

# **THE PORT AUTHORITY OF NY & NJ**

**PROCUREMENT DEPARTMENT  
4 WORLD TRADE CENTER  
150 GREENWICH STREET, 21ST FLOOR  
NEW YORK, NY 10007**

07/06/2016

## **ADDENDUM # 1**

To prospective Bidder(s) on Bid # 46475 Re-Bid - Requirements Contract to Purchase Delivery of Potassium Acetate/Potassium Formate Liquid Decicing Chemical for Port Authority of NY & NJ Airports (JFK, EWR, LGA, TEB & SWF) for a Three (3) Year Requirements Contract Period from a Primary and Secondary Contractors per Attached Specifications

**Due back on 7/15/2016, no later than 11:00 AM**

### **I. CHANGES/MODIFICATIONS**

- 1. See page 6 of 16 PART A- CONTRACT DESCRIPTION, Paragraph 2, INTENTION OF ISSUING AWARDS. DELETE WITHOUT REPLACEMENT THE THIRD SENTENCE “This Contract will establish primary and secondary potassium acetate and/ or potassium formate suppliers”.**
- 2. See page 7 of 16 paragraph 3. COMMON PROPERTIES OF POTASSIUM ACETATE AND POTASSIUM FORMATE, LETTER “L”. First sentence, first line, Delete “ordered within 24 hours” insert, “ordered within 12 hours”. Second sentence, third line, Delete “delivered within 24 hours”, Insert: “delivered within 12 hours”. Second sentence, fourth line, Delete “delivered within 72 hours”, Insert: delivered within 24 hours”.**
- 3. See page 1 of 16, SPECIFIC BIDDER’S PREREQUISITES, ITEM “c”. DELETE: \$5,000,000. INSERT: Eight hundred thousand dollars (\$800,000.00)**

**The following answers to questions shall become an integral part of the subject Bid.**

### **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 therefore 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 therefore in any manner whatsoever.

The Questions and Answers numbering sequence will be continued sequentially in any forthcoming Addenda that may be issued.

<b><i>Question #1</i></b>	We would like to submit a bid for this requirement but the product we have GEN 3 is a hybrid of potassium acetate and another product. Please let me know if it would OK to submit a bid as an alternate for this product?
<b><i>Answer # 1</i></b>	The Port Authority cannot accept a deviation from the specification provided.
<b><i>Question #2</i></b>	Part A – Contract Description; 2. Intention of Issuing Award(s) “It is the intent of the Port Authority to make issue awards to two (2) Contractors for each chemical based on the Primary and Secondary lowest delivery price.”
<b><i>Answer #2</i></b>	No, See above I. 1. CHANGES/MODIFICATIONS
<b><i>Question #3</i></b>	Will the Authority consider adding /changing its “Force Majeure”, “Warranty” and or “Indemnity clauses”.
<b><i>Answer # 3</i></b>	No.
<b><i>Question #4</i></b>	We would like to request a list of the bidders as well as their unit prices bid out initially 3 years ago.
<b><i>Answer #4</i></b>	General Atomics/Cryotech \$4.277. Seneca Mineral \$4.597. Compass Chemical \$5.53. LNT \$5.585
<b><i>Question #5</i></b>	For the Potassium Acetate or Potassium Formate Primary Bidder, Section 3. Will you be making an award to the lowest responsible bidder, no matter which product is bid?

<b>Answer #5</b>	Awards are based on the lowest bid per Section. Note the primary contractor cannot be the secondary supplier at the same facility.																								
<b>Question #6</b>	Will you make an award to the lowest responsible bidder for Potassium Acetate AND an award for the lowest responsible bidder for Potassium Formate so that the airport can decide which product they want to use?																								
<b>Answer #6</b>	No.																								
<b>Question #7</b>	Letter “L” on page 7 of 16. The Contractor shall deliver the full amount of the product ordered within 24 hours of the time an airport submits an order, up to orders of 40,000 gallons. For orders over 40,000 gallons, the first 40,000 gallons shall be delivered within 24 hours at time of airport submits an order with the balance of the order to be delivered within 72 hours of the time the airport submits an order. The stock of the product shall be available for deliver to the Port Authority twenty-four (24) hours a day, seven (7) days a week including holidays. Will there be a cap or limit on the amount a purchase order can be submitted for that must be delivered within a 72 hour period?																								
<b>Answer #7</b>	See CHANGES/MODIFICATIONS I.2																								
<b>Question # 8</b>	What is the storage capacity at each of the five airports																								
<b>Answer # 8</b>	<table border="1"> <thead> <tr> <th>Storage Capacity</th> <th>Tank Storage</th> <th>Truck Storage</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>TEB</td> <td>40,000</td> <td>8,000</td> <td>48,000</td> </tr> <tr> <td>EWR</td> <td>102,000</td> <td>23,500</td> <td>125,500</td> </tr> <tr> <td>LGA</td> <td>82,000</td> <td>8,000</td> <td>90,000</td> </tr> <tr> <td>SWF</td> <td>18,000</td> <td>0</td> <td>18,000</td> </tr> <tr> <td>JFK</td> <td>88,000</td> <td>22,000</td> <td>110,000</td> </tr> </tbody> </table>	Storage Capacity	Tank Storage	Truck Storage	Total	TEB	40,000	8,000	48,000	EWR	102,000	23,500	125,500	LGA	82,000	8,000	90,000	SWF	18,000	0	18,000	JFK	88,000	22,000	110,000
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<b>Question #9</b>	Can you please provide the name and awarded price for the current contract for the above referenced chemical?																								
<b>Answer # 9</b>	Primary: General Atomics d/b/a Cyrotech. \$4.277 per gallon. Secondary: Compass Chemical \$5.73 per gallon.																								
<b>Question #10</b>	Part A – Contract Description; 8. Delivery “The Contractor shall deliver the product within 12 hours of the time an airport submits an order																								
<b>Answer #10</b>	See CHANGES/MODIFICATIONS I.2																								
<b>Question #11</b>	Part A – Contract Description; 3. Common Properties of Potassium Acetate and Potassium Formate “The Contractor shall deliver the full																								

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<b>Answer #11</b>	<i>See CHANGES/MODIFICATIONS 1.2 above</i>
<b>Question #12</b>	Will there be a cap or limit on the amount a purchase order can be submitted for that must be delivered within a 72 hour period
<b>Answer #12</b>	<i>The cap limit will not exceed tank storage capacity</i>

THE PORT AUTHORITY OF NY & NJ

SELENE ORTEGA, MANAGER  
COMMODITIES AND SERVICES DIVISION

BIDDER'S FIRM NAME: \_\_\_\_\_  
INITIALED: \_\_\_\_\_  
DATE: \_\_\_\_\_

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO  
LARRY WAXMAN, WHO CAN BE REACHED AT (212) 435-4639 OR AT  
[LWAXMAN@PANYNJ.GOV](mailto:LWAXMAN@PANYNJ.GOV) BID #46475