

June 17, 2016

**SUBJECT: REQUEST FOR SUBMITTALS FOR THE PERFORMANCE OF EXPERT PROFESSIONAL CAPITAL INFRASTRUCTURE FINANCIAL AND BUSINESS ADVISORY SERVICES ON AN AS REQUESTED BASIS (PRIMARY FIRM) AND ON AN AS NEEDED “CALL-IN” BASIS (CALL-IN FIRMS) DURING 2016-2019 (RFS # 46218) - ADDENDUM #1**

Dear Sir or Madam:

The Port Authority of New York & New Jersey hereby amends the subject Request for Submittals (RFS, dated June 3, 2013 as follows:

In the RFP letter:

- On page 1, after the fourth paragraph, skip a line and insert the following paragraph:

Submitters are advised that, while not currently anticipated, nothing herein shall preclude the Authority from determining, at a subsequent point in time during the performance of the services contemplated hereunder, that a Primary Firm or Call-In Firm should be precluded from the performance of other procurement opportunities for any project on which the Primary Firm or Call-In Firm has performed such financial or business services advisory work. Submitters are directed to paragraph 32 of the attached Standard Agreement. Submitters are further advised that under this Agreement, the Primary Firm or Call-In Firms must provide, upon receipt of a Task Order issued by the Port Authority as set forth in Section IV of Attachment A, written notice to the Port Authority of any existing or potential conflict of interest the Primary Firm or Call-In Firm(s) may have in the performance of Financial Advisory Services under this Agreement.
- Under sub-section E on page 3, please be aware of the following amendment to the due date for Submittals:

Your Submittals should be forwarded in sufficient time so that the Authority receives them **no later than 2:00 p.m. on Friday, July 1, 2016.**
- Under Section III. E.5 (Staff Qualifications) on page 5, please delete: Provide the a breakdown of said billing rates, indicating all of its components (e.g., actual hourly pay rates, vacation, holiday, sick pay, workers' compensation, office rent, insurance, profit, etc).
- Please replace the existing language under Section III, H (Billing Rates) on page 9 with the following:

Submit a schedule of fully loaded hourly rates in a separate envelope, including names and titles as described in Paragraph 7A of the Agreement, for each of the team members proposed in accordance with Section III. E above. Note the Authority may, in its discretion, require the Respondent to provide confidential examples of comparable rates with other government entities or public authorities, as a condition to award of an Agreement under this RFS.

The following questions are from potential RFS Respondents. The questions and the Authority's corresponding answers are provided for your information and use, as appropriate.

**Question #1**

Can a respondent meet the "Respondent Requirements" listed on page 2 of the RFP Letter with a team structured as a prime consultant with one or more subconsultants, so long as that relationship is not a "common law joint venture or partnership"?

**Answer#1**

No. A Respondent may not meet the "Respondent Requirements" as a prime consultant with one or more subconsultants, even if the Respondent is not a common law joint venture or partnership. For the avoidance of doubt, firms should not partner with other firms to meet the Respondent Requirements, nor should firms respond to this RFS as a joint venture, partnership (unless a limited or general partnership is the form of the firm's corporate structure), consortium or "team" or as a prime/sub-consultant structure.

**Question #2**

Will the selected consultant be precluded from bidding on future development phases of capital projects (planning, design, construction, etc.) for which financial or business advisory services were provided?

**Answer #2**

See amendment to RFS letter above.

**Question #3**

Are there anticipated projects that the Port Authority already has planned to procure for support under this contract?

**Answer #3**

Potential Respondents should review the available documents noted in Section V. of Attachment A, including the 2014-2023 Capital Plan. Respondents should also review the most current Port Authority Official Statement, and Port Authority Annual Report.

**Question #4**

Can you please clarify whether the listed conflict of interest provision in Section 32 of the draft P.A. Agreement firm exists for all Authority projects, or only those projects on which the Call-In firm has participated in under the agreement?

**Answer #4**

Section 32 refers to those conflicts of interest that may arise under the Agreement and for the performance of work under a Task Order. Respondents should consider any existing or potential conflicts of interest the firm may have because of their performance of existing work under any

separate Port Authority agreement. Respondents should also review Section III.J (Conflict of Interest) of the RFS Letter. Also see the amendment to the RFS letter above on first page.

If you have any questions, please contact Timothy J. Pullen at [tpullen@panynj.gov](mailto:tpullen@panynj.gov).

Sincerely,

David Gutiérrez, CPPO  
Assistant Director  
Procurement Department