

Request for Proposals (“RFP”):

Date:

July 22, 2025

**North West Battery Park City**  
**Resiliency Project: Special**  
**Inspections and Laboratory**  
**Testing Services**

RE:

Addendum #3

# of Pages:

5

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**A) AMENDMENTS TO THE RFP:**

1. **DELETE** Minimum Qualification Requirement No. 7 found in Section V.A of the RFP and **SUBSTITUTE WITH** the following text:

“Proposer must demonstrate a minimum staffing level of at twenty (20) full-time special inspectors in-house and supplement with up to ten (10) additional special inspectors from subconsultants.”

**B) BPCA’S RESPONSE TO SUBSTANTIVE QUESTIONS:**

The following responses are provided to substantive questions received by Battery Park City Authority (“BPCA”) by July 11, 2025, 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. It is mentioned on page 6 of the RFP that "Proposer must demonstrate a minimum staffing level of thirty (30) full-time special inspectors". May this include our team of subconsultants or are you looking for firms to fulfill this requirement solely as the prime?  
*Refer to Amendment #1 above.*
2. Can the minimum staffing level of 30 full-time inspectors be supplemented with the subconsultant staff?  
*Refer to Amendment #1 above.*
3. We are an accredited Testing, Inspection, and Certification firm, and our technical director is a registered and licensed NYS professional engineer, assisted by multiple NY State professional engineers. However, we are unable to secure a COA to Practice Engineering in the State of New York as per Section 7210 of Article 145, Title 8 of the New York State Education Law, as our minority woman owner is not a licensed professional engineer. We are also a registered DBE in NY State. Given that we have the necessary skills, accreditations, and personnel to perform the services, we ask that the COA requirement be waived.

*A waiver to this requirement will not be granted.*

4. Can proposer submit recent completion of special inspections-related projects for Port Authority of New York and New Jersey to meet minimum qualification requirements stated in Section 4 General Requirements?

*The Proposer may submit special inspections related projects for the Port Authority of New York and New Jersey performed in NYC or NYS.*

5. Can proposer submit recent completion of special inspections-related projects for New Jersey counties to meet the minimum qualification requirements stated in Section 4 General Requirements?

*No, the Proposer must submit special inspections related projects performed for other NYC or NYS government agencies.*

6. Under General Requirements, Item #2, the RFP states that the proposer must obtain a Certificate of Authorization (CoA). However, based on the requirements of the NYCDOB, a CoA is not required to be licensed as a Class 1 Special Inspection Agency (SIA) in New York City. Would the BPCA consider waiving this requirement, provided the proposer holds and maintains the following credentials:

- a. A valid NYC Class 1 SIA License from the NYC DOB
- b. Accreditation from IAS, A2LA, or ISO 17020
- c. A NYC Department of Buildings Concrete Testing Laboratory License

*A waiver to this requirement will not be granted.*

7. I have a question regarding the minimum qualification requirements. If submitting as a JV, does the BPCA requirement that the Proposer be licensed by NYS to practice engineering apply to all the firms comprising the JV, or is it acceptable for only one firm to hold the COA?

*All firms involved in a Joint Venture must meet this requirement.*

8. Special Inspections agencies are not required to hold a COA; can this requirement be waived?

*A waiver to this requirement will not be granted.*

9. If Company A is submitting a bid as the prime contractor, is Company A allowed to join Company B bid submission as a subcontractor?

*Yes, proposers may also be subconsultants in another firm's proposal.*

10. If Company A is submitting as a prime contractor which holds a COA, can Company A submit a bid Doing-Business-As (DBA) as a licensed Special Inspections Agency?

*The proposing entity must have all required licensure and may not submit a DBA through another company.*

11. If Company A submits a bid as the prime contractor, are the subcontractors also required to hold a COA?

*No, only the proposers are required to hold a Certificates of Authorization to provide Engineering Services in New York State.*

12. Can Company A who is a licensed special inspections agency but does not have COA submit as a JV with Company B who holds a COA but is not a licensed special inspections agency?

*All firms involved in a Joint Venture must meet both requirements.*

13. For the project experience, can we include ongoing projects if they are nearing completion?

*Yes, you can include ongoing projects, but BPCA prefers to see completed work.*

14. Our firm intends to propose on the North West Battery Park Resiliency Project: Special Inspections and Laboratory Testing Services RFP as a Joint Venture with another firm. How would BPCA prefer to receive administrative information from the JV as it pertains to submittal requirements such as financials, the Vendor Responsibility Questionnaire, EO 16, etc.? For example, should each JV partner fill out a separate Vendor Responsibility Questionnaire, or should we submit a single one for the JV?

*The following administrative forms should be submitted by each JV partner:*

- *Vendor Responsibility Questionnaire / Certificate of No Change*
- *Statement of non-collusion*
- *Affirmation of Understanding of and Agreement Pursuant to State Finance Law §139-j(3) and §139-j(6)(b)*
- *Certification of Compliance with New York State Finance Law §139-k(5)*
- *Disclosure of Prior Non-Responsibility Determinations*
- *Encouraging the Use of New York State Businesses Statement*
- *Acknowledgement of Addenda Form*
- *Minority and Women Owned Business Enterprises And Equal Employment Opportunity Policy Statement*
- *Executive Order 16 Certification*

*All other required documentation—such as the technical proposal and any narrative responses—may be submitted jointly on behalf of the JV.*

15. Precast and Steel Fabrication Assumptions - Should we assume that the fabrication of any precast concrete or structural steel components will occur outside of the NYC Metropolitan area?

*Yes, please assume that precast and steel fabrication occurs outside of the NYC Metro area.*

16. Non-Destructive Testing (NDT) Scope Clarification - We did not see NDT specifically referenced in the Scope of Services. Should we include pricing for NDT services in our proposal?

*Yes, please include pricing for Non-Destructive Testing (NDT) as part of the proposal.*

17. What are the minimum credentials for the Supervising Engineer position?

*The minimum credentials for the Supervising Engineer are 5 years of experience.*

18. Is a PE/RA required in addition to the AWI/ICC for the 3.07 & 3.10 Welding Positions?

*Proposer must provide all personnel required for successful acceptance of all special inspection filings and requirements by the NYCDOB.*

19. For the “Schedule of Unit Prices for Testing And/Or Laboratory Services,” what type of pricing are you looking for? Many of these listed are field inspection services, which would utilize the half day or day rate. If there is no testing costs associated with an inspection should we just put \$0.00 as a place holder? Also, if there are multiple tests required for a specific inspection such as concrete or SFRM, how can we break these out?

*Proposers should submit any anticipated costs associated with the services listed in the Exhibit B-2 – “Unit Pricing Form for Testing and/or Laboratory Services.” If there is no cost associated with a listed service, proposers may indicate “N/A” as a placeholder. For multiple tests, Proposer may either:*

- 1. Submit a **single unit price** that covers both initial testing and any required retesting; or*
- 2. Submit **two (2) unit prices**: one for the initial test and a separate price for any applicable retests. The proposer may submit both prices in Exhibit B-2 by adding a column for the retest price.*

*Please note that BPCA will not be responsible for any costs associated with retests that are required due to the fault or error of the Select Proposer and/or its Subconsultants.*

20. Could you please define how the Department interprets “Premium Time”?

*Refer to Exhibit B on page B-2. Premium Time rates shall apply to services provided on a Saturday, Sunday, or any federally observed Holiday.*

21. If an MWBE firm is submitting as the prime contractor, can it count its own participation toward fulfilling the MWBE subcontracting goals, or must both goals be met through subcontractors?

*Yes, the prime consultant’s certification will count towards MWBE and SDVOB goals. Please note this contract will have 15% MBE, 15% WBE, and 6% SDVOB goals. If you*

*are an MBE, while your certification will fulfill the MBE goal, you will still be expected to meet the WBE and SDVOB goals.*

22. Will proposals from joint ventures with MBE-certified firms be given additional points towards evaluation?

*Proposers will be graded based on their responses to the Diversity Questionnaire.*

23. If the SDVOB subconsultant needs to be a Class 1 NYC SIA Agency, we believe that finding a firm qualified to perform on the project is, at best, improbable. Would it be acceptable to use an SDVOB that is not a Class 1 SIA, due to the fact that their inspectors will work under the supervision of the Prime Consultant that will be a Class 1 SIA?

*Only the proposer is required to be registered with NYCDOB as a Special Inspection Agency for Class 1. However, all required inspections performed for the project must be performed by the appropriate NYCDOB-approved inspector.*

24. Are all M/W/SDVOB subconsultants required to hold a Class 1 SIA License, or are Class 2 SIA licenses acceptable for these entities, depending on their Scope of Work?

*See response to Question #23*

25. We are proposing to utilize an SDVOB subconsultant that currently holds a Class 1 SIA License but has not yet received its formal SDVOB certification. Would it be acceptable to include this firm in our submission with the understanding that the certification will be obtained prior to the start of the project?

*You may use the subconsultant for the contract. However, if they do not receive their certification, the work performed would not count towards SDVOB goals. As such, you will be required to meet the established goals elsewhere in the contract or find a certified vendor to complete the work.*

Please ensure that all submissions include acknowledgment of this addendum.

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By signing the line below, I am acknowledging that all pages of this Addendum #3 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