

THE PORT AUTHORITY OF NY & NJ

**PROCUREMENT DEPARTMENT
2 MONTGOMERY STREET, 3RD FL.
JERSEY CITY, NJ 07302**

11/20/2012

ADDENDUM # 1

To prospective Bidder(s) on Bid # 31318 for Building Operation and Maintenance of Two Montgomery Street, Jersey City, New Jersey – Two Years

Due back on 11/29/2012, no later than 11:00AM

I. CHANGES/MODIFICATIONS

The following changes/modifications are hereby made to the solicitation documents:

Part V- Specifications, Page 4, section 5- Personnel Requirements, paragraph a. second sentence: delete the words “have a Commercial Driver’s License and”

Part V- Specifications, Page 4, section 5- Personnel Requirements after subparagraph b, insert the following:

- c. The Chief Engineer and Lead Engineer are required to have a low-pressure, black seal Operator’s license.

II. BIDDER'S QUESTIONS AND ANSWERS

The following information is available in response to questions submitted by prospective Bidders. The responses should not be deemed to answer all questions, which have been submitted by Bidders to the Port Authority. It addresses only those questions, which the Port Authority has deemed to require additional information and/or clarification. The fact that information has not been supplied with respect to any questions asked by a Bidders does not mean or imply, nor should it be deemed to mean or imply, any meaning, construction, or implication with respect to the terms.

The Port Authority makes no representations, warranties or guarantees that the information contained herein is accurate, complete or timely or that such information accurately represents the conditions that would be encountered during the performance of the Contract. The furnishing of such information by the Port Authority shall not create or be deemed to create any obligation or liability upon it for any reason whatsoever and each Bidder, by submitting its Bid, expressly agrees that it has not relied upon the foregoing information, and that it shall not hold the Port Authority liable or responsible

therefor in any manner whatsoever. Accordingly, nothing contained herein and no representation, statement or promise, of the Port Authority, its Commissioners, officers, agents, representatives, or employees, oral or in writing, shall impair or limit the effect of the warranties of the Bidder required by this Bid or Contract and the Bidder agrees that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever. The Questions and Answers numbering sequence will be continued sequentially in any forthcoming Addenda that may be issued.

<i>Question #1</i>	Is holiday coverage required? If so, for all of the normal hours covered?
<i>Answer #1</i>	The building is closed on holidays. No coverage is required.
<i>Question #2</i>	Will the contractor be reimbursed for the cost of holiday pay that it is required to pay to individuals for days NOT WORKED?
<i>Answer #2</i>	All costs related to this work will be reimbursed at the hourly rates listed on the pricing sheets. Those rates should be fully-loaded.
<i>Question #3</i>	Will the contractor be reimbursed for the cost of vacation days, sick days, jury duty days, and bereavement leave days that it is required to pay to individuals for days NOT WORKED?
<i>Answer #3</i>	The hourly rates quoted on the pricing sheets should be fully-loaded.
<i>Question #4</i>	Is vacation fill required?
<i>Answer #4</i>	Yes, workers are required to be present at all times listed within the scope of work.
<i>Question #5</i>	Will the Contractor be reimbursed for the additional cost of shift differential for the Lead Engineer, or must the Contractor factor that in to the Hourly Rates if applicable?
<i>Answer #5</i>	All costs must be factored into the hourly rates listed on the pricing sheets.
<i>Question #6</i>	Is there a Collective Bargaining Agreement that currently covers the individuals performing the subject duties at the site?
<i>Answer #6</i>	Yes.
<i>Question #7</i>	Regarding the requirement for the Contractor to provide a smart phone for the Chief Engineer and a cell phone for the Lead Engineer, would the Port Authority allow the use of ATT phones with messaging capability rather than Verizon push to talk phones?
<i>Answer #7</i>	No. The phones must work with the Port Authority's push-to-talk phones.

Question #8	<p>In the insurance requirement in the RFP, it states that the Contractor must provide and pay for “Boiler and Machinery Insurance for loss caused by <u>mechanical or electrical equipment breakdown</u>, including but not limited to damage to the equipment, damage to property and damage to property of others in limits of not less than \$2 million each occurrence”. Our insurance advisor has indicated that it would cost thousands of dollars per year for a Contractor to obtain such insurance, even with a high deductible that would be the responsibility of the Contractor. Furthermore, the contract does not include full service maintenance and repair of the all electrical, and mechanical equipment in the building. Therefore, the Contractor does not control whether the Port Authority spends the money to repair the equipment when necessary, and does not fully control the condition of the equipment. Hence, it seems unreasonable to put that liability on the Contractor. Furthermore, the Port Authority may already have such coverage in place, as it is typically made a part of the overall policy on the property. Rather than have Bidders increase their pricing to include the cost of this insurance, will the Port Authority remove this requirement? If not, please provide a complete, detailed list of all mechanical and electrical equipment in the building which would be covered by this insurance, including make, model and serial number, so that Bidders may obtain a cost quote from their insurers.</p>
Answer #8	<p>A complete list of equipment is not available at this time. Please bid accordingly.</p>
Question #9	<p>Paragraph 20 of the Standard Contract Terms and Conditions requires that the Contractor assume all liability and risk, regardless of whether or not the Contractor was negligent. Will the Port Authority modify the language to limit the Contractor’s risk to items resulting from the Contractor’s negligence?</p>
Answer #9	<p>No.</p>
Question #10	<p>Per Paragraph 17a) of Part V of the RFP, contractor personnel must “operates, maintains, repairs and installs equipment on heating systems including such equipment as high and low pressure steam boilers, high temperature hot water boilers...” Are the Chief Engineer and the Lead Engineer required to have Boiler Operator licenses? If so, what level (or what are the sizes of the boiler(s))?</p>
Answer #10	<p>See above section “Changes/Modifications”.</p>

Question #11	The requirement in the RFP under “Personnel Requirement” states that the individuals working under the subject contract must have a Commercial Drivers’ License. This may prevent the Contractor from using well qualified personnel who do not meet this specific requirement. Will the Port Authority consider waiving the requirement for a CDL?
Answer #11	See above section “Changes/Modifications”.
Question #12	Can the Port Authority provide the pricing from the current contract?
Answer #12	See attached pricing for information purposes only.

FOR INFORMATION PURPOSES ONLY, ATTACHED IS THE PRICING FROM THE MOST RECENT CONTRACT:

The Port Authority of New York and New Jersey does not guarantee the relevancy of the pricing material as it may pertain to proposals solicited for other contracts. Vendors are cautioned that the use of this information, to determine future bid prices, or for any other purpose, shall be used at the vendor’s own risk. Bid prices should be based on the company’s costs, overhead and profit. The material or services requested may be based on a different specification and/or different quantity or delivery requirements than those in future solicitations.

This communication should be initialed by you and annexed to your Bid upon submission.

In case any Bidder fails to conform to these instructions, its Bid will nevertheless be construed as though this communication had been so physically annexed and initialed.

THE PORT AUTHORITY OF NY & NJ

KATHY LESLIE WHELAN, MANAGER
COMMODITIES AND SERVICES DIVISION

BIDDER'S FIRM NAME: _____

INITIALED: _____

DATE: _____

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO EMILY BAXTER, WHO CAN BE REACHED AT (201) 395-3421 or at ebaxter@panynj.gov.

Winter Hours		Rate	Weekly Hours November - April	Weekly Cost	Monthly Cost		
Chief Engineer	Straight time	\$70.58	40	\$2,823.20	\$12,224.46		
	Over time	\$93.36	12	\$1,120.32	\$4,850.99		
	Double time	\$118.94					
Lead Engineer	Straight time	\$65.80	40	\$2,632.00	\$11,396.56		
	Over time	\$86.53	10	\$865.30	\$3,746.75		
	Double time	\$109.89					
Winter Engineer	Straight time	\$60.18	40	\$2,407.20	\$10,423.18		
	Over time	\$78.50	8	\$628.00	\$2,719.24		
	Double time	\$99.26					
Winter Engineer	Straight time	\$60.18	24	\$1,444.32	\$6,253.91		
	Over time	\$78.50					
	Double time	\$99.26					
				Total	\$11,920.34	Total	\$51,615.07

Summer hours		Rate	Weekly Hours November - April	Weekly Cost	Monthly Cost		
Chief Engineer	Straight time	\$70.58	40	\$2,823.20	\$12,224.46		
	Over time	\$93.36	8	\$746.88	\$3,233.99		
	Double time	\$118.94					
Lead Engineer	Straight time	\$65.80	40	\$2,632.00	\$11,396.56		
	Over time	\$86.53	8	\$692.24	\$2,997.40		
	Double time	\$109.89					
Winter Engineer	Straight time	\$60.18	0	\$0.00	\$0.00		
	Over time	\$78.50	0	\$0.00	\$0.00		
	Double time	\$99.26					
Winter Engineer	Straight time	\$60.18	0	\$0.00	\$0.00		
	Over time	\$78.50					
	Double time	\$99.26					
				Total	\$6,894.32	Total	\$29,852.41

Estimated Annual cost January- December \$488,804.87
Assuming 6 month heating season