

A) RFP REVISIONS:

The following revisions are hereby incorporated into the RFP, and supersede any requirement included in the RFP:

- The following Item #5 of Section V. B – Proposal Content is hereby deleted: “5) *Attach a project schedule showing resources based on the staffing required to manage the three (3) projects.*”
- Exhibit E – Form of Technical Salary Rates (appended hereto as Attachment #1) has been revised to, among other things, include separate multipliers for subconsultants / spaces for additional titles.

B) BPCA’S RESPONSE TO SUBSTANTIVE QUESTIONS:

The following responses are provided to substantive questions received by Battery Park City Authority (“BPCA”) by May 1, 2024, in connection with this RFP. 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. Can you please clarify Section V.B. Proposal Content, Item 5) “*Attach a project schedule showing resources based on the staffing required to manage the three (3) projects.*” What three projects is this referring to?
Please disregard; in accordance with this Addendum #2’s Section A. – RFP Revisions (above), Item 5) of the RFP’s Section V. B is deleted as per this Addendum.
2. Can you please clarify if the Authority is seeking full resumes for proposed staff, or only tailored biographies? Is there a page limit applicable to the resumes, and/or a maximum amount of resumes we can submit?
Battery Park City Authority (“BPCA”) is seeking tailored biographies for proposed staff. There is no page limit for the resumes.
3. Should we refer to titles on Exhibit E, Form of Technical Salary Rates for a list of key personnel, or can you define what titles constitute required Key Personnel?
Key personnel include those individuals that the Proposer considers integral to most projects. This may or may not include all titles included in the revised version of the Exhibit E – Form of Technical Salary Rates table (appended hereto as Attachment #1).
4. Can you clarify which forms should be included in Section V.B. Proposal Content, Item 2) “*Proposal Submission Packet?*” Should Forms V – XV be included here or in Section V.B. Proposal Content, Item 6) “*Additional Attachments, Exhibits, or Appendices?*”
The Proposal Submission Packet consists of all forms found in Exhibit C – specifically, pages C-1 through C-26. Also, Proposers must provide a completed W-9 form, the link to which can be found on page C-1.

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5. Can you please clarify if Exhibit C Section II, Item 11) is referring to information required on resumes, or is this information required for reference projects? The item reads: “Describe your proposed team’s experience (including both direct contract work and work performed under subcontracts) with similar work for other public entities, with an emphasis on New York State and City public entities. Include contract dates, the nature of the work performed, the contracting agency, the contract number (if known) and the supervisor for each.”
This directive relates to the proposed team’s relevant experience with on-call construction management (“CM”) services in particular, or with CM services in general.
6. Is there a page limit on any section of this proposal, or the proposal as a whole?
There is no page limit for any section of the Proposal, or for the Proposal as a whole.
7. How many firms were awarded the previous iteration of this contract? Can you provide the incumbent firm list?
Eight firms were awarded on-call CM services contracts under the prior solicitation; however, that firm count is not indicative of the number of firms to be awarded contracts under this solicitation. Identification of those firms is not relevant to the awarding of the contracts under this solicitation.
8. How many project assignments were awarded under the previous on-call contract?
Approximately 12 assignments, in total, were awarded under the prior on-call CM contracts.
9. What information is required from subconsultants? Do they need to provide Audited Financial Statements or complete any of the forms I – XV?
Proposers must identify their proposed subconsultants and their respective rates, but no additional forms must be submitted unless the sub-consultant is a proposed M/WBE subconsultant, in which case Proposers must provide the most recent NYS certification letter for their subconsultants (in accordance with Section XI. of Exhibit B – Proposal Submission Packet).
10. Will the Authority provide an extension on the due date?
No, the Proposals Due Date is not being extended at this time.
11. Related to Exhibit E of the RFP; there appears to be only one Multiplier requested for our Subconsultants. Various Subconsultants utilize various multipliers. Can individual multipliers be submitted for each subconsultant. Can Exhibit E be revised to reflect same? ***As stated in this Addendum’s Section A – Revisions (above), the RFP’s Exhibit E – Form of Technical Salary Rates has been revised to provide individual multipliers for each subconsultant.***
12. Related to Exhibit E of the RFP; Please clarify the indication of a % (percentage) related to our contractual multiplier.
The inclusion of a percentage sign on the RFP’s Exhibit E – Form of Technical Salary Rates, was inadvertent and it has been removed from the new/revised Exhibit E included with this Addendum.
13. Related to Exhibit E of the RFP; For clarity, titles, and rates such as Superintendent, Inspector, Diver, etc. will be established at the Task Order stage and not part of the Hourly rate chart?
“Superintendent” has been added to the revised Exhibit E. Proposers are encouraged to propose rate ranges for any other position they feel they will use. Other titles, such as “Inspector,” “Diver,” and others, if not included on the Form of Technical Salary Rate Sheet, may be established at the

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Task Order stage based on the actual wage rate of the staff, as well as the Multiplier set forth in the revised Exhibit E.

14. Related to Exhibit E of the RFP; Please clarify Hourly Rate “Range”. Are you looking for a low and high rate for each title/function?
Yes.
15. Related to Page 5 of the RFP; Section V. PROPOSAL FORMAT AND CONTENTS, Number 5, what are the 3 projects referenced regarding the project schedule?
See response to Question #1, above.
16. When will the costs of reimbursable items such as field office, etc. be considered? There appears to be no fee form related to these costs. ***Reimbursable costs will be part of the Job Order Proposals.***
17. Please confirm that BPCA will hold all construction contracts relative to the various assigned projects?
Confirmed.
18. On p.5 of the RFP, under V. Proposal Format and Contents, paragraph B.5 states, “Attach a project schedule showing resources based on the staffing required to manage the three (3) projects.” Please confirm if a schedule is required and, if so, please provide a description of the 3 projects.
See response to Question #1, above.
19. Under Exhibit E, Form of Technical Salary Rates, there is only one form for the hourly salary rates. Is the rate range supposed to account for the annual escalation of rates or should there be a separate salary rate sheet for each of the five years of the contract? ***The rate range should reflect the range of actual salary rates anticipated for the first three years of the contract. Pursuant to Section 3.(d) of the RFP’s Exhibit G – Standard Form of Contract, “if the Term is extended for one or more additional annual terms...Consultant may increase the rate ranges payable...by a maximum of 5% per term extension.” This provision is now mentioned in the revised Exhibit E.***
20. The RFP indicates we need to provide a project schedule in Section V: Proposal Format and Required Inclusions as well as in Exhibit A. Can BPCA please provide size and scope of work of the projects?
See response to Question #1, above.
21. Would BPCA be open to the possibility of reducing the insurance requirements concerning primary and umbrella/excess liability coverage?
Insurance coverage amounts specified in the RFP are non-negotiable.
22. Can you please confirm if builder’s risk/installation floater insurance and comprehensive marine liability insurance is required?
These insurance policies may be required on particular On-Call Projects. Pursuant to the RFP’s Section VI. B.: “...(any additional cost...shall be incorporated into the selected Proposer’s submitted Approach Plan for the particular assigned Job generating the need for the additional coverage)...”
23. Is United States Longshore and Harbor Workers Act coverage applicable to this RFP?
U.S. Longshore and Harbor Workers Act coverage may apply to particular assigned Jobs. If the Consultant will incur additional costs for such coverage, the Consultant may incorporate such extra costs into the Approach Plan and Job Proposal.

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24. Construction Management as Agents typically do not direct and coordinate the work of the contractor, can you please confirm?
Without directing the means or methods of the contractors on projects, the Consultant should nevertheless direct and coordinate the contractor's efforts to ensure the timely completion of the contracted work.
25. Will the architect issue the work acceptance certificates?
It depends on the particular assigned Job.
26. Can a qualified Firm propose both as a Prime, as well as a Subconsultant?
Yes.
27. Under Section V. Proposal Format and Contents, #5. Can you clarify the 3 Projects that will be managed?
See response to Question #1, above.
28. On page 4, Section V, Proposal Format and Contents, under item B5, which requests, "Attach a project schedule showing resources based on the staffing required to manage the three (3) projects." Could you please clarify the expectations for the project schedule? Additionally, could you specify which three projects are being referred to in this section?
See response to Question #1, above.
29. Can you please clarify if a single multiplier is required for all subconsultants, or if it is permissible to provide separate multipliers for each subconsultant?
See response to Question #11, above.
30. Does the Battery Park City Authority want the proposed staff in org. chart limited to the titles provided in Appendix E, or are proposers expected to identify other personnel potentially required for construction management assignments such as field inspectors or engineers required to perform constructability reviews.
See response to Question #3, above.
31. Referencing Section V. Part B Item 4, is there a limit to or a specific number of key personnel the BPCA would like to see identified in the Proposal?
No.
32. RFP section V.B.5 (RFP page 5) states " Attach a project schedule showing resources based on the staffing required to manage the three (3) projects". Please clarify what projects are being referenced.
See response to Question #1, above.
33. Please confirm that this contract is not Construction Manager at Risk.
Confirmed.
34. Section V., Subsection B. Proposal Contents, Number 5) references attaching a project schedule showing resources based on the staffing required to manage the three (3) projects. Please confirm the specific three projects that this statement is referring to.
See response to Question #1, above.

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35. [Please provide] clarification for the SDVOB goals per the advertisement for the proposal, the SDVOB Goals: 6% are required but in the RFP, there are no 6% SDVOB goals.
As stated in the RFP's Exhibit F (on page F-3), the SDVOB participation goal is 6%.
36. Confirm that the Marine Liability Insurance in a limit of not less than \$1M per occurrence is required. Confirm that additional Marine Liability coverage may be required on a Job Notification, if required for the scope of work.
See response to Question #22, above.
37. Confirm the typical time period from when BPCA releases a Job Notification to when the selected CM firms have to respond with their proposal that includes work schedule, cost proposal with estimated total hours by CM and applicable sub-consultants, staffing, and other required documentation.
As stated in the RFP's Exhibit B – Section B. 1: “Upon receipt of a Job Notification, the Consultant shall submit a written response...within forty-eight (48) hours of such Job Notification, unless (i) it is an urgent matter that requires a more immediate response, as determined by BPCA; or, (ii) BPCA permitted the Consultant to take additional time to prepare its response.”
38. Confirm that the estimated cost of \$50K [requiring the submission of an Approach Plan] is related to CM personnel costs, associated sub-consultant personnel fees, and general conditions/reimbursable expenses only.
Confirmed.
39. In the Proposal Format and Contents, Section 1 is Executive Summary and Section 2 is the Completed Proposal Submission Packet, attached as Exhibit C. In Exhibit C, Executive Summary is the first item on the checklist. Confirm if the Executive Summary should be Section 1 or if the entire Proposal Submission Packet (Exhibit C) should be Section 1.
As indicated in the RFP's Section V. B., the Executive Summary should be included as Section 1 of the Proposal, and the Proposal Submission Packet should be included as Section 2. The Executive Summary does not need to be included twice in the Proposal.
40. Is there an On-Call Contract for CM Services that is currently coming to an end. If so, can BPCA release the name of the incumbent firms?
See response to Question #7, above.
41. Confirm CM will not hold any trade contracts; CM will act as Agent to BPCA.
Confirmed.
42. At the bottom of page 2 on the MBE/WBE Utilization Plan there is a Workforce Percentages set for this project. Confirm if there are Workforce percentage requirements and what the percentages are.
There are no Workforce Percentage Requirements currently as part of this RFP / solicitation.
43. Per pg. 5, Sect V.B.5 - Please clarify what three projects to develop a project schedule to show resources.
See response to Question #1, above.

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44. RFP Pg. 4 states: “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)...” Will you please clarify the size limit for BPCA’s inbound email server?

The inbound limit of BPCA’s email server is 35 megabytes (MB).

45. RFP Pg. 5 states: “Attach a project schedule showing resources based on the staffing required to manage the three (3) projects” Will you please clarify this requirement along with the three (3) projects BPCA is referring to?

See response to Question #1, above.

By signing the line below, I am acknowledging that all pages of this Addendum #2 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 (Above)

Signature (Above)

Date (Above)

Number of pages received: _____ <fill in>

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ATTACHMENT #1
REVISED EXHIBIT E –
FORM OF TECHNICAL SALARY RATES

[ATTACHED]

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EXHIBIT E (REVISED)
FORM OF TECHNICAL SALARY RATES

Proposers shall provide all appropriate persons necessary to ensure the highest quality work. The rate ranges listed below represent Proposer's range of actual hourly rates of pay (or pro-rated equivalent for salaried employees) (the "Actual Rate of Pay") paid to employees occupying the listed positions, for the initial three-year term. Hourly Rate Ranges may increase by 5% for each annual term extension period.

TITLE / FUNCTION	HOURLY RATE RANGE
PRINCIPAL	
PROJECT EXECUTIVE	
SENIOR PROJECT MANAGER	
PROJECT MANAGER	
ASSISTANT PROJECT MANAGER	
SCHEDULER	
SENIOR ESTIMATOR	
ESTIMATOR	
SUPERINTENDENT	
OTHER:	
OTHER:	
OTHER:	
OTHER:	

Should positions other than those listed above be required on any particular Job Order, the Proposer shall disclose the position, and the actual rate of pay, in its Response to the Job Notification.

Rates utilized for Job Order invoicing will be the Actual Rate of Pay (the "Raw Rate") for the individual employees (corresponding to the appropriate title) utilized on that particular Job Order, which rate may be subject to audit at the discretion of BPCA. Invoicing shall factor the Actual Rate of Pay, times the actual hours of productive work expended in the billing period, times the auditable Multiplier identified below.

FOR CONSULTANT _____ MULTIPLIER: _____
(For self-performed On-Call Construction Management Services)

FOR SUBCONSULTANT _____ MULTIPLIER: _____
(List Name and Type of Consultant)

FOR SUBCONSULTANT _____ MULTIPLIER: _____
(List Name and Type of Consultant)

FOR SUBCONSULTANT _____ MULTIPLIER: _____
(List Name and Type of Consultant)

FOR SUBCONSULTANT _____ MULTIPLIER: _____
(List Name and Type of Consultant)

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The Multiplier selected by the Proposer shall be limited to the direct payroll burden as allowed in list below and a reasonable profit and overhead percentage. These items should only be included in the Multiplier, and not in the Raw Rate used in Consultant's invoicing.

Itemization of Direct Payroll Burden

1. F.I.C.A.
2. Federal Unemployment Insurance
3. State Unemployment Insurance
4. Worker's Compensation
5. Life Insurance
6. Accidental death and Disbursement
7. NYS Disability Insurance
8. PL and PD Insurance
9. Group Hospitalization
10. Vacation time attributable to Project
11. Major Medical Insurance
12. Pension and Profit-Sharing Plan
13. 401K Program (company contribution)
14. Medicare
15. Long-Term Disability Insurance
16. Company Automobile Expenses
17. Tuition and Seminar Reimbursement
18. Company Training Program
19. Employee Bonuses – Non-Principals and Non-Shareholders
20. Travel and Meal Allowances – Overtime Work Only
21. Premium for Staff Overtime – Support or Clerical Work
22. Sick Time and Personal Days for Employees

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