

THE PORT AUTHORITY OF NY & NJ
PROCUREMENT DEPARTMENT
115 BROADWAY, 19TH FLOOR
NEW YORK, NY 10006

February 28, 2014

ADDENDUM # 2

TO PROSPECTIVE PROPOSER(S) ON RFP # 36549 - REQUEST FOR PROPOSALS FOR INDEFINITE QUANTITY CONTRACTS (IQCs) FOR PERFORMANCE OF EXPERT PROFESSIONAL AUDIT AND INTEGRITY MONITORING SERVICES FOR FEDERALLY FUNDED SUPER STORM SANDY RELATED REPAIR AND RESILIENCY PROJECTS ON AN "AS-NEEDED" BASIS DURING 2014 THROUGH 2019

Due back on March 5, 2014, no later than 2:00 PM ET

PROPOSER'S QUESTIONS AND ANSWERS

The following information is made available in response to questions submitted by prospective Proposer(s). It should not be deemed to answer all questions, which have been submitted by Proposer(s) 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 Proposer(s) 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 Agreement. 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 Proposer, by submitting its proposal, 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 directors, officers, agents, representatives, or employees, oral or in writing, shall impair or limit the effect of the warranties of the Proposer(s) required by this Proposal or Agreement and the Proposer(s) agrees that it shall not hold the Port Authority liable or responsible therefore in any manner whatsoever.

1.	<i>Question</i>	Where may we obtain a copy of RFP attachment K, the Port Authority Standard Agreement? It was not part of the RFP package.
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1.	<i>Answer</i>	Posted as Addendum No. 1 on the PA website.
2	<i>Question</i>	Does the 20-page, double-sided page limit (RFP page 3) mean that a proposal may be 40 sheets, since each of the 20 double-sided pages would have 2 sheets?
2	<i>Answer</i>	The proposal may include up to 20 pages of texttotal.
3	<i>Question</i>	If we have already submitted a BQQ, should we also attach a copy of it to this proposal?
3	<i>Answer</i>	No. Please note in your proposal response that the BQQ was submitted to the Port Authority Office of the Inspector General, and when it was submitted.
4	<i>Question</i>	Are we allowed to mark up any subcontractors/ subconsultants that we may use, or is the permissible charge for them limited to their actual cost?
4	<i>Answer</i>	Please refer to Attachment K, Paragraph B of Clause 7 “Costs of Subconsultants”.
5	<i>Question</i>	Regarding Form D-1, where may we obtain the document referenced in the Form, namely, “Appendix A2”? Is Appendix A2 the same as RFP Attachment D-3?
5	<i>Answer</i>	Yes, Appendix A-2is the same as D-3.
6	<i>Question</i>	Regarding Form D-2, please explain how we are supposed to fill out the Form, inasmuch as we are not supposed to submit a specific cost proposal at this time.
6	<i>Answer</i>	The DBE forms are included in this RFP to provide the Consultant with notice that a DBE plan will be required with each task order that is awarded. With your Proposal response, please include a statement of your intent to comply with the DBE requirements of this Contract.
7	<i>Question</i>	Another question that we have - is the DBE a requirement or is just a goal for this RFP? As our legal team would require a formal review of any firm that we would potentially do work with, we would not be able to sort out potential DBE partners by the due date of March 5 th .

7	<i>Answer</i>	The DBE requirement is a goal, the DBE plans will be required to be submitted with each Task Order proposal.
8	<i>Question</i>	On page 10 of the RFP, subsection a, there is reference to a possible pre-bid meeting to be scheduled by the Port Authority to inform DBEs of subcontracting opportunities. Are any such meetings scheduled? When and where will they be? What would be involved in us getting notice and an invitation to attend?
8	<i>Answer</i>	No meetings have been scheduled at this time.
9	<i>Question</i>	Are firms permitted to submit a single proposal for the services in Groups 1, 2 and 3 or are we required to submit 3 separate proposals?
9	<i>Answer</i>	Firms are required to submit separate proposals for each category. Please refer to Submission of Proposal subsection I on page 3 of the RFP Letter.
10	<i>Question</i>	This question pertains to Section D – DBE Participation. Not knowing the timing or scope of services that we will be asked to bid on, it is difficult to determine the expertise needed and the extent of subcontractors that we will need to retain. The RFP even asks for the dollar value of each DBE subcontract. There is no way to know that information at this time. Is it sufficient to make a statement in our proposal that once we receive an IQC and know the scope of services we are bidding on, we agree to follow the “good faith efforts” described in the RFP to meet the DBE goal?
10	<i>Answer</i>	Please refer to the answer to Question 6 above.
11	<i>Question</i>	With respect to the DBE requirement, if a Proposer determines that they have all of the resources needed internally to fulfill the requirements of an IQC, is a Proposer still expected to subcontract with a DBE for services that the Proposer is capable of providing themselves?
11	<i>Answer</i>	The Proposer is required to comply with all the requirements of this Contract, including meeting the good faith goals for DBE participation.
12	<i>Question</i>	Section III. A. paragraphs (1) and (2) of the RFP require certified financial statements or an independent auditor's review report if certified statements are not available. We are a very small CPA firm with relevant qualifications with relation Group 1. of the

		RFP and we are interested in participating in this work. We do not have certified financial statements or a review report. Are there other means, acceptable to the Authority, to demonstrate financial capability such as submitting financial statements attested by the owner and reconciled to supporting documents, bank statements credit lines, etc.?
12	<i>Answer</i>	If you are unable to provide the documents requested in Section III. A. paragraphs (1) and (2) of the RFP letter, please submit your latest tax returns or latest fiscal statements and subsequent interim financial. If the aforementioned documents do not cover a period which includes a date not more than forty-five (45) days prior to the Proposal Due Date, then you shall also submit a statement in writing, signed by an executive officer or his/her designee, that the present financial condition of the your firm is at least as good as that shown on the statements submitted.
13	<i>Question</i>	Do proposed staff need to be approved by the Secure Workers Access Consortium (SWAC)?
13	<i>Answer</i>	Staff will be required to be SWAC approved before they begin work under this Contract.
14	<i>Question</i>	Can a subcontractor be in the DBE certification process, or must they be preapproved?
14	<i>Answer</i>	DBE Firms must be certified at the time the Task Order proposal is submitted, in order to qualify towards the DBE goal.
15	<i>Question</i>	May the selected vendor use offshore resources in the performance of the work?
15	<i>Answer</i>	Please submit your proposals in accordance with the solicitation package and they will be reviewed and evaluated accordingly.
16	<i>Question</i>	If our firm does not have a certified overhead rate, are we permitted to submit a self-certified calculated amount for overhead?
16	<i>Answer</i>	Yes, however, audited overhead statements are preferred.
17	<i>Question</i>	Since there was no pre-bid meeting where we would have an opportunity to meet interested DBE firms, will PANYNJ consider an extension to allow bidders a reasonable time to achieve best faith efforts to secure DBE participation?

17	<i>Answer</i>	No pre-bid meetings are scheduled at this time and due to schedule constraints, an extension will not be granted at this time.
18	<i>Question</i>	Please clarify the requirement under III.B on page 6 of the RFP for “A statement of work which the Proposer has on hand.” Are you requesting details on a current engagement the Proposer’s firm is working on? Is this required in addition to the financial statements required on III.A or is it an alternative to financial statements for those Proposers not able to provide them?
18	<i>Answer</i>	Yes, the Statement of Work on hand requires details on the current engagements the Proposer’s firm is working on. Please refer to paragraph B under Section III Financial Information on page 6 of the RFP Letter. Yes, the Statement of Work on Hand is required in addition to the financial statements.
19	<i>Question</i>	Items V.I and V.J regarding Conflict of Interest require demonstration of several specific plans. To the extent those plans are separate internal documents, can they be included as Appendix items and not included within the 20 page limitation?
19	<i>Answer</i>	Yes.
20	<i>Question</i>	Is the 20 page limited intended to be 10 sheets of paper with print on both sides, or 20 sheets of paper with print on both sides?
20	<i>Answer</i>	Please refer to the Answer to Question 2 above.
21	<i>Question</i>	On page 4 of 219 of the RFP, paragraph I states that each group proposal has to be submitted in its own individual envelope. If a vendor is proposing on all three groups and a majority of the information is the same for two of the groups (group 2 and 3), can all three groups be bid in one proposal or are separate proposals required?
21	<i>Answer</i>	Please refer to the answer to Question 9 above.
22	<i>Question</i>	On page 5 of 219 of the RFP, Section III says we should demonstrate that the vendor is financially capable through the submission of certified financial statements or statements reviewed by a CPA firm. We are a privately held firm with no requirement to produce or publish certified or reviewed financial statements. To assist you in your consideration of our proposal, we can submit a confidential letter from our National

		Comptroller certifying financial stability and a confidential reference letter from our corporate bank. Please confirm that this is sufficient to meet this requirement.
22	<i>Answer</i>	Please refer to the answer to Question 12 above.
23	<i>Question</i>	On page 7 of 219 of the RFP, Section V, paragraph A says demonstrate your compliance with the proposer prerequisites by providing attachments C-1 and C-2. Are these attachments the only information needed to meet the requirement of the “Firms Qualification and Experience” section?
23	<i>Answer</i>	Please refer to Section A. Firms Qualifications and Experience under V. Proposal Submission Requirements on page 7 of the RFP Letter for a complete explanation of what is required.
24	<i>Question</i>	On page 9 of 219 of the RFP, Section V, paragraph D states that the contract has a 17% DBE goal. Can the use of a Minority and Women Business Enterprise (MWBE) substitute part of or all of the 17% DBE goal?
24	<i>Answer</i>	Proposers must ensure that their submissions meet the requirements set forth in the solicitation documents.
25	<i>Question</i>	On page 11 of 219 of the RFP Section V - Paragraph H Background Qualification Questionnaire (BQQ) there is a link to the BQQ. The RFP requires that the <u>original BQQ</u> be submitted by the Proposers (and any known sub-consultants) to the Port Authority’s Office of Inspector General (OIG) – Fraud Prevention Unit <u>by mail</u> with an advance electronic copy being forwarded by email or fax. Does a copy of the BQQ have to be included with the submission of the Proposal(s)? Does the original of the BQQ have to be received by the Fraud Prevention Unit prior to the due date of the Proposal?
25	<i>Answer</i>	No, your proposal should not include the completed BQQ. Please note in your proposal response that the BQQ was submitted directly to the Port Authority Office of the Inspector General (OIG), and when it was submitted. The BQQ must be received by the OIG prior to the proposal due date.
26	<i>Question</i>	On page 2 of 219 of the RFP there is a link to Attachment E. The Labor Categories on this attachment include Principal, Project Manager, Legal, Auditor, Investigator and Specialist. On page 33 and 34 of 219 there is a template included (not labeled as Attachment E) for the listing of the Proposer’s staffing categories and hourly billing rates. Does unlabeled template represent Attachment E? Does this linked Attachment E serve to

		provide the staffing categories and hourly billing rates for Group 2 and 3 services only? The RFP's Addendum #1 dated February 18, 2014 links to an Attachment E for use when detailing the staffing categories and hourly billing rates specific to audit titles (Staff Auditor, Auditor Supervisor, and Audit Manager) associated with Group 1 services. How are staffing category costs of the Principal or Partner incorporated into this Attachment E?
26	<i>Answer</i>	Yes, the unlabeled template represents Attachment E to be used with your submissions for Groups 2 and 3 only. The staffing categories for Group 1 Auditing services are for internal audit staff which only includes Audit Managers, Audit Supervisors and Staff Auditors as more fully described on Page 2 of Attachment A scope of Services and as stated in Attachment E for Audit Services included in Addendum 1.
27	<i>Question</i>	Can vendors decline to respond to a task order in the event of a conflict of interest, scheduling issue etc., provided the vendor notifies PANYNJ promptly after receipt of the task order request?
27	<i>Answer</i>	We are currently requesting documentation to qualify proposers in order to award IQCs. The requirements for task order proposals will set forth in the solicitations for the task orders.
28	<i>Question</i>	I understand that the response deadline is March 5, 2014. Because we just recently learned about the RFP, we request an extension of time to respond up to and including March 19, 2014. Please let us know if you will approve.
28	<i>Answer</i>	Please refer to the answer to Question # 17 above.

This communication should be initialed by you and annexed to your proposal to the above-referenced RFP upon submission.

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

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO IRANISS MOREL, WHO CAN BE REACHED AT (212) 435-5502 or at imorel@panynj.gov.

THE PORT AUTHORITY OF NY & NJ

RICHARD PEREZ
PROCUREMENT MANAGER
FTA/WTC SITE PROJECTS

PROPOSER'S FIRM NAME: _____

INITIALED: _____

DATE: _____