

THE PORT AUTHORITY OF NY & NJ
PROCUREMENT DEPARTMENT
2 MONTGOMERY STREET, 3RD FL.
JERSEY CITY, NJ 07302

2/24/2015

ADDENDUM # 4

To prospective Bidder for Bid # 40517 entitled, “Manufacture and Deliver Four (4) Switching Locomotives and Associated Spare Parts for PATH”:

- Originally due on 12/18/2014, no later than 11:00 AM
- Now due 3/18/2015, no later than 11:00 AM

I. CHANGES/MODIFICATIONS:

- A. In Part II - Contract Specific Information for Bidders, 3. Delivery Date, second paragraph, delete “FOB Delivery Point” and replace with “FOB Destination”.
- B. Part V – Specifications, Section 1.2, Work to Be Done, first paragraph, delete the second sentence in its entirety and replace it with the following: “The locomotive shall be compliant with current USA EPA emissions requirements at the time of delivery.”
- C. Part V – Specifications, Section 2.1.4, Operating Physical Environment, delete second and third paragraphs in their entirety and replace with the following:

“Contractor is ultimately responsible for the clearance of the locomotive clearances. The Locomotive must meet the clearance requirements of being able to travel around a 115 foot curve with bench wall 2’ 11” (see drawing P0004) from gauge of running rail and third rail in highest position (Drawing P-0002, Drawing File #98, Serial #4488) above track rail by a minimum of 1 ½ inches.

The vehicle dynamic envelope shown on the drawing (Drawing P-0006) 2P395305-1041-C (Carbody Kinematic Envelope) represents the spatial envelope within which the Locomotive shall remain under all operating conditions. The dynamic envelope provides a safety zone relative to fixed facilities. The Locomotive shall be constructed so that it meets all of the clearance requirements for the worst case car and wayside conditions, including wheel wear, rail wear and suspension deflection conditions.

The Locomotive shall be able to travel safely on curves with a radius as sharp as 90 feet. There shall be sufficient clearance between the various parts to permit any rotation necessary to negotiate a 90-foot radius curve.

PS11All

Platform dimensions are approximately as follows: platform height above base of rail: 3'6" to 3'7 1/2"; and minimum distance from edge of finished platform to centerline of track in tangent: 4 feet 7 1/2 inches (for curved platform, this dimension varies)."

- D. Part V – Specifications, Section 2.8.6, Design for Shock and Vibration Resistance, delete entire section and replace with the following:

"Shock and vibration requirements depends, in part, on the type of truck and spring system and roadbed conditions. All equipment shall be tested per IEC 61373 and be in accordance with Section 10.10.7 of this specification and IEEE Std. 11."

- E. Part III – Contract Specific Terms and Conditions, Section 16, Inspection and Acceptance, in the third paragraph, first and second sentence change "tie tamper" to "Locomotive".

- F. Part III – Contract Specific Terms and Conditions, Section 11, Payment, paragraph 'a', delete in its entirety and replace with the following:

"Payment shall be made in accordance with the Payment Schedule set forth below."

- G. Part V – Specifications, Section 17.1, General, second paragraph, first sentence, before "acceptance" insert "final".

- H. Part V – Specifications, Section 1.6.1 Definitions, page 8, after "Field Modification" and before "First Article" add the following term:

"Final Inspection shall mean all tests have been completed and the Locomotive is 100% compliant with all of the specifications and requirements stated in the Contract and Drawings."

- I. Part V – Specifications, Section 1.6.1 Definitions, page 6, add "/Acceptance" to the end of the term "Conditional Acceptance".

- J. Part V – Specifications, Section 4.4.3.1, Journal Bearings, in the first paragraph at the end of the second sentence delete "manufacturer (SKF or Timkin)" and replace with "manufactured by SKF or Timkin or approved equal."

- K. Part V – Specifications, Section 4.4.4.2, Journal Box, at the end of the second paragraph, second sentence, add "or approved equal".

- L. Part V – Specifications, Section 5.1, General, third paragraph, first line, after “Hook type coupler” add “(see drawing P-0009-1)”.
- M. Part V – Specifications, Section 6.4.1, Cab Seat, in the first paragraph second sentence after “Model # 9100-100004-000”, add “or approved equal”.
- N. Part V – Specifications, Section 6.4.11.1, Two-Way Radio Communication System, in the third sentence delete “Vertex Standard” and replace with “Motorola ABX6500”.
- O. Part V – Specifications, Section 6.4.13, Intercom, in the second paragraph, first sentence, after “One (1) David Clark Inc., Permissible Sound Powered Headset, Model H5040”, add “or approved equal,”.
- P. Part V – Specifications, Section 11.3.3, Trip Cocks, at the end of the first paragraph, delete the last sentence and replace with “Trip cocks shall be Wabtec (type DI and DIA) or Knorr (type DI and DIA) or approved equal.”
- Q. Part V – Specifications, Section 10.14.8, Solid State Timer, in the first sentence after “ABB Solid State Timer, Model SSAC, Part Number HRISW25B”, add “or approved equal”.
- R. Part V – Specifications, Section 13.1.1, Sound Powered Two-Way Telephone Communication, in the first line, after “Hose/McCann Part Number 702019-390”, add “or approved equal,”.
- S. Part V – Specifications, Section 13.1.1, Sound Powered Two-Way Telephone Communication, in the second sentence, “A cap and chain set.” change to read “A cap and chain set:”.
- T. Part V – Specifications, Section 13.1.1, Sound Powered Two-Way Telephone Communication, in the third line, after Hose/McCann Part Number 701017-553, add “or approved equal”.
- U. Part V – Specifications, Section 13.1.1, Sound Powered Two-Way Telephone Communication, last sentence, after “David Clark Inc., Permissible Sound Powered Headset, Model # H5040”, add “to be worn behind the head, dual ear, acoustic boom for noise levels up to 100dB, adjustable overhead strap, fits under a safety helmet, foam filled ear seals, meets MSHA Approval Number 9B-67 or approved equal,”.

V. Part V – Specifications, Section 14.3.2, Marker Lights, in the first sentence, after “(Luminator Part Number 110103-001)”, add “or approved equal”.

W. Delete drawing “P-0009” and replace with “P-0009-1”.

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.

Q1. Referring to Part V – Specifications, Section 2.1.4, Operating Physical Environment, are overall arrangement drawings for PATH’s current car types, including coupler draw bar dimensions available? In addition, if PATH has performed any clearance and/or curve studies for these cars, is that information available?

A1. See drawings P-0000 to P-0009-1 in the Bid package. After award, PATH will supply a clearance study using a PATH PA 4 car to the contractor.

Q2. Referring to Part V – Specifications, Section 5.3, Strength Requirements, the specified locomotive is to meet the requirements of 49 CFR 229.141(b). Please confirm if PATH has recognized that the design requirements listed in 49 CFR 229.201 – 49 CFR 229.209 are not applicable because of the applicability requirements in 49 CFR 229.203.

A2. Yes, design requirements are set forth in the Part V Specifications.

Q3. Referring to Part III, Section 11. Payment, would PATH consider a cash neutral milestone payment schedule?

A3. No. Please refer to Part I, Standard Information for Bidders, section 6, Firm Offer, "EXCEPTIONS TAKEN OR CONDITIONS IMPOSED BY A BIDDER TO ANY PORTION OF THE CONTRACT DOCUMENTS WILL RESULT IN REJECTION OF THE BID."

Q4. Referring to Part III, Section 12. Default-Delays, compensatory damages are standard and acceptable in the event of a breach, but will PATH accept an exclusion of consequential damages and an overall cap in liability?

A4. No. Please refer to Part I, Standard Information for Bidders, section 6, Firm Offer, "EXCEPTIONS TAKEN OR CONDITIONS IMPOSED BY A BIDDER TO ANY PORTION OF THE CONTRACT DOCUMENTS WILL RESULT IN REJECTION OF THE BID."

Q5. Referring to Part III, Section 13. Equipment Warranty, would PATH accept the following addition: "If a part is replaced under warranty, the part will carry a 1-year warranty or the remainder of the original locomotive warranty, whichever is longer."

A5. No. Please refer to Part I, Standard Information for Bidders, section 6, Firm Offer, "EXCEPTIONS TAKEN OR CONDITIONS IMPOSED BY A BIDDER TO ANY PORTION OF THE CONTRACT DOCUMENTS WILL RESULT IN REJECTION OF THE BID."

Q6. Would PATH accept the following change: "If PATH puts a locomotive into service, it shall be deemed as having achieved Conditional Acceptance by PATH."?

A6. No. Please refer to Part I, Standard Information for Bidders, section 6, Firm Offer, "EXCEPTIONS TAKEN OR CONDITIONS IMPOSED BY A BIDDER TO ANY PORTION OF THE CONTRACT DOCUMENTS WILL RESULT IN REJECTION OF THE BID."

Q7. Referring to Part III, Section 9. Title to Materials, would PATH accept that title and risk of loss transfer upon delivery to PATH?

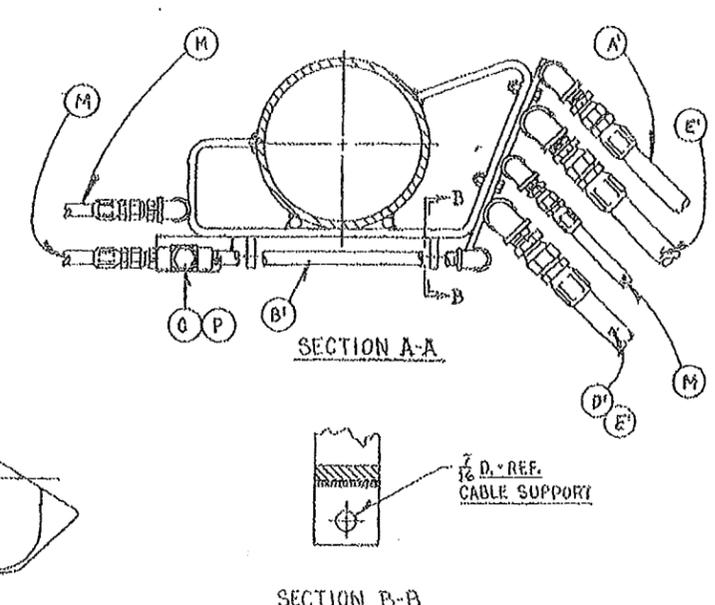
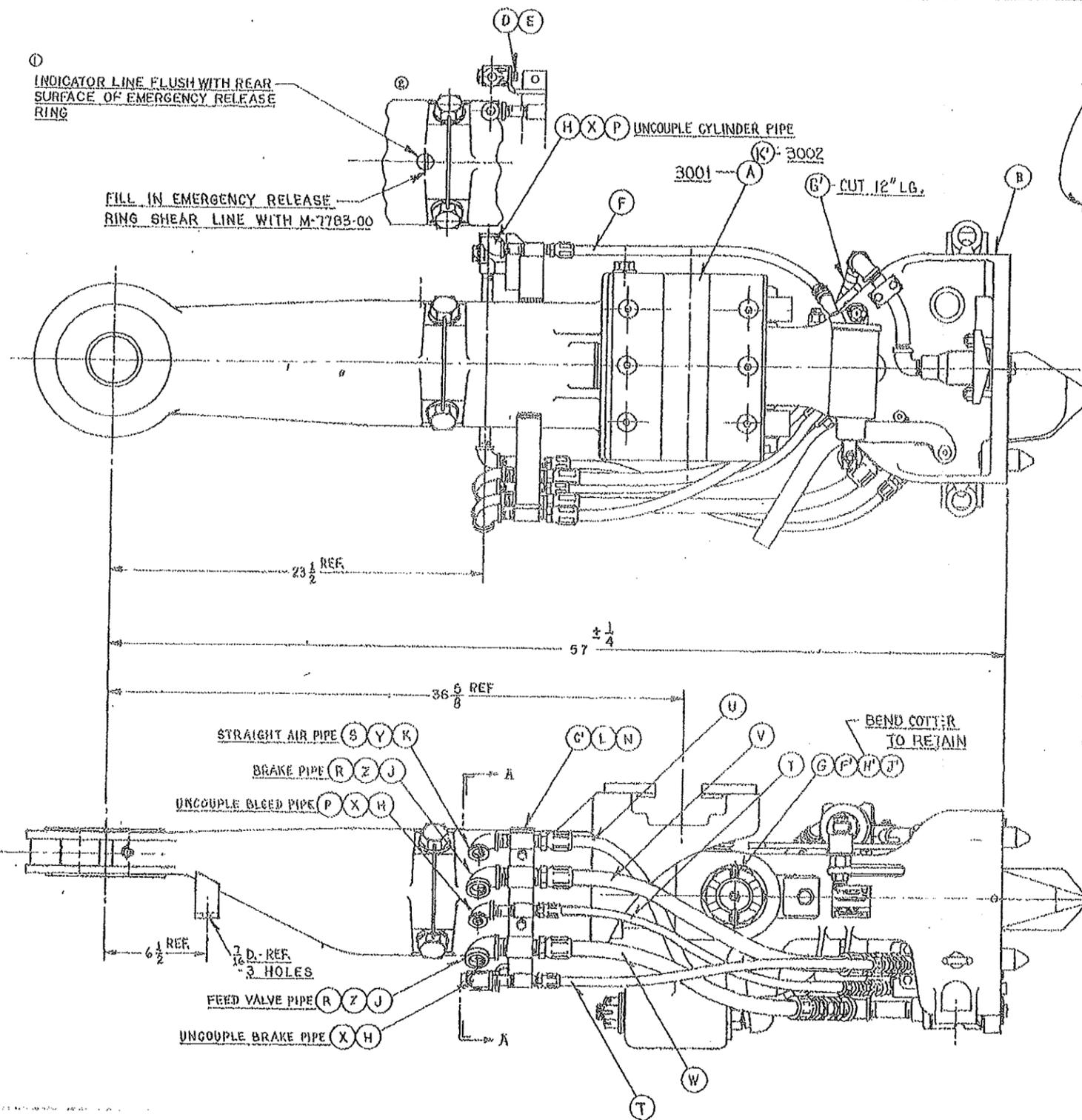
A7. See Part III, Section 16, Inspection and Acceptance.

THE PORT AUTHORITY OF NY & NJ
Kathy Leslie Whelan, Asst. Director
Commodities & Services Division

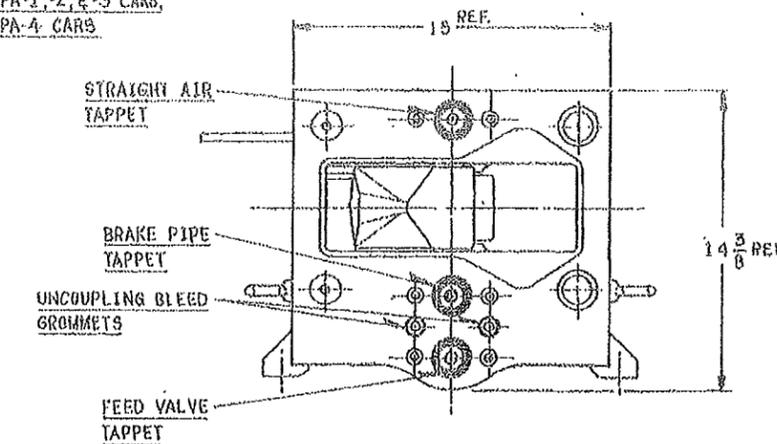
QUESTIONS CONCERNING THIS ADDENDUM MAY BE ADDRESSED TO
Mr. Richard A. Grehl, WHO CAN BE REACHED AT (201) 395-3441 or at
rgrehl@panynj.gov.

PS11All

REV NO.		LIST OF MATERIAL			DRAWING NUMBER
REV NO.	REV	ITEM	PART NO.	MATERIAL	DESCRIPTION
3003	3	1	A	57707-3001	DRAWBAR ASS'Y.
3002	2	1	B	57719-3001	COUPLER HEAD ASS'Y.
3001	1	1	C	57797-3001	SPEED CONTROL VALVE
		2	D	1-4588	STL. 5/16 HEX. HD CAP SCR. X 5/8
		2	E	19779-4030	STL. 5/16 LOCKWASHER
		1	F	57788-3002	HOSE ASS'Y. - 23 1/4 LG.
		1	G	53922-4002	STL. CLEVIS PIN
		3	H	10-4109	STL. ELBOW-90° 3/8 NPT
		2	J	10-4111	STL. ELBOW-90° 3/4 NPT
		1	K	10-4110	STL. ELBOW-90° 1/2 NPT
		2	L	1-4596	STL. 3/8 HEX. HD. CAPSCR. X 1-1/2
		3	M	57788-3005	HOSE ASS'Y. 48 1/4 LG.
		2	N	3-4061	STL. 3/8 HEX. STOPNUT
		3	P	8-4083	PLAS. CAPPLUG-3/8 NPT
		2	R	8-4086	PLAS. CAPPLUG-3/4 NPT
		1	S	8-4091	PLAS. CAPPLUG-1/2 NPT
		2	T	57788-3004	HOSE ASS'Y. - 27.75 LG.
		1	U	57789-3001	HOSE ASS'Y. - 30.00 LG.
		1	V	57790-3003	HOSE ASS'Y. - 27.75 LG.
		1	W	57790-3005	HOSE ASS'Y. - 28.75 LG.
		5	X	21-4877	STL. NIPPLE 3/8 NPT X 2
		1	Y	21-4889	STL. NIPPLE 1/2 NPT X 1-1/2
		2	Z	21-4875	STL. NIPPLE 3/4 NPT CLOSE
		1	A'	57789-3002	HOSE ASS'Y. 47 1/2 LG.
		1	B'	21-4827	PIPE 3/8 NPT X 12-1/8
		1	C'	57925-3001	PIPE BRACKET ASS'Y
		1	D'	57790-3007	HOSE ASS'Y. 51.50 LG.
		2	E'	57790-3008	HOSE ASS'Y. 53.5 LG.
		1	F'	53920-4001	STL. HEX NUT (E-1/4-12N)
		✓	G'	24-4349	NYLON SPIRAL SLEEVE 100 FT/E
		1	H'	3-4388	SST. COTTER PIN (3/8 X 3/4)
		1	J'	11-4316	STL. GREASE FITTING
		1	K'	57707-3003	DRAWBAR ASS'Y.



- NOTES:
1. FPS 174 (GENERAL LUBRICANT) ALL SURFACES NOT OTHERWISE PAINTED.
 2. TOUCH UP WITH M-7745-00 (BLACK ENAMEL PAINT).
 3. M-7499-18 APPLIED TO ALL NPT (TAPERED PIPE THREADS) PNEUMATIC CONNECTIONS.
 4. CAR TO COUPLER HOSES, ITS. M, A', D', E', E' REMOVED FOR CLARITY. SHIP UNASSEMBLED.
 5. 3001 FOR PA-1, -2, & -3 CARS, 3002 FOR PA-4 CARS.



DIMENSIONS IN Ø ARE MILLIMETERS

REV	DATE	BY	CHKD	APP'D	DESCRIPTION
3001					
3002					
3003					

SIM. TO 57511

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WABCO Tractor Division
A Division of WABCO TRACTOR DIVISION

OHIO BRASS
MECHANICAL COUPLER ASSEMBLY
FORM 8501

DRAWING NO. 57726
SCALE 1/4"