating in this RFP.

D. Submission of Proposals

Proposals must be received by BPCA no later than 5:00 p.m. on March 17, 2023.

- Each Proposer must e-mail their Technical Proposal to the following e-mail address: technicalproposals@bpca.ny.gov.
The Technical Proposal must be clearly labeled as "Proposal Enclosed – SOUTH BATTERY PARK CITY RESILIENCY SPECIAL INSPECTIONS AND LABORATORY TESTING SERVICES."
The Technical Proposal must be clearly labeled as "Proposal Enclosed – SOUTH BATTERY PARK CITY RESILIENCY SPECIAL INSPECTIONS AND LABORATORY TESTING SERVICES."
- Each Proposer must also e-mail their Cost Proposal to the following e-mail address: costproposals@bpca.ny.gov. The Cost Proposal must be separately attached and clearly labeled as "Cost Proposal – SOUTH BATTERY PARK CITY RESILIENCY SPECIAL INSPECTIONS AND LABORATORY TESTING SERVICES."
- **Each Proposer is responsible for the successful delivery and receipt of their Proposal. BPCA is not accepting Proposals sent via messenger, overnight courier, or certified mail to BPCA offices.** If a Proposer has already sent a Proposal via one of these methods, please e-mail the Proposal to the above e-mail address by the Due Date. If a Technical Proposal's file size is too large to submit by e-mail, the Proposer must make alternate electronic accommodations (e.g., linking to a file sharing website), which shall also be transmitted through technicalproposals@bpca.ny.gov. Please contact the Designated Contact prior to the Due Date in order to ensure successful transmission of the documents prior to the Due Date.
- Proposals *must* arrive at the time and place specified herein. Please leave ample time for submission. Late Proposals, no matter the cause of their lateness, will NOT be accepted. Hard copy or faxed Proposals will NOT be accepted. A Proposer may, after submitting a Proposal, amend its Proposal by submitting an amended Proposal, clearly labeled "Amended Proposal – SOUTH BATTERY PARK CITY RESILIENCY SPECIAL INSPECTIONS AND LABORATORY TESTING SERVICES," as long as the amended Proposal is submitted by the Due Date.

VI. PROPOSAL FORMAT AND CONTENTS

A. Proposal Format

The Proposal must:

- Have numbered pages; and,
- Be no longer than ten (10) single-sided pages, exclusive of the Cover Letter, Cost Proposal, and Required Attachments.