

THE PORT AUTHORITY OF NY & NJ
PROCUREMENT DEPARTMENT
4 WORLD TRADE CENTER
150 GREENWICH STREET, 21ST FLOOR
NEW YORK, NY 10007

Date: January 11, 2017

ADDENDUM #3

To prospective Proposers to Request for Proposals (RFP) # 48071: Lease of Property located at Port Ivory in Staten Island, NY

Proposals due on January 27, 2017, no later than 2:00 PM EST

QUESTIONS AND ANSWERS

The following information is made available in response to questions submitted by prospective proposers to RFP 48071. It addresses only those questions that the Port Authority of New York and New Jersey ("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 does not mean or imply anything (nor should it be deemed to have any meaning, construction or implication) with respect to the terms and provisions of the RFP, which will be construed without reference to such questions.

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, if one is issued. 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 response, 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, orally or in writing, shall impair or limit the effect of the warranties of the Proposer required by this RFP and the Proposer agrees that it shall not hold the Port Authority liable or responsible therefor in any manner whatsoever.

Questions / Requests	Answers
1. An overall Site Geology and Hydrogeology has been provided in the RFP. Are there existing geotechnical reports, test boring/test pit logs for Parcels B and C (and/or immediate vicinity) that can be provided to proposers for review?	The requested information is unavailable at this time.
2. Is there geotechnical information (reports, pile installation logs, etc.) available along the waterfront, north	The requested information is unavailable at this time.

and east of Parcel C, where existing timber piles and piers are located?	
3. Are drilling contractors required to be union, prevailing wage?	Per the RFP, proposers are advised that the International Longshoremen's Association Union has claimed jurisdiction over Port Ivory and the associated operation of the terminal. For any specific category of work, Proposers are advised to ascertain whether any union now represented or not represented at the facility will claim jurisdiction over any aspect of work to be performed at the facility,
4. During subsurface explorations, are soil cuttings required to be drummed, tested, characterized and disposed of offsite, or will the Port Authority provide location(s) to stockpile them onsite?	Soil cuttings are required to be drummed, tested, characterized, and disposed of offsite.
5. Are the existing buildings on the parcels founded on piles?	Building 80 and the 60s Series Buildings are founded on piles.
6. Will the Port Authority provide any site preparation for the land being leased? Will it be leased as is or will Port Authority provide site improvements -- i.e. import of fill etc.?	The Port Authority intends to lease the property "as is." However, proposers are free to submit proposals containing capital and site improvements to be reviewed and evaluated by the Port Authority.
7. Will the Port Authority be responsible for obtaining pertinent USACE, NYSDEC, NYCDEP permits regarding development encroachments within areas of regulated wetlands and/or encroachments below the mean high water line?	The successful proposer will be responsible for obtaining any and all regulatory approvals that may be necessitated by the proposed Business Plan.
8. Would the Port Authority be the applicant for any permit applications to the aforementioned agencies?	The successful proposer will be the applicant for any necessary permit applications, and will be responsible for the content and costs thereof. However, the Port Authority will sign the application as site owner.
9. Does the Port Authority have a USACE Jurisdictional Determination and/or any permits to impact wetlands on the site?	The Port Authority does not have a USACE Jurisdictional Determination.
10. Are the wetlands on the site contaminated?	Wetland contamination is unknown at this time.
11. If encroachments within the aforementioned regulated areas are proposed and triggers mitigation, who would be responsible to address the mitigation obligation?	Mitigation of regulated areas will be addressed in negotiations with the successful Proposer.

<p>12. Does the Port Authority have a mitigation bank/site with available credits to address potential mitigation obligations?</p>	<p>The Port Authority does not have a mitigation bank/site in New York.</p>
<p>13. Is the State of New York willing to assist in the permit application review process to support the development plan which may impact a substantial amount of wetlands?</p>	<p>With respect to New York State’s willingness to assist in the permit application process, the Port Authority is unable to answer the question.</p> <p>The Port Authority is willing to support development application(s) of the successful Proposer.</p>
<p>14. Can the Port Authority provide title information on the easements and deed restriction on the property and more specifically does the Port Authority agreement with Colonial allow for the pipeline to be relocated/realigned?</p>	<p>Refer to Attachment D of the RFP regarding relocations/realignments of the pipeline.</p>
<p>15. Based upon review of the NYSDEC Fact Sheet, a Remedial Action Workplan has been prepared for the site, approved by NYDEC and was posted for comment in February 2016. Can the Port Authority provide a copy of the site Remedial Action Workplan to the proposers?</p>	<p>The requested information is unavailable at this time.</p>
<p>16. Based upon the age of the facility and site observations, it is possible that the existing buildings on site will contain the following hazardous materials and environmental conditions which must be abated as part of site redevelopment:</p> <ul style="list-style-type: none"> • Asbestos Containing Materials • Lead Based Paint • Transformers containing Polychlorinated Biphenyls (PCBs) • Above Ground Storage Tanks • Underground Storage Tanks • Equipment Containing hazardous materials • Hazardous Wastes • Potential Discharges to the environment 	<p>The Port Authority does not intend to assume investigation, abatement, or remediation responsibilities at this time. Proposers are free to submit proposals containing assumptions regarding the investigation, abatement, and remediation responsibilities of the parties, which will be evaluated by the RFP’s evaluation committee.</p>

<p>Will the Owner be responsible for investigation, abatement and/or remediation of these items associated with site redevelopment?</p>	
<p>17. Based upon review of the documents provided, the site is identified to support a closed "C&D" landfill which operated between 1958 and 1989 and received scrap metal, tires, telephone poles, railroad ties, vegetative debris and sharps. Post closure O&M is identified to be ongoing under the oversight of NYSDEC since 2001. Can the Port Authority provide documentation related to the investigation and closure of this landfill? What are the current O&M requirements for the landfill on site? Who will be responsible for O&M following redevelopment?</p>	<p>The requested information is unavailable at this time.</p>
<p>18. Based upon review of the documents provided, the site is identified to support two out-of-service petroleum pipelines which have reported discharges and require additional investigation and/or remediation. The out-of-service pipelines are identified as the primary source of contamination remaining on the site. Who will be responsible for the additional investigation and/or remediation of the out of service petroleum pipelines?</p>	<p>Remediation shall be performed in accordance with an approved the Remediation Action Work Plan.</p>
<p>19. Based upon review of the documents provided the site is identified to support one (1) active petroleum pipeline. Will placement of a structure atop this active pipeline be permitted? Who will be responsible for monitoring the active petroleum pipelines?</p>	<p>Refer to Attachment D, which lists placing permanent structures above the pipeline as prohibited.</p>
<p>20. Based upon review of the documents provided, the site has confirmed groundwater contamination which includes VOCs, SVOCS and Metals. Has the groundwater contamination been fully delineated? Who will be responsible for groundwater</p>	<p>Remediation will be performed in accordance with an approved Remediation Action Work Plan.</p>

remediation and monitoring following redevelopment?	
21. Based upon review of the documents provided, the site has confirmed soil contamination which includes VOCs, SVOCS and Metals and is related to historic fill. Has the soil contamination been fully delineated? Who will be responsible for soil remediation which may be required as part of redevelopment?	Remediation will be performed in accordance with an approved Remediation Action Work Plan.
22. Are site facility maps available, including, but not limited to boundary survey, topographic survey, utilities survey?	The requested information is unavailable at this time.
23. Is a title report available for the properties, with copies of the easement and deed restrictions?	The requested information is unavailable at this time.

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

THE PORT AUTHORITY OF NEW YORK & NEW JERSEY

CARMEN REIN
GENERAL MANAGER

PROPOSER'S NAME: _____

INITIALED: _____

DATE: _____

QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO JAMES SUMMERVILLE:

JSUMMERVILLE@PANYNJ.GOV, 212-435-4642